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Agenda item 42

### CESSATION OF ALL TEST EXPLOSIONS OF NUCLEAR WEAPONS

#### Report of the First Committee

Rapporteur: Mr. Luvsangiin ERDENECHULUUN (Mongolia)

#### 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-seventh session in accordance with General Assembly resolution 36/84 of 9 December 1981.
2. At its 4th plenary meeting, on 24 September 1982, 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 29 September, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 39 to 57, 133 and 136. The general debate on these items and on items 138 and 139, which were allocated to the First Committee by the General Assembly at its 24th plenary meeting, on 8 October, took place at the 3rd to 28th meetings, from 18 October to 5 November (see A/C.1/37/PV.3-28).
4. In connection with item 42, the First Committee had before it the following documents:
  - (a) Report of the Committee on Disarmament; 1/

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1/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 27 (A/37/27).

(b) Letter dated 22 June 1982 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué and other documents of the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries, held at Havana from 31 May to 5 June 1982 (A/37/333);

(c) Letter dated 11 October 1982 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué and other documents of the Meeting of Ministers for Foreign Affairs and Heads of Delegation of the Non-Aligned Countries held in New York from 4 to 9 October 1982 (A/37/540);

(d) Letter dated 25 October 1982 from the Permanent Representative of Fiji to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué of the Commonwealth Heads of Government Regional Meeting, held at Suva from 14 to 18 October 1982 (A/37/586).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/37/L.32/Rev.1

5. On 16 November, Ecuador, Ireland, Kenya, Mexico, Pakistan, Sri Lanka, Sweden, Venezuela and Yugoslavia submitted a draft resolution entitled "Cessation of all test explosions of nuclear weapons" (A/C.1/37/L.32). On 19 November, a revised draft resolution (A/C.1/37/L.32/Rev.1) was submitted by the same sponsors, which contained a new operative paragraph 4 with the subsequent paragraphs appropriately renumbered. The revised draft resolution was introduced by Mexico at the 38th meeting, on 19 November, and it was later also sponsored by Bangladesh, Colombia and Costa Rica.

6. At its 41st meeting, on 23 November, the Committee adopted draft resolution A/C.1/37/L.32/Rev.1 by a recorded vote of 104 to 2, with 19 abstentions (see para. 7). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Jamaica, 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, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Sweden, 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, Zambia.

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

Abstaining: Australia, Belgium, Canada, China, Denmark, France, Germany, Federal Republic of, Greece, Iceland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Spain, Turkey.

### 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 25 years and on which the General Assembly has adopted more than 40 resolutions, is a basic objective of the United Nations in the sphere of disarmament, to whose attainment 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,

Recalling also that the Secretary-General, in his foreword to the report entitled "Comprehensive nuclear-test ban", 2/ submitted to the General Assembly at its thirty-fifth session reiterated with special emphasis the opinion he expressed 10 years earlier and, after specifically referring to it, added: "I still hold that belief. The problem can and should be solved now",

Noting that in the same report, which was prepared in compliance with General Assembly decision 34/422 of 11 December 1979, the experts emphasized that non-nuclear-weapon States, in general, had come to regard the achievement of a comprehensive test ban as a litmus test of the determination of the nuclear-weapon States to halt the arms race, adding that verification of compliance no longer seemed to be an obstacle to reaching agreement,

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 3/ undertook in that Treaty, almost 20 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 Treaty on the Non-Proliferation of Nuclear Weapons, 4/

Deploring that neither the Committee on Disarmament nor the twelfth special session of the General Assembly have been able to elaborate a comprehensive test-ban treaty,

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 and constitutes a vital element for the success of efforts to prevent both vertical and horizontal proliferation of nuclear weapons and a contribution to nuclear disarmament;
3. Urges all States that have not yet done so to adhere without further delay 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;
4. Urges also the three original parties to the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water to abide strictly by the undertakings contained therein to seek "to achieve the discontinuance of all test explosions of nuclear weapons for all time" and "to continue negotiations to this end";

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2/ A/35/257.

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

4/ Resolution 2373 (XXII), annex.

5. Urges likewise all States members of the Committee on Disarmament:

(a) To bear in mind that if the consensus rule should not be used in such a manner as to prevent the establishment of subsidiary bodies for the effective discharge of the functions of the Committee neither should it be used to prevent the approval of appropriate mandates for such subsidiary bodies;

(b) To assign to the ad-hoc working group on item 1 of the Committee's agenda (nuclear test ban), a mandate which should provide for the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests, to be initiated immediately after the 1983 session of the Committee has begun;

(c) To exert their best endeavours in order that the Committee may transmit to the General Assembly at its thirty-eighth regular session the multilaterally negotiated text of such a treaty;

6. 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;

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

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