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AMENDMENT OF THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER

Report of the First Committee

Rapporteur: Mr. Pablo Emilio SADER (Uruguay)

I. INTRODUCTION

1. The item entitled "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water" was included in the provisional agenda of the forty-sixth session of the General Assembly in accordance with Assembly resolution 45/50 of 4 December 1990.
2. At its 3rd plenary meeting, on 20 September 1991, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.
3. At its 2nd meeting, on 10 October 1991, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 47 to 65. The deliberations on those items took place between the 3rd and 24th meetings, from 14 to 30 October (see A/C.1/46/PV.3-24). Consideration of and action on draft resolutions on those items took place between the 25th and 37th meetings, from 4 to 15 November (see A/C.1/46/PV.25-37).
4. In connection with item 52, the First Committee had before it the following documents:
 - (a) Letter dated 17 January 1991 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/46/69);

(b) Letter dated 7 February 1991 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General, transmitting the text of the decision adopted on 18 January 1991 by the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, held at United Nations Headquarters from 7 to 18 January 1991 (A/46/84);

(c) Letter dated 23 May 1991 from the Permanent Representatives of Chile, Colombia, Ecuador and Peru to the United Nations addressed to the Secretary-General, transmitting the text of the statement issued at Santiago on 9 May 1991 by the Permanent Commission for the South Pacific (A/46/203);

(d) Letter dated 3 June 1991 from the representatives of Chile, Colombia, Ecuador and Peru to the United Nations addressed to the Secretary-General, transmitting the text of the statement issued at Santiago on 28 May 1991 by the Permanent Commission for the South Pacific (A/46/223);

(e) Letter dated 5 June 1991 from the representatives of Chile, Colombia, Ecuador and Peru to the United Nations addressed to the Secretary-General, transmitting the text of the statement issued at Santiago on 31 May 1991 by the Permanent Commission for the South Pacific (A/46/225);

(f) Letter dated 24 June 1991 from the representatives of Chile, Colombia, Ecuador and Peru to the United Nations addressed to the Secretary-General, transmitting the text of the statement issued at Santiago on 17 June 1991 by the Permanent Commission for the South Pacific (A/46/276);

(g) Letter dated 16 July 1991 from the representatives of Chile, Colombia, Ecuador and Peru to the United Nations addressed to the Secretary-General, transmitting the text of the statement issued at Santiago on 8 July 1991 by the Permanent Commission for the South Pacific (A/46/314);

(h) Letter dated 22 July 1991 from the representatives of Chile, Colombia, Ecuador and Peru to the United Nations addressed to the Secretary-General, transmitting the text of the statement issued at Santiago on 16 July 1991 by the Permanent Commission for the South Pacific (A/46/320);

(i) Letter dated 23 September 1991 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General (A/46/493).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/46/L.28

5. On 1 November, Indonesia, Mexico, Nigeria, Peru, the Philippines, Sri Lanka, Thailand, the United Republic of Tanzania, Venezuela and Yugoslavia submitted a draft resolution entitled "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water" (A/C.1/46/L.28), which was later also sponsored by Bolivia, Chile, Costa Rica, India and Singapore. The draft resolution was introduced by the representative of Mexico at the 30th meeting, on 7 November.

6. At its 33rd meeting, on 11 November, the Committee adopted draft resolution A/C.1/46/L.28 by a recorded vote of 96 to 2, with 34 abstentions (see para. 7). The voting was as follows: 1/

In favour: Afghanistan, Albania, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ethiopia, Ghana, Grenada, Guatemala, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Singapore, Solomon Islands, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Ukraine, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Romania, Spain, Sweden, Turkey.

III. RECOMMENDATION OF THE FIRST COMMITTEE

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

1/ Subsequently, the delegations of Gabon, Rwanda and Uganda indicated that they had intended to vote in favour of the draft resolution.

Amendment of the Treaty Banning Nuclear Weapon Tests in the
Atmosphere, in Outer Space and under Water

The General Assembly,

Recalling its resolutions 44/106 of 15 December 1989 and 45/50 of 4 December 1990,

Reiterating its conviction that a comprehensive nuclear-test-ban treaty is the highest-priority measure for the cessation of the nuclear arms race and for the achievement of the objective of nuclear disarmament,

Recalling also the central role of the United Nations in the field of nuclear disarmament and in particular in the cessation of all nuclear-test explosions, as well as the persistent efforts of non-governmental organizations in the achievement of a comprehensive nuclear-test-ban treaty,

Conscious of the growing environmental concerns throughout the world and of the past and potential negative effects of nuclear testing on the environment,

Recalling its resolution 1910 (XVIII) of 27 November 1963, in which it noted with approval the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, 2/ signed on 5 August 1963, and requested the Conference of the Eighteen-Nation Committee on Disarmament 3/ to continue with a sense of urgency its negotiations to achieve the objectives set forth in the preamble to the Treaty,

Recalling also that more than one third of the parties to the Treaty requested the Depositary Governments to convene a conference to consider an amendment that would convert the Treaty into a comprehensive test-ban treaty,

Reiterating also its conviction that the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water will facilitate the attainment of the objectives set forth in the Treaty and thus serve to strengthen it,

Recalling further its recommendation that arrangements be made to ensure that intensive efforts continue, under the auspices of the Amendment Conference, until a comprehensive nuclear-test-ban treaty is achieved,

2/ United Nations, Treaty Series, vol. 480, No. 6964.

3/ The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

1. Notes with satisfaction that a substantive session of the Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water was held in New York from 7 to 18 January 1991, and takes note of its report; 4/
2. Notes the decision adopted by the Amendment Conference to the effect that, since further work needed to be undertaken on certain aspects of a comprehensive test-ban treaty, especially those with regard to verification of compliance and possible sanctions against non-compliance, the President of the Conference should conduct consultations with a view to achieving progress on those issues and to resuming the work of the Conference at an appropriate time;
3. Welcomes the ongoing consultations being conducted by the President of the Amendment Conference and the holding in 1992 of more structured open-ended consultations, as well as the establishment of a group of friends of the President in order to examine various aspects of a comprehensive nuclear-test ban, with a view to resuming the work of the Conference as soon as possible thereafter;
4. Calls upon all parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water to participate in, and to contribute to the success of, the Amendment Conference for the achievement of a comprehensive nuclear-test ban at an early date, as an indispensable measure towards implementation of their undertakings in the preamble to the Treaty;
5. Urges all States, especially those nuclear-weapon States which have not yet done so, to adhere to the Treaty;
6. Recommends that arrangements should be made to ensure the fullest possible participation of non-governmental organizations in the Amendment Conference;
7. Reiterates its conviction that, pending the conclusion of a comprehensive nuclear-test-ban treaty, the nuclear-weapon States should suspend all nuclear-test explosions through an agreed moratorium or unilateral moratoria;
8. Stresses once again the importance of ensuring adequate coordination among the various negotiating forums dealing with a comprehensive nuclear-test-ban treaty;
9. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water".
