



General Assembly

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GENERALA/38/622
9 December 1983
ENGLISH
ORIGINAL: SPANISHThirty-eighth session
Agenda item 44

CESSATION OF ALL TEST EXPLOSIONS OF NUCLEAR WEAPONS

Report of the First CommitteeRapporteur: Mr. Humberto Y. GOYEN-ALVEZ (Uruguay)

I. INTRODUCTION

1. The item entitled "Cessation of all test explosions of nuclear weapons: report of the Committee on Disarmament" was included in the provisional agenda of the thirty-eighth session in accordance with General Assembly resolution 37/72 of 9 December 1982.
2. At its 3rd plenary meeting, on 23 September 1983, the General Assembly, on the recommendations of the General Committee, decided to include the item in its agenda. At its 4th plenary meeting, on the same day, the Assembly decided to allocate it to the First Committee.
3. At its 2nd meeting, on 11 October, the First Committee decided to hold a general debate followed by an exchange of views on the disarmament items allocated to it, namely, items 43 to 63, 139 and 141. The deliberations on these items, and on items 143 and 144 which were allocated to the First Committee by the General Assembly at its 28th plenary meeting, on 11 October, took place between the 3rd and the 31st meetings, from 17 October to 11 November (see A/C.1/38/PV.3-31).
4. In connection with item 44, the First Committee had before it the following documents:
 - (a) Report of the Committee on Disarmament; 1/

1/ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27).

(b) Letter dated 30 March 1983 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the final documents of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983 (A/38/132-S/15675 and Corr.1 and 2);

(c) Letter dated 10 October 1983 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the Communiqué adopted by the Meeting of Ministers for Foreign Affairs and Heads of Delegations of Non-Aligned Countries, to the thirty-eighth session of the General Assembly held in New York from 4 to 7 October 1983 (A/38/495-S/16035);

(d) Letter dated 24 October 1983 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General, transmitting the resolutions adopted by the Seventieth Inter-Parliamentary Conference, held at Seoul on 12 October 1983 (A/38/529).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/38/L.48

5. On 11 November, Bangladesh, Ecuador, Kenya, Mexico, Pakistan, Sri Lanka, the Sudan, Sweden, Uruguay, Venezuela and Yugoslavia submitted a draft resolution entitled "Cessation of all test explosions of nuclear weapons" (A/C.1/38/L.48), which was later also sponsored by Colombia, Costa Rica, Indonesia and Mali. The draft resolution was introduced by the representative of Mexico at the 32nd meeting, on 15 November.

6. At its 37th meeting, on 22 November, the Committee adopted draft resolution A/C.1/38/L.48 by a recorded vote of 100 to 2, with 28 abstentions (see para. 7). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Austria, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Guatemala, Guyana, Haiti, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Ivory Coast, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

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

Abstaining: Argentina, Australia, Belgium, Brazil, Burma, Canada, Chile, China, Denmark, France, Germany, Federal Republic of, Greece, Iceland, India, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Samoa, Solomon Islands, Spain, Turkey, Zambia.

III. RECOMMENDATION OF THE FIRST COMMITTEE

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

Cessation of all test explosions of nuclear weapons

The General Assembly,

Bearing in mind that the complete cessation of nuclear-weapon tests, which has been examined for more than twenty five years and on which the General Assembly has adopted more than forty resolutions, is a basic objective of the United Nations in the sphere of disarmament, to the attainment of which it has repeatedly assigned the highest priority,

Stressing that on seven different occasions it has condemned such tests in the strongest terms and that, since 1974, it has stated its conviction that the continuance of nuclear-weapon testing will intensify the arms race, thus increasing the danger of nuclear war,

Reiterating the assertion made in several previous resolutions that, whatever may be the differences on the question of verification, there is no valid reason for delaying the conclusion of an agreement on a comprehensive test ban,

Recalling that since 1972 the Secretary-General has declared that all the technical and scientific aspects of the problem have been so fully explored that only a political decision is now necessary in order to achieve final agreement, that when the existing means of verification are taken into account it is difficult to understand further delay in achieving agreement on an underground test ban, and that the potential risks of continuing underground nuclear-weapon tests would far outweigh any possible risks from ending such tests,

Taking into account that the three nuclear-weapon States which act as depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water 2/ undertook in that Treaty, twenty years ago, to seek the

2/ United Nations, Treaty Series, vol. 480, No. 6964, p. 430.

achievement of the discontinuance of all test explosions of nuclear weapons for all time and that such an undertaking was explicitly reiterated in 1968 in the preamble of the Treaty on the Non-Proliferation of Nuclear Weapons, 3/ whose article VI further embodies their solemn and legally binding commitment to take "effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament",

Bearing in mind the growing negative influence that the total lack of compliance with those undertakings had had on both the first and the second review conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in 1975 and 1980, respectively,

Convinced that the maintenance of such a situation would not augur well for the third review conference of that Treaty, which is to take place in 1985 and even for the future of the Treaty itself,

Deploing that, due to the persistent obstruction of a very small number of its members, the Committee on Disarmament - which henceforth will be designated as the Conference on Disarmament 4/ - has been unable to initiate multilateral negotiations of a treaty for the prohibition of all nuclear-weapon tests as it was specifically requested to do in General Assembly resolution 37/72 of 9 December 1982,

Noting that the Conference on Disarmament has already received various concrete proposals on this question, including a complete draft for the eventual text of the treaty as a whole,

1. Reiterates once again its grave concern that nuclear-weapon testing continues unabated against the wishes of the overwhelming majority of Member States;
2. Reaffirms its conviction that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the highest priority;
3. Reaffirms also its conviction that such a treaty would constitute a contribution of the utmost importance to the cessation of the arms race and an indispensable element for the success of the non-proliferation Treaty on the Non-Proliferation of Nuclear Weapons since it is only through the fulfilment of the obligations under the Treaty that its three Depositary Powers may expect all other parties to comply likewise with their respective obligations;

3/ General Assembly resolution 2373 (XXII), annex.

4/ From the date of commencement of the annual session in 1984, the Committee will be known as the "Conference on Disarmament" (see Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), para. 21).

4. Urges once more the three Depositary Powers of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons to abide strictly by their undertakings to seek "to achieve the discontinuance of all test explosions of nuclear weapons for all time" and "to continue negotiations to this end";

5. Urges also all States that have not yet done so to adhere to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and, meanwhile, to refrain from testing in the environments covered by that Treaty;

6. Reiterates its appeal to all States members of the Conference on Disarmament to initiate immediately the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests and to exert their best endeavours in order that the Conference may transmit to the General Assembly at its thirty-ninth session the complete draft of such a treaty;

7. Calls upon the States depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and the Treaty on the Non-Proliferation of Nuclear Weapons, by virtue of their special responsibilities under those two treaties and as a provisional measure, to bring to a halt without delay all nuclear-test explosions, either through a trilaterally agreed moratorium or through three unilateral moratoria;

8. Decides to include in the provisional agenda of its thirty-ninth session the item entitled "Cessation of all test explosions of nuclear weapons".
