

that *de jure* or *de facto* are internationally responsible for those territories may become parties,

Considering that it would not be fair if the peoples of some of those territories were deprived of such benefits without being given the opportunity to express their opinion in this connection,

Recalling that three of the States to which the Additional Protocol I is open—the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands and the United States of America—became parties to the Protocol in 1969, 1971 and 1981, respectively,

1. *Deplores* that the signature of Additional Protocol I by France, which took place on 2 March 1979, has not yet been followed by the corresponding ratification, notwithstanding the time already elapsed and the pressing invitations which the General Assembly has addressed to it;

2. *Once more urges* France not to delay any further such ratification, which has been requested so many times and which appears all the more advisable, since France is the only one of the four States to which the Protocol is open that is not yet party to it;

3. *Decides* to include in the provisional agenda of its forty-second session an item entitled "Implementation of General Assembly resolution 41/45 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

94th plenary meeting
3 December 1986

41/46. Cessation of all nuclear-test explosions

A

The General Assembly,

Bearing in mind that the complete cessation of nuclear-weapon tests, which has been examined for more than thirty years and on which the General Assembly has adopted more than fifty resolutions, is a basic objective of the United Nations in the sphere of disarmament, to the attainment of which it has repeatedly assigned the highest priority,

Stressing that on eight different occasions it has condemned such tests in the strongest terms and that, since 1974, it has stated its conviction that the continuance of nuclear-weapon testing will intensify the arms race, thus increasing the danger of nuclear war,

Recalling that the Secretary-General, addressing a plenary meeting of the General Assembly on 12 December 1984,³ after appealing for a renewed effort towards a comprehensive test-ban treaty, emphasized that no single multilateral agreement could have a greater effect on limiting the further refinement of nuclear weapons and that a comprehensive test-ban treaty is the litmus test of the real willingness to pursue nuclear disarmament,

Taking into account that the three nuclear-weapon States which act as depositaries of the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water⁴ undertook in article I of that Treaty to conclude a treaty resulting in the permanent banning of all nuclear-test explosions, including all those explosions underground, and that such an undertaking

was reiterated in 1968 in the preamble to the Treaty on the Non-Proliferation of Nuclear Weapons,⁵ article VI of which further embodies their solemn and legally binding commitment to take effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament,

Bearing in mind that the same three nuclear-weapon States, in the report they submitted on 30 July 1980 to the Committee on Disarmament after four years of trilateral negotiations, stated, *inter alia*, that they were "mindful of the great value for all mankind that the prohibition of all nuclear-weapon test explosions in all environments will have" as well as "conscious of the important responsibility placed upon them to find solutions to the remaining problems", adding furthermore that they were "determined to exert their best efforts and necessary will and persistence to bring the negotiations to an early and successful conclusion",⁶

Noting that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration⁷ adopted on 21 September 1985, called on the nuclear-weapon States parties to the Treaty to resume trilateral negotiations in 1985 and on all the nuclear-weapon States to participate in the urgent negotiation and conclusion of a comprehensive nuclear-test-ban treaty, as a matter of the highest priority, in the Conference on Disarmament.

Recalling that the leaders of the six States associated with the five-continent peace and disarmament initiative affirmed in the Mexico Declaration,⁸ adopted on 7 August 1986, that they "remain convinced that no issue is more urgent and crucial today than bringing to an end all nuclear tests", adding that "both the qualitative and the quantitative development of nuclear weapons exacerbate the arms race, and both would be inhibited by the complete abolition of nuclear weapons testing",

Bearing in mind that the multilateral negotiation of such a treaty in the Conference on Disarmament must cover all the various interrelated problems that it will be necessary to solve in order that the Conference may transmit a complete draft treaty to the General Assembly,

1. *Reiterates once again its grave concern* that nuclear-weapon testing continues unabated, against the wishes of the overwhelming majority of Member States;

2. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the highest priority;

3. *Reaffirms also its conviction* that such a treaty would constitute a contribution of the utmost importance to the cessation of the nuclear-arms race;

4. *Urges once more* the three depositary Powers of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons to abide strictly by their undertakings to seek to achieve the early discontinuance of all test explosions of nuclear weapons for all time and to expedite negotiations to this end;

5. *Appeals* to all States members of the Conference on Disarmament, in particular to the three depositary Powers of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and of the

⁵ Resolution 2373 (XXII), annex

⁶ CD/139/Appendix II/Vol. II, document CD/130.

