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Agenda Item 49

## CESSATION OF ALL NUCLEAR-TEST EXPLOSIONS

Report of the First CommitteeRapporteur : Mr. Kazimierz TOMASZEWSKI (Poland)

## I. INTRODUCTION

1. The item entitled "Cessation of all nuclear-test explosions: report of the Conference on Disarmament" was included in the provisional agenda of the forty-second session in accordance with General Assembly resolution 41/46 A of 3 December 1986.
2. At its 3rd plenary meeting, on 18 September 1987, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.
3. At its 2nd meeting, on 1 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 48 to 69, followed by statements on specific disarmament agenda items and continuation of the general debate, as necessary. The deliberations on those items took place between the 3rd and the 31st meetings, from 12 October to 3 November (see A/C.1/42/PV. 3-31).
4. In connection with item 49, the First Committee had before it the following documents :
  - (a) Report of the Conference on Disarmament, 1/

1/ Official Records of the General Assembly, Forty-second Session, Supplement No. 27 (A/42/27).

(b) Letter dated 19 December 1986 from the Permanent Representatives of the Union of Soviet Socialist Republics addressed to the Secretary-General (A/42/59-S/18534);

(c) Letter dated 15 January 1987 from the Permanent Representative of Nicaragua to the United Nations addressed to the Secretary-General (A/42/89);

(d) Letter dated 19 January 1987 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/42/93-S/18620);

(e) Letter dated 17 February 1987 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/42/132-S/18701);

(f) Letter dated 5 March 1987 from the Permanent Representative of the German Democratic Republic to the United Nations addressed to the Secretary-General (A/42/167-S/18741);

(g) Letter dated 12 March 1987 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General (A/42/174);

(h) Letter dated 30 March 1987 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General, transmitting the text of the concluding documents of the regular session of the Committee of Ministers for Foreign Affairs of the States parties to the Warsaw Treaty of Friendship, Co-operation and Mutual Assistance, held in Moscow on 24 and 25 March 1987 (A/42/189-S/18768);

(i) Letter dated 29 May 1987 from the Permanent Representative of the German Democratic Republic to the United Nations addressed to the Secretary-General, transmitting the text of the communiqué and documents adopted at the session of the Political Consultative Committee of the States parties to the Warsaw Treaty on Friendship, Co-operation and Mutual Assistance, held at Berlin on 28 and 29 May 1987 (A/42/313-S/18888);

(j) Letter dated 28 May 1987 from the representatives of Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania to the United Nations addressed to the Secretary-General, transmitting the text of the joint statement dated 22 May 1987 of the President of Argentina, the Prime Minister of Greece, the Prime Minister of India, the President of Mexico, the Prime Minister of Sweden and the First President of the United Republic of Tanzania (A/42/319-S/18894);

(k) Letter dated 12 June 1987 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/42/346-S/18922);

(l) Letter dated 20 July 1987 from the Chargé d'affaires a.i. of the Permanent Mission of Samoa to the United Nations addressed to the

Secretary-General, transmitting the text of the final communiqué of the eighteenth South Pacific Forum, held at Apia on 29 and 30 May 1987 (A/42/417) ;

(m) Note verbale dated 14 August 1987 from the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/42/509) ;

(n) Letter dated 14 September 1987 from the Permanent Representative of Romania to the United Nations addressed to the Secretary-General (A/42/562) ;

(o) Letter dated 5 October 1987 from the Head of the Delegation of the Union of Soviet Socialist Republics to the forty-second session of the General Assembly addressed to the Secretary-General (A/42/621-S/19180) ;

(p) Letter dated 9 October 1987 from the Permanent Representatives of Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania to the United Nations addressed to the Secretary-General, transmitting the text of the joint statement issued on 7 October 1987 by the President of Argentina, the Prime Minister of Greece, the Prime Minister of India, the President of Mexico, the Prime Minister of Sweden and the First President of the United Republic of Tanzania (A/42/652-8/19201) ;

