

Resolution No.	Title	Item	Date of adoption	Page
39/159	Inadmissibility of the policy of State terrorism and any actions by States aimed at undermining the socio-political system in other sovereign States (A/39/761)	143	17 December 1984	99
39/160	Relationship between disarmament and development (A/39/745)	55	17 December 1984	99

39/51. 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)

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, 37/71 of 9 December 1982 and 38/61 of 15 December 1983 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),²

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 four States that *de jure* or *de facto* are internationally responsible for those territories may become parties,

Recalling that three of those States — 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. *Deplors* 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 and which appears all the more advisable, since France is the only one of the four States to which the Protocol is open that is not yet party to it;

3. *Decides* to include in the provisional agenda of its fortieth session an item entitled "Implementation of General Assembly resolution 39/51 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
12 December 1984

39/52. 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 nearly fifty 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,

Convinced that the existing means of verification are adequate to ensure compliance with a nuclear-test ban and that the alleged absence of such means of verification is nothing but an excuse for further development and refinement of nuclear weapons,

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,

Bearing in mind 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 Water³ in the report they submitted on 30 July 1980 to the Committee on Disarmament, after four years of trilateral negotiations, stated, *inter alia*, that they were "mindful of the great value for all mankind that the prohibition of all nuclear-weapon-test explosions in all environments will have" as well as "conscious of the important responsibility placed upon them to find solutions to the remaining problems", adding furthermore that they were determined to exert their best efforts and necessary will and persistence "to bring the negotiations to an early and successful conclusion",⁴

Taking into account that the same three nuclear-weapon States undertook twenty years ago, in the above-mentioned Treaty, 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,⁵ 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

² United Nations, *Treaty Series*, vol. 634, No. 9068, p. 326.

³ *Ibid.*, vol. 480, No. 6964, p. 43.

⁴ See CD/139/Appendix II/vol. II, document CD/130.

⁵ Resolution 2373 (XXII), annex.

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 from 22 April to 3 May 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 Conference on Disarmament 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 38/62 of 15 December 1983,

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*, for the eighth time, its strongest condemnation of all nuclear-weapon tests;

2. *Reiterates also once again its grave concern* that nuclear-weapon testing continues unabated, against the wishes of the overwhelming majority of Member States;

3. *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;

4. *Reaffirms also its conviction* that such a treaty would constitute a contribution of the utmost importance to the cessation of the nuclear-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;

5. *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 early discontinuance of all test explosions of nuclear weapons for all time and to expedite negotiations to this end;

6. *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;

7. *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 fortieth session the complete draft of such a treaty;

8. *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;

9. *Decides* to include in the provisional agenda of its fortieth session the item entitled "Cessation of all test explosions of nuclear weapons".

97th plenary meeting
12 December 1984

⁶ Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 27 (A/39/27), sect. III.A.

39/53. 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 all nuclear testing by all States in all environments for all time 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 Water³ 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 the parties expressed their determination to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Recalling also that the parties to the Treaty on the Non-Proliferation of Nuclear Weapons⁵ recalled the determination expressed by the parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water in its preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end, declaring their intention to achieve at the earliest possible date the cessation of the nuclear-arms race and to undertake effective measures in the direction of nuclear disarmament,

Recalling further its previous resolutions on this subject,

Taking into account that part of the report of the Conference on Disarmament concerning consideration of the item entitled "Nuclear-test ban" during its session in 1984,⁶

Also taking into account relevant proposals and initiatives put forward in the Conference on Disarmament during its session in 1984,

Expressing its profound regret that, in spite of strenuous efforts, the Conference on Disarmament was unable to reach agreement on the re-establishment at its session in 1984 of an *Ad Hoc* Committee under item 1 of its agenda, entitled "Nuclear-test ban",

Recognizing the important role of the Conference on Disarmament in the negotiation of a comprehensive nuclear-test-ban treaty,

Recognizing the importance to such a treaty of the work on a global seismic detection network, assigned by the Conference on Disarmament to the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events,

Recalling paragraph 31 of the Final Document of the Tenth Special Session of the General Assembly,⁷ 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 testing continues;

⁷ Resolution S-10.2.