⁷ *Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.III/64/I)* (Geneva, 1985), annex I.

⁸ A/41/518-S/18277, annex I.

³ See *Official Records of the General Assembly, Thirty-ninth Session, Plenary Meetings*, 97th meeting, para. 302.

⁴ United Nations, *Treaty Series*, vol. 480, No. 6964, p. 43.

Treaty on the Non-Proliferation of Nuclear Weapons, to promote the establishment by the Conference at the beginning of its 1987 session of an *ad hoc* committee with the objective of carrying out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;

6. *Recommends* to the Conference on Disarmament that such an *ad hoc* committee should comprise two working groups dealing, respectively, with the following inter-related questions: contents and scope of the treaty, and compliance and verification;

7. *Calls upon* the States depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and the Treaty on the Non-Proliferation of Nuclear Weapons, by virtue of their special responsibilities under those two Treaties and as a provisional measure, to bring to a halt without delay all nuclear-test explosions, either through a trilaterally agreed moratorium or through three unilateral moratoria, which should include appropriate means of verification;

8. *Decides* to include in the provisional agenda of its forty-second session the item entitled "Cessation of all nuclear-test explosions".

94th plenary meeting
3 December 1986

B

The General Assembly,

Bearing in mind the determination, proclaimed since 1963 in the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water,⁴ to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Bearing also in mind that in 1968 the Treaty on the Non-Proliferation of Nuclear Weapons⁵ recalled such determination and included in its article VI an undertaking by each of its parties to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date,

Recalling that in its resolution 2028 (XX) of 19 November 1965, adopted unanimously, it had stressed that one of the basic principles on which the treaty to prevent the proliferation of nuclear weapons should be based was that such treaty, which was then to be negotiated, should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers,

Recalling also that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration⁷ adopted by consensus on 21 September 1985, expressed its deep regret that a comprehensive multilateral nuclear-test-ban treaty had not been concluded so far and called for the urgent negotiation and conclusion of such a treaty as a matter of the highest priority,

Noting that article II of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water provides a procedure for the consideration and eventual adoption of amendments to the Treaty by a conference of its parties,

1. *Recommends* that the States parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water undertake practical steps leading to the convening of a conference to consider

amendments to the Treaty that would convert it into a comprehensive nuclear-test-ban treaty;

2. *Requests* that States parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water report to the General Assembly at its forty-second session on the progress of their efforts.

94th plenary meeting
3 December 1986

41/47. Urgent need for a comprehensive nuclear-test-ban treaty

The General Assembly,

Convinced that a nuclear war cannot be won and must never be fought,

Convinced of the consequent urgent need for an end to the nuclear-arms race and the immediate and verifiable reduction and ultimate elimination of nuclear weapons,

Convinced, therefore, that an end to all nuclear testing by all States in all environments for all time is an essential step in order to prevent the qualitative improvement and development of nuclear weapons and further nuclear proliferation and to contribute, along with other concurrent efforts to limit and reduce nuclear arms, to the eventual elimination of nuclear weapons,

Noting that the Union of Soviet Socialist Republics and the United States of America are engaged in nuclear and space talks and in consultations on the entire scope of issues relating to nuclear testing, and expressing the hope that those talks and consultations will lead to both early and concrete results,

Noting also recent initiatives, including the proposals by the leaders of the six States associated with the five-continent initiative, to promote an end to nuclear testing,

Convinced that the most effective way to achieve the discontinuance of all nuclear tests in all environments for all time is through the conclusion of a verifiable, comprehensive nuclear-test-ban treaty open to and capable of attracting the adherence of all States,

Reaffirming the responsibilities of the Conference on Disarmament in the negotiation of a comprehensive nuclear-test-ban treaty,

1. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States in all environments for all time is a matter of fundamental importance;

2. *Urges*, therefore, that the following actions be taken in order that a comprehensive nuclear-test-ban treaty may be concluded at an early date:

(a) The Conference on Disarmament should commence practical work on a nuclear-test-ban treaty at the beginning of its 1987 session;

(b) States members of the Conference on Disarmament, in particular the nuclear-weapon States, and all other States, should co-operate with the Conference on Disarmament in order to facilitate and promote such work;

(c) The nuclear-weapon States, especially those which possess the most important nuclear arsenals, should agree to appropriate verifiable, interim measures with a view to realizing a comprehensive nuclear-test-ban treaty;

(d) Those nuclear-weapon States that have not yet done so should adhere to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water;⁴