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### IMMEDIATE CESSATION AND PROHIBITION OF NUCLEAR-WEAPON TESTS

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#### Report of the First Committee

#### I. INTRODUCTION

1. On 8 October 1982, the item entitled "Immediate cessation and prohibition of nuclear-weapon tests" was included as an additional item in the agenda of the thirty-seventh session, in accordance with a request contained in a letter dated 1 October 1982 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the Secretary-General (A/37/243).
2. At its 24th plenary meeting, on 8 October 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 second 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 1982, took place at the 3rd to 28th meetings, from 18 October to 5 November (see A/C.1/37/PV.3-28).
4. In connexion with item 138, the First Committee had before it the request contained in the letter referred to in paragraph 1 above.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/37/L.6

5. On 19 October, the Union of Soviet Socialist Republics submitted a draft resolution entitled "Immediate cessation and prohibition of nuclear-weapon tests" (A/C.1/37/L.6), which was later also sponsored by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic, and Viet Nam. The draft resolution was introduced by the Union of Soviet Socialist Republics at the 29th meeting, on 9 November.

6. At its 40th meeting, on 23 November, the Committee adopted draft resolution A/C.1/37/L.6 by a recorded vote of 98 to 4, with 24 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, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Guinea, Guyana, Hungary, India, Indonesia, Iran, Islamic Republic of, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, 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 Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire.

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

Abstaining: Australia, Belgium, Canada, Denmark, Germany, Federal Republic of, Greece, Guatemala, Iceland, Israel, Italy, Japan, Lebanon, Luxembourg, Malawi, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Portugal, Saudi Arabia, Somalia, Spain, Turkey.

## III. RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Immediate cessation and Prohibition of Nuclear-Weapon Tests

The General Assembly,

Deeply concerned over the continuing nuclear-arms race and the growing danger of nuclear war,

Convinced that an immediate cessation of nuclear-weapon tests by all States in all environments and the prohibition of such testing in the future would be a serious obstacle to the development of ever-new types and systems of nuclear weapons as well as to the emergence of new nuclear States,

Taking note of the "Basic provisions of a Treaty on the Complete and General Prohibition of Nuclear-Weapon Tests", submitted by the Union of Soviet Socialist Republics at the current session, the text of which is annexed to the present resolution, 1/

1. Urges the Committee on Disarmament to proceed promptly to practical negotiations with a view to elaborating a draft treaty on the complete and general prohibition of nuclear-weapon tests;

2. Refers to the Committee on Disarmament for its consideration the basic provisions of such a treaty submitted by the Union of Soviet Socialist Republics, the text of which is annexed to the present resolution, as well as the proposals and observations of other States on the question made in the course of the current session;

3. Calls upon all the nuclear-weapon States, as a gesture of goodwill and with a view to creating more favourable conditions for the formulation of a treaty on the complete and general prohibition of nuclear-weapon tests, not to conduct any nuclear explosions as from the date agreed among them and until the above-mentioned treaty is concluded, with appropriate declarations being made by them to that effect well in advance;

4. Decides to include in the provisional agenda of its thirty-eighth session the item entitled "Immediate cessation and prohibition of nuclear-weapon tests".

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1/ See A/37/243.

ANNEX

Basic provisions of a treaty on the complete and  
general prohibition of nuclear-weapon tests

The task of averting nuclear war - which is the aim of the efforts of the Union of Soviet Socialist Republics and of other peace-loving States - makes it imperative to take, inter alia, such measures as would impede the development of ever-new types and systems of nuclear weapons.

An effective measure of this kind would be an immediate cessation and prohibition of nuclear-weapon tests by all States and in all environments, which at the same time would promote the non-proliferation of nuclear weapons.

Motivated by these goals, the Soviet Union is submitting to States Members of the United Nations, for their consideration, the following basic provisions of a treaty on the complete and general prohibition of nuclear-weapon tests.

A. Scope of prohibition

1. Each State party to this Treaty shall undertake to prohibit, to prevent, and not to carry out any nuclear-weapon test explosions at any place under its jurisdiction or control, in any sphere - in the atmosphere, beyond its limits, including outer space, under water or under ground.
2. No party shall cause, encourage or in any way participate in the conduct of any nuclear-weapon test explosions anywhere.
3. A moratorium shall be declared on nuclear explosions for peaceful purposes, under which the parties to the Treaty shall refrain from causing, encouraging, or in any way participating in the conduct of such explosions until the relevant procedure has been evolved.
4. Promptly after the entry into force of the Treaty, consideration shall be given to the question of a procedure for conducting nuclear explosions for peaceful purposes. Such a procedure to be agreed upon may take the form of a special agreement or agreements constituting an integral part of the Treaty.

B. Ensuring compliance with the treaty

1. General provisions on verification

5. The States parties to the Treaty shall base their activities in verifying compliance with the provisions of the Treaty on a combination of national and international measures.

6. For the purpose of verifying compliance with the provisions of the Treaty by other States parties, any State party shall have the right to use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law.

7. States parties which possess national technical means of verification may, in case of necessity, place the information which they obtained through those means and which is important for the purposes of the Treaty at the disposal of other parties.

8. The States parties to the Treaty undertake not to interfere with the national technical means of verification of other States parties.

9. International measures of verification shall be carried out through international procedures within the framework of the United Nations in accordance with its Charter and through consultations and co-operation between States parties, as well as through the services of the Committee of Experts of States Parties to the Treaty.

## 2. Consultations and co-operation

10. The States parties to the Treaty shall, in case of necessity, consult each other, make inquiries and provide information in connexion with such inquiries with a view to solving any questions that may arise with regard to compliance with the provisions of the Treaty.

