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SPECIAL REPORT TO THE COMMITTEE ON DISARMAMENT PREPARED IN VIEW OF  
THE SECOND SPECIAL SESSION OF THE GENERAL ASSEMBLY DEVOTED TO  
DISARMAMENT

Ad Hoc Working Group on Effective International Arrangements  
to Assure Non-Nuclear-Weapon States Against the Use or  
Threat of Use of Nuclear Weapons

I. Introduction

1. At its 156th plenary meeting on 13 February 1982, the Committee on Disarmament requested the Ad Hoc Working Group to report to the Committee on the progress of its work before the conclusion of the first part of its 1982 session, in view of the forthcoming second special session of the General Assembly devoted to disarmament. Pursuant to that request, the Ad Hoc Working Group submits its report to the Committee regarding the present state of negotiations on the subject, taking into account negotiations conducted in the previous Ad Hoc Working Groups during 1979, 1980 and 1981 sessions.
2. At the first special session of the General Assembly devoted to disarmament in 1978, unilateral declarations were made by the nuclear-weapon States in connection with security assurances for non-nuclear weapon States. The negotiations in the Ad Hoc Working Group have been conducted primarily on the basis of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, devoted to disarmament, in which "... the nuclear-weapon States are called upon to take steps to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons. The General Assembly notes the declarations made by the nuclear-weapon States and urges them to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". Other relevant paragraphs of the Final Document provided additional guidance on this question. During the course of its work, the Ad Hoc Working Group also took into account the resolutions adopted by the General Assembly on the subject at its thirty-third, thirty-fourth, thirty-fifth and thirty-sixth sessions namely: resolutions 33/72 A and B, 34/84, 34/85, 34/86, 35/46, 35/154, 35/155, 36/94 and 36/95. In addition, the various proposals on the subject submitted by delegations in the Committee on Disarmament and in the Ad Hoc Working Group were taken into account, as listed in document CD/SI/WP.1/Rev.4. 1/
3. At their request, representatives of the following States not members of the Committee on Disarmament were invited to participate in the meetings of the Ad Hoc Working Group during its 1979, 1980, 1981 and 1982 sessions: Austria, Denmark, Finland, Norway, Spain, Tunisia and Switzerland.

II. Substantive Negotiations During 1979, 1980 and 1981 Sessions

4. In the course of consideration of item 3 of its 1979 annual agenda, entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", the Committee on Disarmament, at its 39th plenary meeting on 5 July 1979, adopted the following decision:

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1/ See Annex I of this report.

Reissued for technical reasons.

"The Committee on Disarmament decides to establish, for the duration of its present session, an ad hoc working group open to all member States of the Committee to consider, and negotiate on, effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The ad hoc working group will present a report to the Committee on Disarmament before the conclusion of the 1979 session. The Committee further decides, in accordance with rule 32 of the rules of procedure, that representatives of non-member States shall have reserved seats in the conference room during the meetings of the ad hoc working group."

5. During the 1979 session, the Ad Hoc Working Group devoted its efforts to identifying the elements to be considered and negotiated on with a view to reaching agreement on effective international arrangements. Extensive discussions were held on the relationship of the non-use of nuclear weapons, nuclear disarmament, the non-use of force in international relations, as well as the over-all question of strengthening of international peace and security, to the mandate of the Working Group. There was broad agreement that these elements could be divided into two general categories: (a) Scope and nature of the arrangements, and (b) Form of the arrangements, their number and binding character. There was also agreement that the arrangements had to be effective and international in character. In this connection, a series of relevant questions were considered, in particular the question of rationale, scope and nature of the arrangements, as well as the question of the definition of nuclear and non-nuclear-weapon States, the criteria to be applied in such definition and the prerequisites for the extension of the arrangements. With respect to the latter, a number of ideas were submitted; related questions were raised and comments were made on these ideas. The Working Group also discussed the form, number and binding character of the arrangements, particularly the question of an international convention to which there was no objection, in principle, although the difficulties involved were also pointed out. Draft conventions were submitted for consideration by the delegation of Pakistan (document CD/10) and the delegations of Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland and the Union of Soviet Socialist Republics (document CD/23). Moreover, the idea of interim arrangements was also considered. As a result of its deliberations the Ad Hoc Working Group submitted a report to the Committee, as contained in document CD/47.

6. In the course of consideration of item 3 of its 1980 agenda concerning the same subject, the Committee on Disarmament, at its 69th plenary meeting on 17 March 1980, adopted the following decision as contained in document CD/77:

"The Committee on Disarmament decides to establish, for the duration of its 1980 session, an ad hoc working group of the Committee to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

The ad hoc working group will report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session."

