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United Nations Conference
for the Promotion of International Co-operation
in the Peaceful Uses of Nuclear Energy

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DRAFT REPORT OF THE CONFERENCE

I. DECISIONS OF THE CONFERENCE

II. ORIGIN AND PREPARATION OF THE CONFERENCE

1. The question of convening a conference for the promotion of international co-operation in the peaceful uses of nuclear energy for economic and social development, under the auspices of the United Nations, was first considered by the General Assembly at its thirty-second session. In its resolution 32/50 of 8 December 1977, the Assembly, having expressed the conviction that the objectives of the full utilization of nuclear energy for peaceful purposes and the prevention of the proliferation of nuclear weapons can be promoted by the establishment of universally acceptable principles for international co-operation in the use of nuclear energy for peaceful purposes, spelt out the following principles:

"(a) The use of nuclear energy for peaceful purposes is of great importance for the economic and social development of many countries;

"(b) All States have the right, in accordance with the principle of sovereign equality, to develop their programme for the peaceful use of nuclear technology for economic and social development, in conformity with their priorities, interests and needs;

"(c) All States, without discrimination should have access to and should be free to acquire technology, equipment and materials for the peaceful use of nuclear energy;

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"(d) International co-operation in the field covered by the present resolution should be under agreed and appropriate international safeguards applied through the International Atomic Energy Agency on a non-discriminatory basis in order to prevent effectively proliferation of nuclear weapons."

At the same time, the Assembly invited all States, as well as the international organizations concerned, to respect and observe those principles. Since then, the Assembly has each year reaffirmed the principles and provisions of that resolution.

2. After further consideration of the matter at its thirty-third and thirty-fourth sessions^{1/} the General Assembly, in its resolution 35/112 of 5 December 1980, decided to convene a United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, in accordance with the objectives of resolution 32/50. The Assembly also decided to establish a Preparatory Committee for the Conference, whose composition would be in accordance with the principle of equitable geographical representation.^{2/}

3. At its first session held at Vienna from 3 to 7 August 1981, the Preparatory Committee agreed to recommend inter alia, that the Conference should be held at Geneva from 29 August to 9 September 1983.^{3/} In its subsequent resolution 36/78 of 9 December 1981, the General Assembly recognized the increasing significance of the peaceful uses of nuclear energy for economic and social development, in particular its important role in accelerating the development of the developing countries, and expressed its conviction that the Conference, through the promotion of international co-operation in the peaceful uses of nuclear energy, should contribute greatly to meeting the increasing energy and other requirements of many countries,

particularly developing ones. The Assembly considered that the outcome of the Conference should be embodied in appropriate documents, in a suitable format, pertaining, inter alia, to ways and means of promoting international co-operation in the peaceful uses of nuclear energy. The Assembly also urged all States to contribute to the successful preparation of the Conference by, inter alia, making available, in conformity with international obligations, information on their scientific and technological achievements and practical experiences in the field of peaceful uses of nuclear energy. The International Atomic Energy Agency (IAEA), specialized agencies and other relevant organizations in the United Nations system were also invited to contribute effectively to the preparations for the Conference.

4. At its second session held in Vienna from 21 to 25 June 1982, the Preparatory Committee had before it, among other documents, the summing-up of an informal meeting of its bureau which had taken place on 20 and 21 April 1982. At that informal meeting, discussions had mainly centered on the content of the agenda for the Conference and on the nature, type and preparation of documents for it. Different points of view had been expressed concerning the documents incorporating decisions and conclusions of the Conference; resolutions and/or a final act in the form of a possible "declaration" "programme of action" or "code of conduct" had been mentioned as examples. At this plenary session of the Preparatory Committee, delegations made a number of specific proposals concerning the provisional agenda of the Conference and exchanged views on draft provisional rules of procedure for it.4/

5. The third session of the Preparatory Committee was held at Vienna from 27 October to 2 November 1982. The Committee had before it some information provided by the IAEA, specialized agencies and other United Nations organs outlining their relevant activities and proposed inputs to the documentation for the Conference. An informal contact group established by the Committee to

consider the draft provisional agenda for the Conference failed to reach agreement and the proposals which had been made by various delegations were reproduced in an annex to the report of the Committee to the General Assembly.5/