(q) Letter dated 23 October 1987 from the Permanent Representative of Zimbabwe to the United Nations addressed to the Secretary-General, transmitting a copy of the final communiqué of the Meeting of the Ministers of Foreign Affairs and Heads of Delegation of the Movement of Non-Aligned Countries to the forty-second session of the General Assembly, held in New York from 5 to 7 October 1987 (A/42/681) ;

(r) Letter dated 2 November 1987 from the Permanent Representative of Czechoslovakia to the United Nations addressed to the Secretary-General, transmitting the communiqué and the document entitled "Towards Increasing the Effectiveness of the Conference on Disarmament in Geneva" issued at the session of the Committee of the Ministers for Foreign Affairs of the States members of the Warsaw Treaty, held at Prague on 28 and 29 October 1987 (A/42/708 and Corr.1) ;

(s) Note verbale dated 18 September 1987 from the Permanent Representative of the Byelorussian Soviet Socialist Republic to the United Nations addressed to the Secretary-General (A/C.1/42/2) .

## II. CONSIDERATION OF PROPOSALS

### A. Draft resolution A/C.1/42/L.29

5. On 27 October 1987, Finland, Indonesia, Ireland, Kenya, Mexico, Pakistan, Peru, Sri Lanka, Sweden, Venezuela and Yugoslavia submitted a draft resolution, entitled "Cessation of all nuclear-test explosions" (A/C.1/42/L.29), which was later also sponsored by Romania and Uruguay. The draft resolution was introduced by the representative of Mexico at the 29th meeting, on 2 November.

6. At its 43rd meeting, on 13 November, the Committee adopted draft resolution A/C.1/42/L.29 by a recorded vote of 116 to 3, with 14 abstentions (see para. 9, draft resolution A). The voting was as follows:

In favour, Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, 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 Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

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

Abstaining: Belgium, Brazil, Canada, China, Germany, Federal Republic of, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, Turkey, Zambia.

**B. Draft resolution A/C.1/42/L.38**

7. On 27 October 1987, Indonesia, Mexico, Peru, Sri Lanka, Venezuela and Yugoslavia submitted a draft resolution entitled "Cessation of all nuclear-test explosions" (A/C.1/42/L.38). The draft resolution was introduced by the representative of Mexico at the 29th meeting, on 2 November.

8. At its 43rd meeting on, 13 November, the Committee adopted draft resolution A/C.1/42/L.38 by a recorded vote of 101 to 3, with 24 abstentions (see para. 9, draft resolution B). 2/ The voting was as follows:

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2/ Subsequently, the delegation of Hungary indicated that it had intended to vote in favour of the draft resolution.

**In favour :** Afghanistan, Albania, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Dhutan, Bolivia, Botswana, **Brazil**, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Colombia, Comoroe, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprue, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, 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 Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

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

**Abstaining:** Australia, Austria, Bahamas, Belgium, Canada, Denmark, Equatorial Guinea, Finland, Germany, Federal Republic of, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Turkey, Zambia.

### III. RECOMMENDATIONS OF THE FIRST COMMITTEE

9. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### Cessation of all nuclear-test explosions

##### A

The General Assembly,

Bearing in mind that the complete cessation of nuclear-weapon tests, which has been examined for more than thirty years and on which the General Assembly has adopted more than 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 eight different occasions it has condemned such tests in the strongest terms and that, since 1974, it had stated its conviction that **the continuance** of nuclear-weapon testing will intensify the arms race, thus **increasing** the danger of nuclear war,

**Recalling** that the Secretary-General, **addressing** a plenary meeting of the General Assembly on 12 December 1984, **3/** after appealing for a renewed effort towards a comprehensive test-ban treaty, **emphasized** that no single multilateral agreement could have a greater effect on limiting the further refinement of nuclear weapons and that **a comprehensive test-ban treaty is the litmus test** of the real willingness to pursue nuclear disarmament,

**Taking into account** that the three nuclear-weapon States that act as **depositories** of the 1963 Treaty Banning Nuclear Weapon Tests in the **Atmosphere, in Outer Space and Under Water 4/** undertook in article I of that **Treaty** to conclude **a treaty** resulting in the permanent banning of all nuclear-test explosions, including all those explosions underground, and that such an undertaking was 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** that the same three nuclear-weapon States, 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", **6/**

**Noting** that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration **7/** adopted

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**3/** See Official Records of the General Assembly, Thirty-ninth Session, Plenary Meetings, 97th meeting, para. 302.