7. During the 1980 session, the Working Group decided to focus its attention primarily on the scope and nature of the arrangements on the understanding that an agreement on the substance of the arrangements could facilitate the agreement on the form. Accordingly, a working paper (CD/SA/WP.2) was submitted by the Chairman as a basis for negotiations. It contained the different formulas which appeared in the unilateral declarations of the nuclear weapon States and in the proposals and ideas

presented to or expressed by other States, and which had a direct bearing on the scope and nature of the arrangements. The in-depth analysis of these formulas considered in juxtaposition helped the Working Group to clarify and amplify the various positions and to detect areas of agreement and divergence. The Working Group further considered the question of the form of the arrangements. In this regard, there was recognition that search should continue for a "common approach" acceptable to all which could be included in an international instrument of a legally binding character. In that connection, notwithstanding the fact that there was once again no objection, in principle, to the idea of an international convention, the difficulties involved were also pointed out. In this regard, no agreement was reached. The possibility of interim arrangements was considered. It was broadly suggested that a Security Council resolution might serve as a useful interim measure towards the effective international arrangements and pending agreement on such a "common approach". In this connection, it was suggested that the value of a Security Council resolution would depend on its substance. On this point, different views were expressed. As a result of its deliberations, the Ad Hoc Working Group submitted a report to the Committee, as contained in document CD/125, \*/ which recommended that ways and means be explored to overcome the difficulties encountered in the negotiations.

8. At its 105th plenary meeting on 12 February 1981, the Committee on Disarmament decided to re-establish its Ad Hoc Working Group on Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons with the same mandate as at the previous session in 1980.

9. During the 1981 session, the Working Group decided to concentrate essentially on the examination of the substance of the assurances on the understanding that an agreement on the substance could facilitate an agreement on the form. In the course of deliberations, various positions and ideas, relating to effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (also referred to as security assurances or security guarantees), were expressed, namely:

- pending the achievement of nuclear disarmament, since any use of nuclear weapons, which constitute the greatest threat to humanity, would affect the security of belligerents and non-belligerents alike, there should be an agreement on the prohibition of the use of nuclear weapons. In this connection a view stated was that the use of nuclear weapons should be prohibited concurrently with the renunciation of the use of force in international relations; another view was expressed that a complete prohibition of the use of nuclear weapons could be envisaged only in the framework of an effective process of nuclear disarmament, as part of progress towards general disarmament;
- the extension of security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons without any conditions or limitations as an integral part of and initial step towards the complete prohibition of the use of nuclear weapons and the achievement of nuclear disarmament;
- the extension of security assurances to non-nuclear-weapon States which have no nuclear weapons on their territory;
- the extension of security assurances to those States which renounce the production and acquisition of nuclear weapons and do not have them on their territories. In this connection, a view was expressed that reaching an agreement on non-stationing of nuclear weapons on the territories of States where there are no such weapons at present would be a step conducive to the strengthening of the security of non-nuclear-weapon States.

- the extension of security assurances to non-nuclear-weapon States parties to the Non-Proliferation Treaty or any other comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the nuclear-weapon State extending the assurance, its territories or armed forces or allies by such a State allied to, or associated with, a nuclear-weapon State in carrying out or sustaining the attack.
- the extension of security assurances to any non-nuclear-weapon State that has committed itself not to manufacture or receive nuclear weapons (or other nuclear explosive devices) or to acquire control over them provided that that State does not undertake, or partake in, an attack upon (the territory or the armed forces) a nuclear-weapon State or its allies with the support of another nuclear-weapon State;
- the extension of security assurances to non-nuclear-weapon States not parties to the nuclear security arrangements of some nuclear Powers;
- the extension of security assurances by means of concluding conventions with non-nuclear-weapon States parties to a nuclear-free zone, in order to give these assurances a mutually binding character.

The Working Group attempted the identification of the various features of assurances and considered the possible alternatives which could be explored in the search for a "common approach" or "common formula". During the final stage of its work, the Working Group, without prejudice to further exploration of other alternatives, decided to concentrate its efforts on those alternatives which called for: (a) a "common formula" for security assurances containing such elements as might be raised in the negotiations in the Committee on Disarmament and agreed upon by all concerned and (b) a "common formula" which could reconcile the elements contained in the existing unilateral undertakings of the nuclear-weapon States. In this connection, working papers were submitted by the delegation of the Netherlands (CD/SA/WP.6) and by the delegation of Pakistan (CD/SA/WP.7), containing draft "common formulas" for consideration by the Working Group. The delegation of Bulgaria also submitted a working paper in this regard (CD/SA/WP.8). Different approaches to the question of developing a "common formula" became apparent in the discussion. Nevertheless, the Working Group regarded the efforts devoted to the search for a "common approach" or "formula" as a positive step towards the agreement on the question of security assurances. Against this background, it recommended to the Committee on Disarmament that various alternative approaches, including in particular those considered during the 1981 session, should be further explored in order to overcome the difficulties encountered. The Working Group added, "in this context further efforts should be devoted to the search for a 'common approach' acceptable to all and in particular for a 'common formula' which could be included in an international instrument of a legally binding character". As a result of its deliberations, the Ad Hoc Working Group submitted a report to the Committee, as contained in document CD/215 and Corr.1.

