

**38/61. Implementation of General Assembly resolution 37/71 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)**

*The General Assembly,*

Recalling its resolutions 2286 (XXII) of 5 December 1967, 3262 (XXIX) of 9 December 1974, 3473 (XXX) of 11 December 1975, 32/76 of 12 December 1977, S-10/2 of 30 June 1978, 33/58 of 14 December 1978, 34/71 of 11 December 1979, 35/143 of 12 December 1980, 36/83 of 9 December 1981 and 37/71 of 9 December 1982 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),<sup>2</sup>

Taking into account that within the zone of application of that Treaty, to which twenty-three sovereign States are already parties, there are some territories which, in spite of not being sovereign political entities, are nevertheless in a position to receive the benefits deriving from the Treaty through its Additional Protocol I, to which the States that *de jure* or *de facto* are internationally responsible for those territories may become parties,

Recalling that the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands and the United States of America became parties to Additional Protocol I in 1969, 1971 and 1981, respectively,

1. *Deplores* that the signature of Additional Protocol I by France, which took place on 2 March 1979, has not yet been followed by the corresponding ratification, notwithstanding the time already elapsed and the pressing invitations which the General Assembly has addressed to it;

2. *Once more urges* France not to delay any further such ratification, which has been requested so many times;

3. *Decides* to include in the provisional agenda of its thirty-ninth session an item entitled "Implementation of General Assembly resolution 38/61 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

*97th plenary meeting  
15 December 1983*

**38/62. 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<sup>3</sup> undertook in that Treaty, twenty years ago, to seek the 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 to the Treaty on the Non-Proliferation of Nuclear Weapons,<sup>4</sup> article VI of which 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 on both the first and the second Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held at Geneva from 5 to 30 May 1975 and from 11 August to 7 September 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,

*Deploring* 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<sup>5</sup>—has been unable to initiate multilateral negotiation 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 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;

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

<sup>2</sup> United Nations, *Treaty Series*, vol. 634, No. 9068, p. 326.

<sup>3</sup> *Ibid.*, vol. 480, No. 6964, p. 43.

<sup>4</sup> Resolution 2373 (XXII), annex.

<sup>5</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to 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).

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".

97th plenary meeting  
15 December 1983

### 38/63. Urgent need for a comprehensive nuclear-test-ban treaty

*The General Assembly:*

*Convinced* of the urgent need for a comprehensive nuclear-test-ban treaty capable of attracting the widest possible international support and adherence,

*Reaffirming its conviction* that an end to nuclear-weapon testing by all States in all environments would be a major step towards ending the qualitative improvement, development and proliferation of nuclear weapons, a means of relieving the deep apprehension concerning the harmful consequences of radioactive contamination for the health of present and future generations and a measure of the utmost importance in bringing the nuclear-arms race to an end,

*Recalling* that the parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water<sup>3</sup> undertook not to carry out any nuclear-weapon-test explosion, or any other nuclear explosion, in the environments covered by that Treaty, and that in that Treaty and in the Treaty on the Non-Proliferation of Nuclear Weapons<sup>4</sup> the parties expressed their determination to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

*Recalling also* its previous resolutions on this subject,

*Taking into account* that part of the report of the Committee on Disarmament concerning consideration of the item entitled "Nuclear-test ban" during its session in 1983,<sup>6</sup>

*Noting*, in particular, that Sweden submitted to the Committee on Disarmament a draft treaty banning any

nuclear-weapon-test explosion in any environment<sup>7</sup> which took into account both the report on the trilateral negotiations submitted to the Committee in 1980<sup>8</sup> and the basic provisions of a treaty on the complete and general prohibition of nuclear-weapon tests proposed by the Union of Soviet Socialist Republics in 1982,<sup>9</sup>

*Recognizing* the important role of the Conference on Disarmament<sup>5</sup> in the negotiation of a comprehensive nuclear-test-ban treaty.

*Recognizing* the importance to such a treaty of the work assigned by the Committee on Disarmament to the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events on a global network of stations for the exchange of seismological data.

*Recalling* paragraph 31 of the Final Document of the Tenth Special Session of the General Assembly,<sup>10</sup> relating to verification of disarmament and arms control agreements, which stated that the form and modalities of the verification to be provided for in any specific agreement depend on, and should be determined by, the purposes, scope and nature of the agreement.

1. *Reiterates its profound concern* that, despite the express wishes of the majority of Member States, nuclear-weapon testing continues;

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 greatest importance;

3. *Expresses the conviction* that such a treaty would constitute a vital element for the success of efforts to halt and reverse the nuclear-arms race and the qualitative improvement of nuclear weapons, and to prevent the expansion of existing nuclear arsenals and the spread of nuclear weapons to additional countries;

4. *Notes* that the Committee on Disarmament, in the exercise of its responsibilities as the multilateral disarmament negotiating forum, re-established at its session in 1983 an *Ad Hoc* Working Group under item 1 of its agenda, entitled "Nuclear-test ban", and that the *Ad Hoc* Working Group considered the issues under its mandate;

5. *Also notes* that the Committee on Disarmament agreed that the mandate of the *Ad Hoc* Working Group on a Nuclear-Test Ban may thereafter be revised as decided by the Committee, which will consider this question with appropriate urgency,<sup>11</sup> and that the Committee discussed the matter;

6. *Requests* the Conference on Disarmament:

(a) To resume its examination of issues relating to a comprehensive test ban, with a view to the negotiation of a treaty on the subject and, in accordance with that part of the report of the Committee concerning this item, to take up the question of a revised mandate for the *Ad Hoc* Working Group during its 1984 session;

(b) To determine, in the context of its negotiations on such a treaty, the institutional and administrative arrangements necessary for establishing, testing and operating an international seismic monitoring network as part of an effective verification system;

(c) To initiate investigation of other international measures to improve verification arrangements under such a treaty, including an international network to monitor atmospheric radioactivity;

<sup>6</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), sect. III.A.

<sup>7</sup> See CD/421/Appendix II/Vol. II, document CD/381.

<sup>8</sup> See CD/139/Appendix II/Vol. II, document CD/130.

<sup>9</sup> Official Records of the General Assembly, Thirty-seventh Session, Annexes, agenda items 39 to 57, 133, 136, 138 and 139, document A/37/243, appendix.

<sup>10</sup> Resolution S-10/2.

<sup>11</sup> Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27), para. 10.