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Agenda item 126

PROHIBITION OF THE DEVELOPMENT AND MANUFACTURE OF NEW TYPES OF
WEAPONS OF MASS DESTRUCTION AND NEW SYSTEMS OF SUCH WEAPONS

Report of the First Committee

Rapporteur: Mr. Horacio ARTEAGA-ACOSTA (Venezuela)

1. The item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons" was included in the draft agenda of the thirtieth session at the request of the Union of Soviet Socialist Republics (A/10243).
2. At its 2366th plenary meeting, on 29 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 items 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. On 28 September, the Union of Soviet Socialist Republics submitted a draft resolution (A/C.1/L.711) with a "draft agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons" annexed to it. It was introduced by the representative of the Soviet Union at the 2072nd meeting, on 30 October.
5. On 1 December, the Union of Soviet Socialist Republics submitted a revised version of the draft resolution (A/C.1/L.711/Rev.1) with the draft agreement annexed to it, which was sponsored by Afghanistan, Bulgaria, the Byelorussian Soviet Socialist Republic, Costa Rica, Czechoslovakia, Democratic Yemen, the German Democratic Republic, Guinea, Hungary, Madagascar, Mauritius, Mongolia, Poland, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Yemen and Yugoslavia.

6. At the 2108th meeting, on 5 December, the First Committee adopted draft resolution A/C.1/L.711/Rev.1 by a recorded vote of 99 to 1, with 15 abstentions (see para. 7 below). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lesotho, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritius, Mexico, Mongolia, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Albania.

Abstaining: Belgium, Denmark, France, Germany (Federal Republic of), Ireland, Israel, Italy, Liberia, Luxembourg, Malawi, Mauritania, Netherlands, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America.

RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution.

Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests

The General Assembly,

Striving to strengthen international peace and security,

Conscious of the interest of nations in continuing efforts to save mankind from the danger of the use of new means of mass destruction, to limit the arms race and to bring about disarmament,

Bearing in mind that modern science and technology have reached a level where a serious danger arises of the development of new, still more pernicious types of weapons of mass destruction and of new systems of such weapons,

/...

Convinced that the prohibition of the development and manufacture of new, still more pernicious types of weapons of mass destruction would serve the goal of strengthening peace and preventing the threat of war,

1. Considers it necessary to take effective steps, by concluding an appropriate international treaty (or agreement), for the prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons;
2. Takes note of the draft agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons, submitted to the General Assembly by the Union of Soviet Socialist Republics, the text of which is annexed to the present resolution, as well as points of view and suggestions put forward during the discussion of this question;
3. Requests the Conference of the Committee on Disarmament to proceed as soon as possible, with the assistance of qualified governmental experts, to work out the text of such an agreement and to submit a report on the results achieved for consideration by the General Assembly at its thirty-first session;
4. Requests the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents relating to the discussion by the General Assembly at its thirtieth session of the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and of new systems of such weapons";
5. Decides to include in the provisional agenda of its thirty-first session a separate item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons".

ANNEX

Union of Soviet Socialist Republics: draft agreement
on the prohibition of the development and manufacture
of new types of weapons of mass destruction and of
new systems of such weapons

The States Parties to this Agreement,

Guided by the interests of strengthening international peace and security,

Desiring to contribute to saving mankind from the danger of the use of new means of warfare, limiting the arms race and bringing about disarmament,

Recognizing that modern science and technology have reached a level where a serious danger arises of the development of new, still more destructive types of weapons of mass destruction and of new systems of such weapons,

Conscious that the development and manufacture of such weapons are fraught with the most serious consequences for the peace and security of nations,

Bearing in mind that recent years have seen the conclusion of a number of important agreements concerning limitation of the arms race and disarmament, including those related to the prohibition of weapons of mass destruction,

Expressing the profound interest of States and peoples in the adoption of measures to prevent the use of the achievements of modern science and technology for the development and manufacture of the above-mentioned weapons of mass destruction,

Desiring to promote the strengthening of confidence among nations and the further improvement of the international situation,

Seeking to contribute to the realization of the lofty purposes and principles of the Charter of the United Nations,

Have agreed as follows:

Article I

1. Each State Party to this Agreement undertakes not to develop or manufacture new types of weapons of mass destruction or new systems of such weapons, including those utilizing the latest achievements of modern science and technology. New types of weapons of mass destruction and new systems of such weapons shall include: (to be specified through negotiations on the subject).

In the event that new areas of development and manufacture of weapons of mass destruction and systems of such weapons not covered by this Agreement emerge after the entry into force of the Agreement, the Parties shall conduct negotiations with a view to extending the prohibition provided for in this Agreement to cover such potential new types and systems of weapons.

2. Each State Party to the Agreement undertakes not to assist, encourage or induce any other State, group of States or international organizations to engage in activities contrary to the provisions of paragraph 1 of this article.

Article II

Each State Party to this Agreement shall, in accordance with its constitutional processes, take the necessary measures to prohibit and prevent any activities contrary to the provisions of this Agreement, within the territory of such State or in any territory under its jurisdiction or under its control, wherever it may be.

Article III

1. In the event that any State Party to this Agreement has any suspicions that another State Party has violated the provisions of this Agreement, the Parties concerned undertake to consult one another and co-operate in solving the problems which arise.

2. If the consultations referred to in paragraph 1 of this article fail to produce results mutually acceptable to the Parties concerned, the State which has such suspicions may lodge a complaint with the Security Council of the United Nations. Such complaint must include evidence confirming its validity, as well as a request for its consideration by the Security Council.

3. Each State Party to this Agreement undertakes to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Agreement of the results of the investigation.

4. Each State Party to this Agreement undertakes to provide or support assistance, in accordance with the Charter of the United Nations, to any State Party to the Agreement which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of violation of the Agreement.

Article IV

1. Nothing in this Agreement shall be interpreted as affecting the inalienable right of all the States Parties to the Agreement to develop and use scientific research and discoveries exclusively for peaceful purposes without any discrimination.

2. The States Parties to the Agreement undertake to facilitate scientific and technological co-operation in the use of the latest achievements and discoveries of science and technology for peaceful purposes.

Article V

Each State Party to this Agreement undertakes to pursue in good faith negotiations on effective measures to limit the arms race in all its forms and put an end to it, as well as on a treaty on general and complete disarmament under strict and effective international control.

Article VI

Any State Party may propose amendments to this Agreement. Each proposed amendment shall be submitted to the Depositary Governments and circulated by them to all Parties to the Agreement, which shall inform the Depositary Governments of acceptance or rejection as soon as possible after its receipt.

The amendment shall enter into force for each State Party accepting the amendment upon its acceptance by a majority of the States Parties to the Agreement, including the Depositary Governments, and thereafter for each remaining State Party on the date of its acceptance of the amendment.

Article VII

This Agreement shall be of unlimited duration.

Each State Party to this Agreement shall in exercising its national sovereignty have the right to withdraw from the Agreement if it decides that extraordinary events, related to the subject-matter of the Agreement, have jeopardized its supreme interests. It shall give notice of such withdrawal to all other States Parties to the Agreement and to the Security Council of the United Nations three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article VIII

1. This Agreement shall be open to all States for signature. Any State which does not sign the Agreement before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Agreement shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of which are hereby designated the Depositary Governments.

3. This Agreement shall enter into force after the deposit of instruments of ratification by Governments, including the Governments designated the Depositary Governments of the Agreement.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Agreement, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Agreement, and of the receipt of other notices.

This Agreement shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article IX

This Agreement, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of the Agreement shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Agreement.

Done in copies at this day of