### III. Present State of Negotiations on the Subject

10. In pursuance of the Committee's decision at its 156th plenary meeting on 18 February 1982, as contained in document CD/243, the Ad Hoc Working Group was re-established to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or

threat of use of nuclear weapons. The Working Group held 10 meetings between 26 February and 19 April 1982 under the Chairmanship of Ambassador Mansur Ahmad, representative of Pakistan. Dr. Lin Kuo-Chung, United Nations Centre for Disarmament, served as Secretary of the Ad Hoc Working Group.

11. In carrying out the task entrusted to it, the Working Group decided to continue its efforts on the recommendation contained in paragraph 19 of the report of the previous Ad Hoc Working Group established during 1981 session (CD/215) which stated that: "... the Working Group recommends to the Committee on Disarmament that various alternative approaches, including in particular those considered during 1981 session, should be further explored in order to overcome the difficulties encountered. In this context, further efforts should be devoted to the search for a 'common approach' acceptable to all, and in particular for a 'common formula' which could be included in an international instrument of a legally binding character." The attention of the Working Group was drawn to resolutions 36/94 and 36/95 adopted by the General Assembly on the subject at its thirty-sixth session, as contained in document CD/231, and as referred to in paragraph 2 above.

12. In the conduct of its work, the Ad Hoc Working Group decided to concentrate, as at the previous session in 1981, on those alternatives which called for: (a) a "common formula" for security assurances containing such elements as might be raised in the negotiations in the Committee and agreed upon by all concerned and (b) a "common formula" which could reconcile the elements contained in the existing unilateral undertakings of the nuclear-weapon States. The Working Group noted that three working papers were previously submitted in connection with the examination of these alternatives by the delegations of the Netherlands, Pakistan and Bulgaria, as contained in documents CD/SA/WP.6, CD/SA/WP.7 and CD/SA/WP.8, respectively.

13. Some general positions were outlined. Certain delegations, members of the Group of 21, expressed their view that the most effective assurance against the use or threat of use of nuclear weapons is nuclear disarmament and, pending this, the complete prohibition on the use of nuclear weapons. A group of socialist States noted that the implementation of measures provided for in the Declaration on the Prevention of Nuclear Catastrophe would be a reliable safeguard for the elimination of the threat of a nuclear conflict and contribute to the strengthening of the security of all States in particular of those States which do not possess nuclear weapons. Different views were expressed in this connection. Other delegations maintained that these questions were outside the scope of the mandate of the Working Group.

14. During the course of deliberations, the positions and ideas relating to effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons, which were put forward at the previous session, as contained in paragraph 9 above, were reaffirmed in the Ad Hoc Working Group by various delegations.

15. The discussion of proposals for a "common formula" focused on the substantive elements involved. Regarding the substance of a "common formula" to be elaborated, different approaches became apparent in the discussions. Under one approach, the nuclear-weapon States would provide assurances to all non-nuclear-weapon States

without any conditions, qualifications or limitations. In this connection, a working paper (CD/278<sup>2/</sup>) was submitted by the delegation of China, in which China reaffirmed its position to provide unconditional security assurances for non-nuclear-weapon States and urged other nuclear-weapon States to demonstrate their political will necessary to reach agreement on a "common approach" or "common formula" which could be included in an international instrument of a legally binding character. Under other approaches, various criteria would be provided to describe the conditions for the inclusion of non-nuclear-weapon States in the scope of the assurances. The sponsors of documents CD/SA/WP.6 and CD/SA/WP.7, the delegations of the Netherlands and Pakistan, explained their suggestions for a compromise approach to a "common formula" contained in these working papers. The proposal for reaching an agreement on non-stationing of nuclear weapons on the territories of States where there are no such weapons at present was also underlined. Various views were expressed on these suggestions and divergent ideas continued to be maintained.