11. The States parties shall exchange, bilaterally or through the Committee of Experts, information which they consider necessary to provide assurance of compliance with the obligations assumed under the Treaty.

12. Consultations and co-operation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

13. In the interests of enhancing the effectiveness of the Treaty, the States parties to the Treaty shall agree in a due form on the prevention of any actions aimed at deliberately falsifying the actual state of affairs with regard to compliance with the Treaty by other States parties.

## 3. International exchange of seismic data

14. For the purpose of enhancing assurance of compliance with the obligations under the Treaty, each Party may participate in an international exchange of seismic data. Such international exchange shall be carried out in accordance with the following guidelines.

4. Guidelines for an international exchange of seismic data

15. Each State party to the Treaty shall have the right to participate in an international exchange of seismic data, to contribute data from seismic stations on its territory which it designates for participation in the international exchange and to receive all the seismic data made available through the international exchange.

16. Each party that decides to participate in the international exchange shall designate an appropriate body through which it will communicate with the international exchange.

17. Seismic data shall be transmitted through the Global Telecommunication System of the World Meteorological Organization or through any other agreed communication channels.

18. International seismic data centres shall be established in agreed locations, taking into account the desirability of appropriate geographical distribution. These centres shall receive all seismic data contributed to the international exchange by its participants, process seismic data without interpreting the nature of seismic events, make the processed seismic data available to all participants and maintain records of all seismic data contributed by participants and processed by the centre. Each centre shall be under the jurisdiction of the party on whose territory it is located.

19. The Committee of Experts whose establishment is provided for in the Treaty shall draw in its work upon the recommendations contained in the report of the Ad Hoc Group of Seismic Experts of the Committee on Disarmament. Such arrangements include the elaboration of standards for the technical and operational characteristics of participating seismic stations and international seismic data centres, for the form in which data are transmitted to the centres, and for the form and manner in which the centres make seismic data available to the participants and respond to their requests for additional seismic data regarding specific seismic events.

5. International Committee of Experts of States Parties to the Treaty

20. A Committee of Experts of States Parties to this Treaty shall be established to consider questions related to the international exchange of seismic data. Any State party shall have the right to appoint its representative to this Committee.

21. The Committee, which shall function on the basis of consensus, shall hold its first meeting not later than ninety days after the entry into force of the Treaty and shall meet thereafter as necessary.

22. The Committee shall develop, in accordance with the Guidelines, detailed arrangements regulating the establishment and operation of the international exchange; it shall facilitate its implementation and co-operation between States parties in enhancing the effectiveness of such exchange.

23. The Committee shall facilitate more extensive international consultations and co-operation, exchange of information and assistance in verification in the interests of compliance with the provisions of the Treaty.

24. Other questions relating to the organization and procedures of the Committee of Experts, its possible subsidiary bodies, their functions, rights, duties, proceedings, its role in promoting the international exchange and in on-site inspection, as well as other matters, are to be elaborated.

6. Fact-finding procedure regarding compliance with the Treaty:  
on-site inspection

25. Each State party to the Treaty may, if it has doubts regarding an event on the territory of another State which may have been a nuclear explosion, send to that Party a request for an on-site inspection. The request should contain a statement of reasons for it, including relevant seismic and other physical data that could have been associated with a possible nuclear explosion, its time and location.

26. The party which has received the request, being aware of the importance of providing assurance of compliance with the obligations under the Treaty, shall state whether or not it is prepared to agree to an inspection. If the party which has received the request is not prepared to agree to an inspection on its territory it shall communicate the reasons for its decision to the requesting State and inform the Committee of Experts of them.

27. If the requesting State party is not satisfied with the explanation it received and the information provided on a bilateral basis it may ask the Committee of Experts for additional information and consultation regarding that request and assistance in fact-finding through scientific and technical expertise.

28. For the purpose of conducting inspection on the territory of the States parties which may agree thereto, procedures shall be evolved for such inspections and the manner of their conduct, including the list of rights and functions of the inspecting personnel and the definition of the role of the receiving party during the inspection.

29. The Treaty shall also contain a provision enabling any two or more of the States parties to agree, by mutual consent, in view of the special interests or special circumstances, on additional measures which would facilitate verification of compliance with the Treaty.

7. Procedure for lodging complaints with the Security Council

30. Any State Party which has reason to believe that any other State Party has acted or may be acting in violation of the obligations deriving from the provisions of the Treaty shall have the right to lodge a complaint with the Security Council. Such a complaint should include all relevant information, as well as all possible evidence supporting the validity of the complaint.

31. Each State party undertakes to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of a complaint received by the Security Council. The Security Council shall inform the States parties of the results of the investigation.

32. Each State party to the Treaty undertakes to provide or support assistance, in accordance with the provisions of the Charter of the United Nations, to any State party which so requests if the Security Council decides that such party has been exposed to danger or is perhaps being exposed to danger as a result of violation by another State party of the obligations assumed under this Treaty.

C. Concluding provisions of the Treaty

33. The Treaty shall be of unlimited duration. It shall enter into force upon the deposit of instruments of ratification by twenty Governments including the Governments of all States permanent members of the Security Council.

34. However, the States parties may agree that the Treaty should enter into force for an agreed limited period, given the participation of three States permanent members of the Security Council - the Union of Soviet Socialist Republics, the United States of America and the United Kingdom of Great Britain and Northern Ireland.

35. Provision should be made for a procedure for the signing of the Treaty, its ratification, the depositary, accession by States to the Treaty, and for amendments.

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