6. At its thirty-seventh session, in resolution 37/167 of 17 December 1982, the General Assembly reaffirmed the responsibility of States that are advanced in the nuclear field to promote the legitimate nuclear energy needs of the developing countries by participating in the fullest possible transfer of nuclear equipment, materials and technology under agreed and appropriate international safeguards applied through the IAEA on a non-discriminatory basis in order to prevent effectively the proliferation of nuclear weapons. The Assembly expressed concern at the lack of progress in the preparatory process and recognized the pressing need to speed up and complete substantive preparations for the Conference. It requested the Preparatory Committee and the Secretary-General of the Conference to make appropriate arrangements, including as necessary through inter-sessional work by States Members of the Committee and also through regional efforts, with a view to ensuring meaningful results from the Conference. The Assembly reiterated that the aim of the Conference was to promote international co-operation in the peaceful uses of nuclear energy and, to this end, to establish universally acceptable principles for such co-operation in accordance with the objectives of resolution 32/50. It also reaffirmed its earlier provision that the outcome of the Conference should be embodied in appropriate documents, in a suitable format, pertaining, inter alia, to ways and means of promoting international co-operation in the peaceful uses of nuclear energy.

7. At its fourth session, which was held in New York from 28 March to 8 April 1983, the Preparatory Committee established an informal contact group to take up the consideration of the substantive questions before the Committee.

After a series of meetings, the group informed the Committee that it could not report agreement on a draft agenda and that no agreement had been reached on the decision-making process of the Conference either.6/

8. At its resumed thirty-seventh session, the General Assembly, by decision 37/453 of 10 May 1983, decided not to convene the Conference in 1983. In decision 37/454 of the same date, the Assembly took note of the Committee's decision that the Conference secretariat should proceed as far as practicable with the preparations for the Conference in accordance with the relevant resolutions of the General Assembly.

9. At its thirty-eighth session, the General Assembly, in resolution 38/60 of 14 December 1983, decided that the Conference should be held in 1986. It requested the Chairman of the Preparatory Committee and the Secretary-General of the Conference to undertake immediately appropriate consultations with Member States which could facilitate the resolution of pending issues related to the Conference, including its provisional agenda and rules of procedure, as well as its venue and actual dates. The Assembly also urged all States, the IAEA, as well as the specialized agencies and other relevant organizations of the United Nations system to co-operate actively in the preparation of the Conference.

10. At the fifth session of the Preparatory Committee, which was held in Vienna from 25 June to 6 July 1984, the Chairman of the Committee and the Secretary-General of the Conference reported on their extensive consultations with member States and suggested formulations for item 5 of the draft provisional agenda for the Conference and for the decision-making process in the Conference.7/ These formulations were approved by the Preparatory Committee. At the same time, without prejudice to the rules of procedure of the Conference and without setting a precedent, an understanding was reached in the Committee that decisions in the Conference relating to the substance of item 5 of the agenda

shall be adopted by consensus. At the same session, the Committee approved the draft provisional rules of procedure for the Conference as a whole. The Committee also agreed to begin formal/official inter-sessional intergovernmental work with its sixth session, leaving the setting-up of the actual mechanism for this work and the date of commencement of the preparation of the concluding document(s) of the Conference to be decided at its sixth session.^{8/}

11. The General Assembly at its thirty-ninth session adopted resolution 39/74 of 13 December 1984 by which, inter alia, it requested the Chairman of the Committee and the Secretary-General of the Conference, on the basis of the practice successfully used before the fifth session of the Committee, to continue informal individual and group consultations in order to assist the Committee in expediting the necessary preparations for the Conference. Noting with appreciation the progress made in those preparations, the Assembly decided that the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy should be held at Geneva from 10 to 28 November 1986 and that the Preparatory Committee at its sixth session should consider, inter alia, the mechanism for formal/official inter-sessional intergovernmental work and the commencement of preparation of the concluding document or documents of the Conference. The Assembly invited the IAEA, the specialized agencies and other relevant organizations of the United Nations system to ensure that their contributions to the input documents for the Conference should be concise and comprehensive and specifically related to the purpose, aims and objectives of the Conference, including in particular suggestions regarding practical and effective ways and means for the promotion of international co-operation in the peaceful uses of nuclear energy, so as to achieve meaningful results from the Conference in accordance with the objectives of General Assembly resolution 32/50. Finally, the Assembly invited all States to co-operate actively in the preparation of the Conference and to make available, as soon as possible, the information requested in General Assembly resolution 36/78 and in the broad questionnaire circulated by the Secretary-General of the Conference in March 1984.