16. The question of an appropriate form was extensively considered in connection with the efforts to develop a possible "common formula". As in the previous sessions, there was again no objection, in principle, to the idea of an international convention, however, the difficulties involved were also pointed out. A view was expressed that the Working Group should proceed to the concrete elaboration of such a convention. As in previous sessions, however, it was pointed out that an agreement on the substance of the assurances could facilitate an agreement on the form.

17. The Working Group subsequently took up the idea of interim arrangements, particularly the proposals for an appropriate Security Council resolution. A working paper, containing a draft Security Council resolution embodying a "common formula" for security assurances (CD/SA/WP.9), <sup>3/</sup> was submitted by the delegation of the Netherlands. The delegation of Pakistan also submitted a revised working paper containing a draft resolution for possible adoption by the Security Council (CD/SA/WP.5/Rev 1<sup>st</sup>). <sup>4/</sup> A group of socialist States expressed the view that declarations by all nuclear-weapon States, identical in substance, concerning the non-use of nuclear weapons against non-nuclear-weapon States which have no such weapons on their territories, could be examined and possibly adopted in the form of an appropriate resolution by the Security Council. Different views were expressed on these ideas and various comments were made on these proposals. On the one hand, it was held that appropriate interim arrangements would represent progress and create a favourable climate with the view to satisfying progressively the demands of the non-nuclear-weapon States on the question of security assurances. On the other hand, however, the view was expressed that interim measures, particularly in the form of Security Council resolution, would have no utility and that they fell outside the mandate of the Ad Hoc Working Group and would merely undermine the necessary climate for elaborating credible security assurances for non-nuclear-weapon States. A number of delegations stressed that interim arrangements should not be a substitute for an international convention or other international arrangements of a legally binding character. In this context, it was emphasized that, while considering alternative ways, the final aim of reaching an international convention on security assurances for non-nuclear-weapon States against the use or threat of use of nuclear weapons should be constantly kept in mind. Any interim measure or other alternative means for strengthening the security of non-nuclear-weapon States should be judged against its substance and could be justified only in so far as it would constitute a step forward towards this direction.

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<sup>2/</sup> See Annex II of this report.

<sup>3/</sup> See Annex III of this report.

<sup>4/</sup> See Annex IV of this report.

18. Other ideas were submitted regarding action that could be taken at the second special session of the General Assembly devoted to disarmament on this question. It was suggested that nuclear-weapon States should appropriately revise their unilateral declarations, which could then be taken into account at the second special session. It was pointed out by some nuclear-weapon States that their unilateral assurances had been offered in response to, and given in recognition of, the security concerns expressed by the non-nuclear-weapon States, and that these assurances were credible and reliable and represented firm declarations of policy.

19. A statement by the Group of 21 was circulated to the Working Group, as contained in document CD/230, 5/ which inter alia, stated that: "The declarations (of some nuclear-weapon States) do not offer a credible assurance to non-aligned, neutral and other non-nuclear-weapon States that they will not be threatened or attacked with nuclear weapons". It further stated that there is every reason for the neutral, non-aligned and developing countries outside the two major military alliances to be covered by legally binding assurances and enumerated principles on the basis of which an agreement on this question should be reached. It expressed the view that "further negotiations in the Ad Hoc Working Group on this item are unlikely to be fruitful so long as the nuclear-weapon States do not exhibit a genuine political will to reach a satisfactory agreement". The Group of 21 therefore urged the nuclear-weapon States concerned to review their policies and to present revised positions on the subject to the second special session of the General Assembly devoted to disarmament which shall fully take into account the position of the non-aligned, neutral and other non-nuclear-weapon States, and which would facilitate agreement on an international instrument of a legally binding character.

#### IV. Conclusions and Recommendations

20. The Ad Hoc Working Group reaffirmed that non-nuclear-weapon States should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons. There was continuing recognition of the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, especially in view of the goal of nuclear disarmament and of general and complete disarmament. During the past three sessions, negotiations on the substance of the effective arrangements revealed that specific difficulties were related to differing perceptions of security interests of some nuclear-weapon States and non-nuclear-weapon States as well as to the complex nature of the issues involved in evolving a "common formula" acceptable to all which could be included in an international instrument of a legally binding character. Although the negotiations on the subject in the Working Group have clarified many of the issues involved, the Working Group has been unable to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

21. In the context of the forthcoming second special session of the General Assembly devoted to disarmament, the Working Group recommends to the Committee on Disarmament that ways and means should be explored to overcome the difficulties encountered in the negotiations of the Working Group with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

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5/ See Annex V of this report.