**4/** United Nations, Treaty Series, vol. 480, No. 6964, p. 43.

**5/** Resolution 2373 (XXII), annex.

**6/** CD/139/Appendix II/Vol. II, document CD/130.

**7/** Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.III/64/I) (Geneva, 1985), annex I.

on 21 September 1985, called on the nuclear-weapon States parties to the Treaty to resume trilateral negotiations in 1985 and on all the nuclear-weapon States to participate in the urgent negotiation and conclusion of a comprehensive nuclear-test-ban treaty, as a matter of the highest priority, in the Conference on Disarmament,

Recalling that the leaders of the six countries associated in the five-continent peace and disarmament initiative affirmed in the Mexico Declaration, 8/ adopted on 7 August 1986, that they "remain convinced that no issue is more urgent and crucial today than bringing to an end all nuclear tests", adding that "both the qualitative and the quantitative development of nuclear weapons exacerbate the arms race, and both would be inhibited by the complete abolition of nuclear weapons testing",

Taking note with satisfaction of the progress made by the Ad Hoc Group of Scientific Experts in the Conference on Disarmament on the seismic verification of a comprehensive test ban, 9/

Bearing in mind that the multilateral negotiation of such a treaty in the Conference on Disarmament must cover all the various interrelated problems that it will be necessary to solve in order that the Conference may transmit a complete draft treaty to the General Assembly,

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 nuclear-arms race;
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, in particular the Union of Soviet Socialist Republics and the United States of America, 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, keeping the Conference on Disarmament regularly informed of their negotiations;

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8/ A/41/510-S/18277, annex I.

9/ See Official Records of the General Assembly, Forty-second Session, Supplement No. 27 (A/42/27), par a. 31.

5. **Appeals to all States members of the Conference on Disarmament, in particular to 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 promote the establishment by the Conference at the beginning of its 1988 session of an ad hoc committee with the objective of carrying out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;**

6. **Recommends to the Conference on Disarmament that such an ad hoc committee should comprise two working groups dealing, respectively, with the following interrelated questions: contents and scope of the treaty, and compliance and verification; --**

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, which should include appropriate means of verification;**

8. **Decides to include in the provisional agenda of its forty-third session the item entitled "Cessation of all nuclear-test explosions".**

B

**The General Assembly,**

**Bearing in mind the determination, proclaimed since 1963 in the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, <sup>10/</sup> to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,**

**Bearing in mind also that in 1968 the Treaty on the "Non-Proliferation of Nuclear Weapons <sup>11/</sup> recalled such determination and included in its article VI an undertaking by each of its parties to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear-arms race at an early date,**

**Recalling that in its resolution 2028 (XX) of 19 November 1965, adopted unanimously, it had stressed that one of the basic principles on which the treaty to prevent the proliferation of nuclear weapons should be based was that such treaty, which was then to be negotiated, should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers,**

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<sup>10/</sup> **United Nations, Treaty Series, vol. 480, No. 6964, p. 43.**

<sup>11/</sup> **Resolution 2373 (XXII), annex.**



Recalling also that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration 12/ adopted by consensus on 21 September 1985, expressed its deep regret that a comprehensive multilateral nuclear-test-ban treaty had not been concluded so far and called for the urgent negotiation and conclusion of such a treaty as a matter of the highest priority,

Noting that article II of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water provides a procedure for the consideration and eventual adoption of amendments to the Treaty by a conference of its parties,

1. Recommends that the non-nuclear-weapon States parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water formally submit an amendment proposal to the depositary Governments with a view to convening a conference at the earliest possible date to consider amendments to the Treaty that would convert it into a comprehensive nuclear-test-ban treaty;

2. Requests that the States parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under water report to the General Assembly at its' forty-third session on the progress of their efforts.

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12/ Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.III/64/I) (Geneva, 1985), annex I.