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COMPREHENSIVE STUDY OF THE QUESTION OF NUCLEAR-WEAPON-FREE
ZONES IN ALL ITS ASPECTS

Report of the First Committee

Rapporteur: Mr. Horacio ARTEAGA-ACOSTA (Venezuela)

1. The item entitled "Comprehensive study of the question of nuclear-weapon-free zones in all its aspects: report of the Conference of the Committee on Disarmament" was included by the Secretary-General in the provisional agenda of the thirtieth session on the basis of General Assembly resolution 3261 F (XXIX) of 9 December 1974.
2. At its 2353rd plenary meeting, on 19 September 1975, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda of the thirtieth session and to allocate it to the First Committee for consideration and report.
3. At its 2072nd meeting, on 30 October, the First Committee decided to hold a combined general debate on the item allocated to it relating to disarmament and the Indian Ocean as a zone of peace, namely, items 31, 34 to 48, 120, 122 and 126. The general debate on these items took place at the 2072nd to 2095th meetings; from 30 October to 21 November.
4. The First Committee had before it, in connexion with agenda item 44, the special report of the Conference of the Committee on Disarmament (A/10027/Add.1) containing the comprehensive study of the question of nuclear-weapon-free zones in all its aspects, prepared by the Ad Hoc Group of Qualified Governmental Experts under the auspices of CCD, pursuant to General Assembly resolution 3261 F (XXIX).
5. On 17 November, Argentina, Mexico, Morocco, Nigeria, Peru and Zaire submitted a draft resolution (A/C.1/L.724) which was introduced by the representative of Mexico at the 2097th meeting, on 25 November. Subsequently, on 28 November, Bolivia submitted document A/C.1/L.740 and Corr.1 containing amendments to draft

resolution A/C.1/L.724. At the 2105th meeting, on 4 December, Bolivia withdrew its amendments after the representative of Mexico, on behalf of the original sponsors and Pakistan, introduced a revised text of the draft resolution (A/C.1/L.724/Rev.1).

6. On 26 November, Finland submitted a draft resolution (A/C.1/L.734) which was introduced by the representative of Finland at the 2099th meeting, on 28 November. A revised text of the draft resolution (A/C.1/L.734/Rev.1) was submitted by Finland on 1 December and introduced at the 2102nd meeting, on 2 December. A statement on the administrative and financial implications of the draft resolution was submitted by the Secretary-General on 1 December (A/C.1/L.743).

7. At the 2108th meeting, on 5 December, the Committee voted on draft resolution A/C.1/L.734/Rev.1:

(a) The fifth preambular paragraph was adopted by a recorded vote of 106 to none, with 3 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

Against: None.

Abstaining: India, Uganda, Zaire.

(b) The draft resolution as a whole was adopted by 111 to none* (see para. 9 below, draft resolution A).

* After the vote, the delegations of Qatar and Liberia stated that, had they been present, they would have voted in favour of the draft resolution.

8. At the same meeting, the First Committee adopted draft resolution A/C.1/L.724/Rev.1, by a recorded vote of 63 to 10, with 39 abstentions** (see para. 9 below, draft resolution B). The voting was as follows:

- In favour: Afghanistan, Algeria, Argentina, Austria, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Burma, Burundi, Chad, Chile, China, Congo, Costa Rica, Cyprus, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, Ghana, Guinea, Honduras, Iran, Ivory Coast, Jamaica, Kenya, Laos, Lesotho, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Nepal, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Romania, Rwanda, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Thailand, Trinidad and Tobago, Tunisia, Uganda, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Yugoslavia, Zaire, Zambia.
- Against: Belgium, Denmark, France, Germany (Federal Republic of), Ireland, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America.
- Abstaining: Australia, Bahrain, Bhutan, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Colombia, Cuba, Czechoslovakia, Egypt, Fiji, German Democratic Republic, Greece, Hungary, Iceland, India, Indonesia, Iraq, Israel, Japan, Jordan, Kuwait, Malawi, Mongolia, Mozambique, New Zealand, Norway, Oman, Poland, Portugal, Saudi Arabia, Singapore, Spain, Sweden, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania.

RECOMMENDATIONS OF THE FIRST COMMITTEE

9. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

Comprehensive study of the question of nuclear-weapon-free zones in all its aspects

A

The General Assembly,

Recalling its resolution 3261 F (XXIX) of 9 December 1974, by which it decided to undertake a comprehensive study of the question of nuclear-weapon-free zones in all its aspects,

** After the vote, the delegation of Liberia stated that, had it been present, it would have voted in favour of draft resolution A/C.1/L.724/Rev.1.