ANNEX I

COMMITTEE ON DISARMAMENT  
Ad Hoc Working Group on  
Security Assurances

CD/SA/WP.1/Rev.4  
19 April 1982  
Original: ENGLISH

List of Documents on the Question of Effective International  
Arrangements to Assure Non-Nuclear-Weapon States Against the  
Use or Threat of Use of Nuclear Weapons

I. Official documents of the Committee on Disarmament

- (1) CD/1 - containing General Assembly resolutions 33/72A and B.  
(24 January 1979)
- (2) CD/10 - submitted by Pakistan, entitled "Conclusion of an International Convention to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons". (27 March 1979)
- (3) CD/23 - submitted by Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Union of Soviet Socialist Republics, entitled "Draft international convention on the strengthening of guarantees of the security of non-nuclear States". (21 June 1979)
- (4) CD/25 - submitted by Pakistan, entitled "Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons". (26 June 1979)
- (5) CD/27 - submitted by United States of America, entitled "Proposal for a CD Recommendation to the United Nations General Assembly Concerning the Security of Non-Nuclear-Weapon States against Nuclear Attack". (2 July 1979)
- (6) CD/47 - containing Report of the "Ad Hoc Working Group to consider and negotiate on, effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" to the Committee on Disarmament. (7 August 1979)
- (7) CD/55 - containing General Assembly resolutions 34/84, 34/85 and 34/86.  
(5 February 1980)
- (8) CD/75 - submitted by Finland, entitled "Letter dated 12 March 1980 addressed to the Chairman of the Committee on Disarmament from the Permanent Representative of Finland to the United Nations Office at Geneva submitting a working document containing the views of the Finnish Government". (14 March 1980)
- (9) CD/77 - containing a decision of the Committee on Disarmament to establish an ad hoc working group to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. (17 March 1980)

- (10) CD/120 - submitted by Pakistan, entitled "Possible draft resolution for adoption by the United Nations Security Council as an interim measure on 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'". (17 July 1980)
- (11) CD/125\* - Report of the "Ad Hoc Working Group to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" to the Committee on Disarmament. (7 August 1980)
- (12) CD/140 - containing General Assembly resolutions 35/154 and 35/155. (3 February 1981)
- (13) CD/151 - containing a decision of the Committee on Disarmament to re-establish the Ad Hoc Working Group on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons under its former mandate during 1980 session. (13 February 1981)
- (14) CD/153 - submitted by Bulgaria, entitled "Effective International Arrangements to Assure Non-nuclear-weapon States against the Use or Threat of Use of Nuclear Weapons". (18 February 1981)
- (15) CD/161 - submitted by Pakistan, entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". (4 March 1981)
- (16) CD/176 - submitted by USSR, entitled "Letter dated 7 April 1981 addressed to the Chairman of the Committee on Disarmament from the Representative of the Union of Soviet Socialist Republics transmitting the reply of the General Secretary of the Central Committee of the Communist Party of the Soviet Union and Chairman of the Presidium of the Supreme Soviet of the USSR, Leonid Brezhnev, to the question put by the Greek newspaper, Ta Nea." (10 April 1981)
- (17) CD/177 - submitted by the United Kingdom, entitled "United Kingdom working paper on the subject of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". (10 April 1981)
- (18) CD/184 - submitted by Pakistan, entitled "Letter dated 12 June 1981 from the Permanent Representative of Pakistan addressed to the Chairman of the Committee on Disarmament transmitting resolutions adopted by the Twelfth Islamic Conference of Foreign Ministers held in Baghdad from 1 to 6 June 1981", containing "Resolution No. 28/12-P: Strengthening the security of non-nuclear States against the use or threat of use of nuclear weapons". (15 June 1981)

- (19) CD/207 - submitted by China, entitled "Working Paper on the Question of Security Assurances". (6 August 1981)
- (20) CD/215 - Report of the Ad Hoc Working Group to continue to negotiate and  
Corr.1 with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" to the Committee on Disarmament. (14 August 1981)
- (21) CD/231 - containing General Assembly resolutions 36/94 and 36/95.
- (22) CD/243 - containing a decision of the Committee on Disarmament to re-establish the Ad Hoc Working Group on Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons under its former mandate during 1980 session. (19 February 1982)
- (23) CD/278\* - submitted by China, entitled "Working Paper on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons". (15 April 1982)
- (24) CD/280 - submitted by the Group of 21, entitled "Statement of the Group of 21 on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". (14 April 1982)
- (25) CD/285 - "Special Report of the Ad Hoc Working Group on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons" to the Committee on Disarmament, prepared in view of the second special session of the General Assembly devoted to disarmament. (19 April 1982)

