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ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN SOUTH ASIA

Report of the Secretary-General

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* A/42/150.

I. INTRODUCTION

1. On 3 December 1986, the General Assembly adopted resolution 41/49, the operative part of which read as follows:

"The General Assembly,

"...

"1. Reaffirms its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

"2. Urges once again the States of South Asia to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the mean time, from any action contrary to this objective;

"3. Calls upon those nuclear-weapon States that have not done so to respond positively to this proposal and to extend the necessary co-operation in the efforts to establish a nuclear-weapon-free zone in South Asia;

"4. Requests the Secretary-General to communicate with the States of the region and other concerned States in order to ascertain their views on the issue and explore the best possibilities to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia and to report on the subject to the General Assembly at its forty-second session;

"5. Decides to include in the provisional agenda of its forty-second session the item entitled 'Establishment of a nuclear-weapon-free zone in South Asia'."

2. Pursuant to paragraph 4 of the resolution, the Secretary-General submits herewith the replies thus far received from Bangladesh, Pakistan and Sri Lanka. In connection with the reply received from Pakistan, the Secretary-General would like to call the attention of the States concerned to paragraph 2 of the note verbale of the Permanent Representative of Pakistan, in which, inter alia, he requests "the Secretary-General of the United Nations to convey urgently the views and suggestions made by the Government of Pakistan to the other States of South Asia and to the nuclear-weapon States, and to elicit their response to Pakistan's desire for early consultations designed to achieve the shared objective of preventing nuclear proliferation in South Asia".

3. Other replies related to this item will be issued as addenda to the present report.

11. REPLIES RECEIVED FROM GOVERNMENTS

BANGLADESH

[Original: English]

[4 May 1987]

1. The relaxation of international tension and confidence building is essential for effective disarmament measures.
2. The establishment of nuclear-weapon-free zones would contribute effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament.
3. The security of the region of South Asia would also be strengthened against the use or threat of use of nuclear weapons if such a zone is established.
4. The Government of Bangladesh was party to the Declaration at the highest level by the countries of the South Asian region that the nuclear programmes are peaceful and for the socio-economic development of peoples.
5. The establishment of such zones should take into account the interrelated aspects of eliminating the presence of, and threat from, external powers and the maintenance of security among regional States.
6. Bangladesh has contributed towards the efforts to promote peace and stability in the region through the creation of a climate of trust, understanding and co-operation by the establishment of the South Asian Association for Regional Co-operation.

PAKISTAN

[Original: English]

[10 June 1987]

1. The substantive and constructive views and suggestions made by the Government of Pakistan are a reaffirmation of the importance it attaches to the realization of effective measures to prevent the emergence of the nuclear weapons in South Asia. These views and suggestions can be explored, developed and modified through consultations which the Government of Pakistan hopes can be initiated through the endeavours of the Secretary-General. In this context, Pakistan believes that the legitimate interests and views of all the regional States can be accommodated so long as their declared commitment to non-proliferation is sincere and genuine.
2. The Permanent Representative of Pakistan to the United Nations requests the Secretary-General of the United Nations to convey urgently the views and suggestions made by the Government of Pakistan to the other States of South Asia

and to the nuclear-weapon States, and to elicit their response to Pakistan's desire for early consultations designed to achieve the shared objective of preventing nuclear proliferation in South Asia.

Establishment of a nuclear-weapon-free zone in South Asia

3. In response to the request by the Secretary-General under the terms of General Assembly resolution 41/49 on the establishment of a nuclear-weapon-free zone in South Asia, the Government of Pakistan wishes to submit the following views regarding the rationale, form, scope, undertakings by regional States and the nuclear Powers and the verification arrangements relating to the creation of a nuclear-weapon-free zone in South Asia.

Rationale for the establishment of a nuclear-weapon-free zone in South Asia

4. Pakistan first proposed the creation of a nuclear-weapon-free zone in South Asia in 1972. The concept has been annually endorsed, in principle, by the General Assembly since its twenty-ninth session.

5. A nuclear-weapon-free zone in South Asia would help immensely to remove mutual fears and suspicions, reduce tensions, enhance peace and stability and promote the goals of regional amity and co-operation.

Legal form of a nuclear-weapon-free zone in South Asia

6. The arrangements for establishing a nuclear-weapon-free zone in South Asia could be in the form of (a) a regional treaty, or (b) simultaneous accession to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) by those regional States which are at present not parties to the Treaty or (c) binding declarations by the regional States recognized and endorsed by the United Nations Security Council.