Having considered the special report of the Conference of the Committee on Disarmament 1/ containing the comprehensive study of the question of nuclear-weapon-free zones in all its aspects, 2/

Noting the comments made by States members of the Conference of the Committee on Disarmament concerning the study, 3/

Convinced that the study will enhance further efforts concerning nuclear-weapon-free zones,

Recognizing that the establishment of nuclear-weapon-free zones can contribute to the security of members of such zones, to the prevention of proliferation of nuclear weapons and to the goals of general and complete disarmament,

Expressing the wish that the study will be of assistance to States interested in the establishment of nuclear-weapon-free zones,

1. Takes note of the special report of the Conference of the Committee on Disarmament containing the comprehensive study of the question of nuclear-weapon-free zones in all its aspects;

2. Expresses its appreciation to the Ad Hoc Group of Qualified Governmental Experts for the preparation of the study;

3. Conveys its thanks to the Secretary-General of the United Nations, the Director-General of the International Atomic Energy Agency and other relevant international organizations for the assistance they have given for the preparation of the study;

4. Commends the special report containing the comprehensive study of the question of nuclear-weapon-free zones to the attention of all Governments, the International Atomic Energy Agency and other relevant international organizations;

5. Invites all Governments, the International Atomic Energy Agency and other international organizations concerned to transmit to the Secretary-General before 30 June 1976 such views, observations and suggestions on the special report as they may deem appropriate;

6. Requests the Secretary-General to prepare a report based on information received under paragraph 5 above and to submit it to the General Assembly at its thirty-first session;

1/ A/10027/Add.1.

2/ A/10027/Add.1, annex I.

3/ A/10027/Add.1, annex II.

7. Requests the Secretary-General to arrange for the reproduction of the special report as a United Nations publication and to give it the widest possible publicity in as many languages as is considered desirable and practicable;

8. Recommends that all Governments give a wide distribution to the special report containing the comprehensive study of the question of nuclear-weapon-free zones, so as to acquaint public opinion with its contents, and invites relevant international organizations to use their facilities to make the special report widely known;

9. Decides to include in the provisional agenda of its thirty-first session the item entitled "Comprehensive study of the question of nuclear-weapon-free zones in all its aspects".

B

The General Assembly,

Recalling that the United Nations Organization, as set forth in the Charter, is based on the principle of the sovereign equality of all its Members and that, in conformity with the provisions of the Charter, international relations should be governed, among other fundamental principles, by those of prohibition of the threat or use of force and non-intervention,

Bearing in mind that nuclear-weapon-free zones constitute one of the most effective means for preventing the proliferation, both horizontal and vertical, of nuclear weapons and for contributing to the elimination of the danger of a nuclear holocaust,

Reaffirming the principle defined in General Assembly resolution 2028 (XX) of 19 November 1965, which established the necessity that there should be an acceptable balance of mutual responsibilities and obligations of the nuclear-weapon and non-nuclear-weapon States,

Reaffirming also the request made in its resolution 2153 A (XXI) of 17 November 1966 to all nuclear-weapon States to refrain from the use, or the threat of use, of nuclear weapons against States which conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories,

Having examined the comprehensive study of the question of nuclear-weapon-free zones in all its aspects carried out by the Ad Hoc Group of Qualified Governmental Experts under the auspices of the Conference of the Committee on Disarmament, pursuant to General Assembly resolution 3261 F (XXIX) of 9 December 1974,

Having examined also the comments made by States members of the Conference of the Committee on Disarmament regarding that study, the text of which is reproduced in the special report with which the Conference transmitted the study to the General Assembly,

/...

Bearing in mind that, without prejudice to the results that may be obtained through any further examination of this matter, from the analysis of the contents of the special report it is already possible at this time to draw certain incontrovertible conclusions,

Noting that from among those conclusions it would seem advisable to stress the necessity that the General Assembly define the concept of nuclear-weapon-free zone and the scope of the principal obligations of the nuclear-weapon States towards such zones and towards the States included therein,

Convinced that in so doing it will strengthen the new efforts recently undertaken and the realizations already achieved for the establishment of nuclear-weapon-free zones,

Solemnly adopts the following declaration:

I

Definition of the concept of a nuclear-weapon-free zone

A "nuclear-weapon-free zone" shall, as a general rule, be deemed to be any zone, recognized as such by the United Nations General Assembly, which any group of States, in the free exercise of their sovereignty, has established by virtue of a treaty or convention whereby:

- (a) The statute of total absence of nuclear weapons to which the zone shall be subject, including the procedure for the delimitation of the zone, is defined;
- (b) An international system of verification and control is established to guarantee compliance with the obligations deriving from that statute.

II

Definition of the principal obligations of the nuclear-weapon States towards nuclear-weapon-free zones and towards the States included therein

In every case of a nuclear-weapon-free zone that has been recognized as such by the General Assembly, all nuclear-weapon States shall undertake or reaffirm, in a solemn international instrument having full legally binding force, such as a treaty, a convention or a protocol, the following obligations:

- (a) To respect in all its parts the statute of total absence of nuclear weapons defined in the treaty or convention which serves as the constitutive instrument of the zone;

/...

- (b) To refrain from contributing in any way to the performance in the territories forming part of the zone of acts which involve a violation of the aforesaid treaty or convention;
- (c) To refrain from using or threatening to use nuclear weapons against the States included in the zone.

III

The above definitions in no way impair the resolutions which the General Assembly has adopted or may adopt with regard to specific cases of nuclear-weapon-free zones nor the rights emanating for the Member States from such resolutions.