II. Working papers of the Ad Hoc Working Group on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

- (1) CD/SA/WF.1/  
Rev.3 - List of documents on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. (23 February 1982)
- (2) CD/SA/WF.2 - submitted by the Chairman, entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons: A. Scope and nature of the arrangements". (25 June 1980)
- (3) CD/SA/WF.3 - submitted by Pakistan, entitled "Possible draft resolution by the United Nations Security Council as an interim measure on 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons' ". (15 July 1980)

- (4) CD/SA/WP.4 - submitted by Bulgaria, entitled "Forms of arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". (17 July 1980)
- (5) CD/SA/WP.5 - submitted by the Chairman, entitled: "Stages of consideration of the substance of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". (26 March 1981)
- (6) CD/SA/WP.6 - submitted by the Netherlands, containing a suggested  
(CD/SA/CRP.6) "common formula" for negative security assurances to be incorporated in a Security Council resolution. (8 July 1981)
- (7) CD/SA/WP.7 - submitted by Pakistan, containing proposals in connection  
(CD/SA/CRP.7) with Alternative D in Stage Two of document CD/SA/WP.5. (15 July 1981)
- (8) CD/SA/WP.8 - submitted by Bulgaria, containing considerations in  
(CD/SA/CRP.8 connection with "Alternative D, Stage Two, document  
and Corr.1) CD/SA/WP.5" and the suggestions made under it. (21 July 1981)
- (9) CD/SA/WP.9 - submitted by the Netherlands, entitled "Draft resolution of the Security Council embodying a 'common formula' to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". (1 April 1982)
- (10) CD/SA/WP.3/ - submitted by Pakistan, entitled "Possible draft  
Rev.1\* resolution for adoption by United Nations Security Council as an interim measure on 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons' ". (7 April 1982)

III. A compilation of material for the use of members of the ad hoc working group established by the Committee on Disarmament on 5 July 1979 to consider and negotiate on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

- (1) Statements made at the plenary and ad hoc committee meetings of the tenth special session of the General Assembly devoted to disarmament;
- (2) Statements made at the plenary and the First Committee of the thirty-third session of the General Assembly.
  - (a) Plenary
  - (b) First Committee (General)
  - (c) First Committee (Soviet Draft Convention);

- (3) Declarations made by the five nuclear weapon States containing assurances not to use nuclear weapons against non-nuclear-weapon States;
- (4) Security Council resolution 255 (1968);
- (5) General Assembly resolutions on the non-use of nuclear weapons;
- (6) Resolution on security assurances adopted by the Non-nuclear Weapon States Conference of 1968;
- (7) Part of the 1975 NPT Review Conference Final Document, relevant to security assurances;
- (8) Final Document of the tenth special session of the General Assembly devoted to disarmament, paragraphs 56-59 on security assurances;
- (9) Addendum and supplements to the Compilation:
  - (i) "Proposal of the United States of America on strengthening confidence of non-nuclear-weapon States in their security against the use or threat of use of nuclear weapons" (A/C.1/33/7, 17 November 1978);
  - (ii) General Assembly resolution 2936 (XXVII): Non-use of force in international relations and permanent prohibition of the use of nuclear weapons;
  - (iii) "Working paper containing a draft additional protocol to the Treaty on the Non-Proliferation of Nuclear Weapons regarding the establishment of a system of security assurances within the framework of the Treaty" (NPT/CONF/22, 15 May 1975);
  - (iv) Declarations made by the United Kingdom, China, France, United States of America and Union of Soviet Socialist Republics regarding Protocol II of the Treaty of Tlatelolco.

IV. A compilation of statements made on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons during the thirty-fourth session of the General Assembly

V. A compilation of statements made on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons during the thirty-fifth session of the General Assembly

VI. A compilation of statements made on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons during the thirty-sixth session of the General Assembly

VII. Unofficial transcriptions of the proceedings of the ad hoc working groups on security assurances

- (1) Unofficial transcriptions of seven meetings of the ad hoc working group during 1979.



ANNEX II

CHINA

Working Paper

On Effective International Arrangements to Assure Non-Nuclear-Weapon  
States against the Use or Threat of Use of Nuclear Weapons

Since its establishment over two years ago, the Ad Hoc Working Group on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons has held detailed and intensive discussions on the substance and form of negative security assurances. Faced with grave nuclear threat, numerous non-nuclear-weapon States call upon the nuclear-weapon States to provide unconditional assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons pending the realization of nuclear disarmament, and to conclude an international convention of a legally binding character. The Chinese delegation supports this reasonable demand. In the past two years and more, because the major nuclear powers which possess the largest nuclear arsenals imposed various conditions on non-nuclear-weapon States, no concrete result has been achieved so far in the negotiations on security assurances. The Chinese delegation believes that it is a minimum obligation of all the nuclear-weapon States to provide non-nuclear-weapon States with adequate security assurances, and in particular that the major nuclear powers with the largest nuclear arsenals bear primary responsibility in this respect. What the non-nuclear-weapon States ask for is unconditional assurances. They have rightly pointed out that demanding conditional assurances is tantamount to seeking security assurances for nuclear-weapon States from non-nuclear-weapon States. This is obviously unfair and unjust.