Scope

7. The nuclear-weapon-free zone in South Asia should include the territories of the seven States of South Asia, namely, Pakistan, India, Bangladesh, Nepal, Bhutan, Sri Lanka and Maldives. These seven States together constitute a distinct geographical entity. They are members of the South Asian Association for Regional Co-operation (SAARC). As the Declaration of the first SAARC Summit stated in December 1985:

"They were bolstered in this venture by the recognition of the many commonalities that bound the seven countries of the region. These were rooted in their geography, shared history, traditions and above all human and spiritual values. Cultural cross currents and socio-economic interactions over centuries had shaped their attitude and values, strengthened their common affinities and enhanced a sense of homogeneity, intimacy and interdependence among them. Regional co-operation was the only logical response to the common problems they faced as developing and non-aligned countries to the continuing pressure of rising expectations among their peoples and to the cognizance of the interdependent nature of the world they lived in."

8. The zone should encompass the territorial sea, airspace and any other space over which the seven South Asian States exercise sovereignty in accordance with their own legislations.

Nature of undertakings by the regional States

9. Pakistan believes that the undertakings relating to a nuclear-weapon-free zone in South Asia should be comprehensive and equitable. The regional States should reaffirm their commitment not to acquire or manufacture nuclear weapons or any nuclear explosive device. They should undertake (a) to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction and (b) to prohibit and prevent in their respective territories:

- (i) Testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapon or nuclear explosive device;
- (ii) Receipt, storage, installation, deployment or any form or possession of any nuclear weapon or nuclear explosive device.

Verification measures

10. The regional States should undertake to establish a control system for the purpose of verifying compliance with their obligations under the proposed arrangements for denuclearization. It would be necessary to establish an equitable and non-discriminatory system of verification and inspection. This could be done by evolving either (a) a permanent regional consultative mechanism, including provisions for a challenge verification régime with on-site inspection, or (b) bilateral arrangements among regional States for mutual inspection of nuclear facilities outside international safeguards, or (c) acceptance by the regional States of International Atomic Energy Agency safeguards on all nuclear facilities and fissionable nuclear materials. Verification provisions could be strengthened and made more acceptable through accompanying measures to promote mutual co-operation in the peaceful uses of nuclear technology for economic and social development.

Obligations of nuclear-weapon States

11. The five nuclear-weapon States have indicated their support or acceptance of the concept of nuclear-weapon-free zones in various parts of the world. Three nuclear Powers, China, the United States of America and the United Kingdom of Great Britain and Northern Ireland, have supported the General Assembly resolutions endorsing the concept of a nuclear-weapon-free zone in South Asia. The other two nuclear-weapon States can also be expected to respond positively to an agreement among South Asian States on arrangements for a nuclear-weapon-free zone.

12. The regional States, with the assistance of the United Nations, should undertake consultations, whenever appropriate, with the nuclear-weapon States in order to obtain legally-binding assurances from them against the use or threat of use of nuclear weapons against the States members of a South Asian nuclear-weapon-free zone. Moreover, the nuclear-weapon States should be required

to undertake not to deploy nuclear weapons adjacent to the denuclearized zone or to remove such deployments.

Consultations

13. Pakistan recognizes the need for prior agreement among the regional States on the nature and substance of a nuclear-weapon-free zone in South Asia. The Government of Pakistan is prepared to participate constructively in any consultations designed to evolve agreed arrangements for the permanent denuclearization of the South Asian region. These consultations can be held in any State of the region. For its part, Pakistan would be happy to host a meeting for this purpose at any appropriate level. Equally, Pakistan would be happy to enter into such consultations under the aegis of the Secretary-General of the United Nations.

SRI LANKA

[Original: English]

[22 July 1987]

1. Sri Lanka has consistently supported regional arms limitation and disarmament measures in terms of paragraphs 60 to 63 of the Final Document of the first special session on disarmament. Sri Lanka believes that such measures contribute to the efforts towards global nuclear disarmament and general and complete disarmament under effective international control. They also constitute confidence-building measures facilitating progress towards regional stability, peace and security. In this context, Sri Lanka continues to support and attach great importance to the establishment of a Zone of Peace in the Indian Ocean as well as a nuclear-weapon-free zone in South Asia. These two measures are not mutually exclusive but are of mutually supportive character.

2. The establishment of a nuclear-weapon-free zone in South Asia, like such a zone in any other part of the world, should emerge from consultations and harmonization of views based on the declared determination of the South Asian countries to keep their territories free of nuclear weapons (para. 63 (e) of the Final Document of the first special session on disarmament). Such a process should take account of the principles of sovereign equality, non-interference in internal affairs and peaceful settlement of disputes and other relevant provisions of the United Nations Charter. While taking into account the special characteristics of the region, this process should ensure undiminished security and confidence for all States of the region. Bilateral and other confidence-building arrangements among the countries of the region that are active in the field of nuclear technology could provide an impetus to this process. Such arrangements based on the principles of sovereign equality and non-interference in internal affairs of States should be undertaken in a way which would enhance the confidence and ensure security of all States in the region.