12. In the course of 1985, various regional activities in preparation for the Conference were undertaken in accordance with the request by the General Assembly, including five regional expert group meetings. The first, for the Asian and Pacific region, was convened at Bangkok from 14 to 17 January 1985; the second, for the Latin American and Caribbean region, was convened at Santiago from the 15 to 18 April 1985; the third, for the Western Asian region, was convened at Baghdad from 13 to 16 May 1985; the fourth, for the African region, was convened at Addis Ababa from 1 to 4 July 1985; and the fifth, for Europe, Canada and the United States of America, was convened at Vienna from 4 to 6 November 1985. At those meetings, the experts reviewed the current status of nuclear power and other peaceful applications of nuclear energy in their respective regions; considered the existing and foreseeable constraints and difficulties in the introduction and development of peaceful uses of nuclear energy; and made suggestions aimed at overcoming such constraints and ways and means of promoting international co-operation.9/

13. At its sixth session which was held at Vienna from 21 October to 1 November 1985, the Preparatory Committee established a working group to carry out formal/official inter-sessional intergovernmental work, participation being open to members of the Committee and to other interested member States. The working group would, inter alia, develop an outline of the final document or documents of the Conference indicating its preliminary structure and possible elements. The Preparatory Committee also reviewed the input documents for the Conference prepared by the IAEA and a number of other organizations of the United Nations system bearing in mind the requirement that they should conform to the guidelines given in General Assembly resolution 39/74, and requested the relevant organizations to submit to its seventh session revised or updated texts in the light of the comments by the members of the Committee. Finally, based on practical considerations, the Committee decided that the Conference should be held at Geneva from 23 March to 10 April 1987.10/

14. At its fortieth session, the General Assembly in resolution 40/95 of 12 December 1985, approved the conclusions and decisions contained in the report of the Preparatory Committee.

15. The seventh session of the Preparatory Committee was held at Vienna from 10 to 21 November 1986. The Committee was informed that the inter-sessional intergovernmental working group it had established at its sixth session, after four rounds of meetings, had been unable to approve a report for submission to the Committee. However, the Chairman of the Committee noted that the working group had actually covered important ground within its mandate: it was now up to the Preparatory Committee itself to continue the remaining work. The Committee decided to establish for this purpose an open-ended contact group under the guidance of the Chairman. Subsequently, based on the deliberations of the contact group, the Preparatory Committee developed four working papers and agreed to forward them to the Conference for the latter's consideration. Those papers contained proposed possible recommendations on appropriate ways and means of promoting international co-operation in the peaceful uses of nuclear energy, a proposed outline of the output document of the Conference, and proposed procedures and topics for the work of its Committees I and II. At the same session, the Preparatory Committee decided that other papers which had been circulated, presented or considered at the meetings of the inter-sessional intergovernmental working group, the contact group or the current session of the Committee, but were either not discussed or discussion on them was inconclusive, should also be forwarded to the Conference.11/

16. At its forty-first session, the General Assembly, in resolution 41/212 A of 11 December 1986, noted with satisfaction that the Preparatory Committee for the Conference had successfully concluded its work. Recalling that the Conference represented a global effort specifically for the purpose of promoting international co-operation in the peaceful uses of nuclear energy for economic

and social development, the General Assembly invited all States to participate in it at an appropriately high level. In resolution 41/212 B of the same date, the Assembly appealed to all Governments to take into account, during the Conference, the legitimate interest of neighbouring countries that could be affected by transboundary effects of the use of nuclear energy.

Notes

1/ General Assembly resolutions 33/4 of 2 November 1978 and 34/63 of 29 November 1979.

2/ Initially, fifty-four States were appointed by the President of the General Assembly as members of the Preparatory Committee. By March 1983, the Committee had 66 members.

3/ Official Records of the General Assembly, Thirty-sixth session, Supplement No.48 (A/36/48).

4/ Ibid., Thirty-seventh session, Supplement No.48 (A/37/48), Part One.

5/ Ibid., Part two.

6/ Ibid., Thirty-seventh session, Supplement No.48A (A/37/48/Add.1).

7/ For the text of item 5, see para below.

8/ Official Records of the General Assembly, Thirty-ninth session, Supplement No.47 (A/39/47).

9/ The reports of the expert group meetings were submitted to the Conference in documents A/CONF.108/REX/1 to 5.

10/ Official Records of the General Assembly, Fortieth session, Supplement No.47 (A/40/47).

11/ Ibid., Forty-first session, Supplement No.47 (A/41/47).