The Chinese delegation wishes to reiterate its position as follows: the complete prohibition and total destruction of nuclear weapons are essential for the elimination of nuclear war and nuclear threats. Pending the achievement of this goal, the nuclear-weapon States should at least undertake not to use or threaten to use nuclear weapons against the non-nuclear-weapon States and nuclear free-zones. China has already, on its own initiative and unilaterally, declared that at no time and in no circumstances would it be the first to use nuclear weapons. In connection with this fundamental position, China will unconditionally not use or threaten to use nuclear weapons against non-nuclear-weapon States.

Resolution 36/95 adopted by the United Nations General Assembly at its thirty-sixth session appeals to the nuclear-weapon States to demonstrate the political will necessary to reach agreement on a common approach which could be included in an international instrument of a legally binding character. It is our hope that the major nuclear powers shall not proceed from their own narrow interests and shall refrain from imposing various conditions with regard to security assurances for non-nuclear-weapon States. Moreover, they should respond positively to the reasonable demands voiced by a great number of non-nuclear-weapon States and demonstrate their political will to shoulder responsibilities with a view to ensuring progress in negotiations on security assurance. Together with the representatives of other countries, the Chinese delegation is ready to make further efforts to seek a "common formula" in consonance with demands of non-nuclear-weapon States and acceptable to all States.

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\*/ Reissued for technical reasons.





ANNEX III

CD/SA/WP.9  
1 April 1982  
Original: ENGLISH

COMMITTEE ON DISARMAMENT

Ad Hoc Working Group on  
Security Assurances

THE NETHERLANDS: WORKING PAPER

Draft Resolution of the Security Council embodying a common  
formula to assure non-nuclear-weapon States against the use  
or threat of use of nuclear weapons

The Security Council,

Considering the devastation that would be inflicted upon mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Convinced that the most effective guarantee against the danger of nuclear war and the use of nuclear weapons is nuclear disarmament and the complete elimination of nuclear weapons,

Recognizing that pending the achievement of this goal, the nuclear-weapon States have special responsibilities to undertake measures aimed at preventing the outbreak of nuclear war,

Further convinced that the prevention of any further proliferation of nuclear weapons (or other nuclear explosive devices) remains a vital element in efforts to avert nuclear warfare,

Welcoming therefore the acceptance by a large and growing number of States of internationally binding commitments not to acquire nuclear weapons (or other nuclear explosive devices),

Recognizing the need to strengthen the security of non-nuclear-weapon States, and in particular to assure them against the use or threat of use of nuclear weapons,

Welcoming in this respect the adherence by five nuclear-weapon States to additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America,

Acknowledging that States find themselves in different security situations, and therefore that various appropriate means are necessary to meet the security concerns of different States,

Reaffirming the inherent right, recognized under Article 51 of the Charter, of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security,

Welcomes the solemn undertaking by the nuclear-weapon States not to use or threaten to use nuclear weapons against any non-nuclear-weapon State that has committed itself not to manufacture or receive nuclear weapons (or other nuclear explosive devices) or to acquire control over them, provided that State does not undertake, or partake in, an attack upon (the territory or the armed forces of) a nuclear-weapon State or its allies with the support of another nuclear-weapon State.



ANNEX IV

COMMITTEE ON DISARMAMENT

Ad Hoc Working Group on  
Security Assurances

CD/SA/WP.3/Rev.1\*/  
7 April 1982

Original: ENGLISH

PAKISTAN: WORKING PAPER

Possible draft resolution for adoption by United Nations Security Council as an interim measure on "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

The Security Council,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and the survival of civilization,

Deeply concerned at the continued escalation of the arms race, in particular the nuclear arms race, and the possibility of the use or threat of use of nuclear weapons,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the United Nations General Assembly, in which it requested the nuclear-weapon States urgently to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Noting the negotiations undertaken in the Committee on Disarmament on the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

Noting the report of the Committee on Disarmament,

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\*/ Reissued for technical reasons.

Further noting the general support expressed for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons and that there is no objection, in principle to the idea of an international convention,

Acting under the provisions of Chapter VII of the Charter in response to the threat to peace posed by the possibility of the use or threat of use of nuclear weapons:

1. ~~1. Calls upon those States possessing nuclear weapons to undertake in a legally binding instrument not to use or threaten to use nuclear weapons against non-nuclear-weapon States;~~

2. Urges the Committee on Disarmament to pursue negotiations for this purpose and conclude, without delay, a binding international instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

3. Requests the nuclear-weapon States to pursue these negotiations in good faith and to demonstrate the political will necessary to reach agreement on a legally binding instrument, in particular by appropriately revising their respective unilateral declarations on this question, taking into account especially the views and positions of the non-nuclear-weapon States which are not parties to the nuclear security arrangements of the two major military alliances;

4. Urges the nuclear-weapon States, as a provisional and immediate measure, to confirm, in a legally binding manner, that they will not use or threaten to use nuclear weapons against non-nuclear-weapon States which are not parties to the nuclear security arrangements of the two major military alliances;

5. Decides to remain seized of this matter.

CD/280  
14 April 1982

Original: ENGLISH

ANNEX V

STATEMENT<sup>1/</sup> OF THE GROUP OF 21 ON EFFECTIVE INTERNATIONAL  
ARRANGEMENTS TO ASSURE NON-NUCLEAR WEAPON STATES AGAINST  
THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

1. The Group of 21 believes that the most effective assurances of security against the use or threat of use of nuclear weapons is nuclear disarmament and prohibition of the use of nuclear weapons. The nuclear weapon States should refrain from any activity in the nuclear field which would jeopardize the security and well-being of the peoples of non-nuclear weapon States. The nuclear weapon States have an obligation to guarantee that the non-nuclear-weapon States will not be threatened or attacked with nuclear weapons. The Group of 21, therefore, welcomed the establishment of an ad hoc Working Group to reach agreement on "effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons".

2. Most regrettably, three years of negotiations in the ad hoc Working Group have produced only marginal progress. This is due principally to the inflexible positions taken by some nuclear weapon States.

3. The Group of 21 is firmly convinced that the limitations, conditions and exceptions contained in the unilateral declarations of some nuclear weapon States reflect their subjective approach and that these declarations are based on the doctrine of nuclear deterrence. Taken together, these conditions, limitations and exceptions have the effect of severely restricting such positive features as may be contained in these unilateral declarations and they are, therefore, unacceptable to members of the Group of 21. The declarations do not offer a credible assurance to non-aligned, neutral and other non-nuclear-weapon States that they will not be threatened or attacked with nuclear weapons.

4. The Group of 21 notes that in accordance with paragraph 62 of the Final Document, the nuclear weapon States have given undertakings to refrain from the use or threat of use of nuclear weapons against States which are members of the existing nuclear weapon free zone. Besides these States, other neutral, non-aligned and developing countries outside the two major military alliances are committed not to acquire or manufacture nuclear weapons. There is therefore every reason for these States being covered by the same legally binding assurances, especially if one takes into account that the nuclear weapon States were urged in paragraph 59 to conclude, as appropriate, effective arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons.

5. The Group of 21 emphasizes that an agreement on the question of "effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons" should be based on the following principles:

- (i) The nuclear weapon States have an obligation to assure the non-nuclear weapon States against the use or threat of use of nuclear weapons;

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<sup>1/</sup> The Statement represents the common denominator of the positions of the members of the Group of 21.

- (ii) Non-nuclear weapon States have the right to be assured by the nuclear weapon States against the use or threat of use of nuclear weapons;
- (iii) Such assurances should be provided in a legally binding and multilaterally negotiated international instrument. The Group of 21 notes with satisfaction that there is no objection, in principle, within the Committee on Disarmament to the idea of an international convention;
- (iv) A common formula or common approach to be included in an international instrument on this question should be clear and credible, and respond both to the legitimate security concerns of the non-aligned, neutral and other non-nuclear weapon States as well as to the views of the Group of 21 stated above;
- (v) The agreement on this question should encompass commitments by the nuclear weapon States to achieve nuclear disarmament and pending the achievement of nuclear disarmament to prohibit the use or threat of use of nuclear weapons.

6. The Group of 21 considers that further negotiations in the ad hoc working group on this item are unlikely to be fruitful so long as the nuclear weapon States do not exhibit a genuine political will to reach a satisfactory agreement. The Group, therefore, urges the nuclear weapon States concerned to review their policies and to present revised positions on the subject to the second special session of the General Assembly devoted to disarmament which shall fully take into account the position of the non-aligned, neutral and other non-nuclear weapon States. Such an undertaking would facilitate the task of elaborating an agreed international instrument on effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons. It would also contribute towards progress in achieving an international agreement on the prohibition of the use or threat of use of nuclear weapons pending nuclear disarmament.