

ular the work of its *Ad Hoc* Working Group on that question;

2. *Expresses its regret* that an agreement on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction has not yet been elaborated;

3. *Urges* the Committee on Disarmament to continue, as from the beginning of its session to be held in 1981, negotiations on such a multilateral convention as a matter of high priority, taking into account all existing proposals and future initiatives;

4. *Requests* the Committee on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-sixth session.

94th plenary meeting
12 December 1980

C

The General Assembly,

Recalling the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, which was signed at Geneva on 17 June 1925 and entered into force on 8 February 1928,¹⁹

Noting that the States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction²⁰ have reaffirmed their adherence to the principles and objectives of that Protocol and called upon all States to comply strictly with them,

Noting that the Protocol does not provide for the establishment of any machinery for investigating reports about activities prohibited under the Protocol,

Believing that the continued authority of the Protocol and relevant rules of customary international law require that full and proper attention be given to all reports regarding the alleged use of chemical weapons and to their harmful effects, both immediate and long-term, to humans and to the environment of the victim countries,

Noting reports alleging that chemical weapons have been used in recent wars and certain military operations in various regions of the world,

Noting recent reports from certain States concerning the use of chemical weapons on their territories,

Noting also the statements of various international organizations, in particular of the International Committee of the Red Cross, concerning these reports,

Expressing profound regret that certain States directly interested in the clarification of reports pertaining to the actual or alleged use of chemical weapons and which have submitted appropriate proposals or suggestions in that matter had not been given the opportunity to present their views in the Committee on Disarmament during its session held in 1980,

Concerned over the fact that a convention on the complete and effective prohibition of chemical weapons and on the destruction of their stockpiles which would fully preclude the danger of their use has not yet been concluded,

Gravely concerned about the continued research and development programmes in the field of chemical weapons, especially the development of binary and multi-component weapons whose field deployment could

compromise the ongoing effort to prohibit the development, production and stockpiling of chemical weapons and trigger a chemical arms race,

Urging all States to refrain from the development, production and deployment of new types of chemical munitions, in particular binary and multicomponent munitions,

Believing it necessary for all States, in particular militarily significant States, to refrain from any action which could impede multilateral negotiations on banning chemical weapons,

Convinced of the need to ascertain the facts pertaining to these reports and, in particular, to determine the harmful effects of the use of chemical weapons to human beings and the environment of the victim countries,

1. *Calls upon* all States parties to the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare to reaffirm their determination strictly to observe all their obligations under the Protocol;

2. *Calls upon* all States which have not yet done so to accede to the Protocol;

3. *Appeals* to all States to comply with the principles and objectives of the Protocol;

4. *Decides* to carry out an impartial investigation to ascertain the facts pertaining to the reports regarding the alleged use of chemical weapons and to assess the extent of the damage caused by the use of such weapons;

5. *Requests* the Secretary-General to carry out such investigation, *inter alia*, taking into account proposals advanced by the States on whose territories the use of chemical weapons has been reported, with the assistance of qualified medical and technical experts²² who shall:

(a) Seek relevant information from all concerned Governments, international organizations and other sources necessary;

(b) Collect and examine evidence, including on-site with the consent of the countries concerned, to the extent relevant to the purposes of the investigation;

6. *Invites* the Governments of States where chemical weapons were used to provide the Secretary-General with all relevant information they may have in their possession;

7. *Calls upon* all States to co-operate in this investigation and to provide any relevant information they may have in their possession regarding such reports;

8. *Requests* the Secretary-General to submit a report on this matter to the General Assembly at its thirty-sixth session.

94th plenary meeting
12 December 1980

35/145. Implementation of General Assembly resolution 34/73

A

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

²² Subsequently referred to as the Group of Experts to Investigate Reports on the Alleged Use of Chemical Weapons.

more than twenty-five years and on which the General Assembly has adopted more than forty 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",²³ has reiterated with special emphasis the opinion he expressed eight years ago and, after specifically referring to it, has 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 have emphasized that non-nuclear-weapon States in general have 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 seems 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 Water²⁴ undertook in that Treaty, almost twenty 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,²⁵

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;

²³ A/35/257.

²⁴ United Nations, *Treaty Series*, vol. 480, No. 6964, p. 43.

²⁵ Resolution 2373 (XXII), annex.

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

(a) To support the creation by the Committee, upon initiation of its session to be held in 1981, of an *ad hoc* working group which should begin the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests;

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

5. *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 until the new comprehensive test-ban treaty enters into force, to bring to a halt without delay all nuclear test explosions, either through a trilaterally agreed moratorium or through three unilateral moratoria;

6. *Decides* to include in the provisional agenda of its thirty-sixth session an item entitled "Cessation of all test explosions of nuclear weapons".

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B

PROHIBITION OF ALL NUCLEAR-TEST EXPLOSIONS BY ALL STATES FOR ALL TIME

The General Assembly.

Reaffirming its conviction that it is in the interests of all people that nuclear-weapon testing by all States in all environments should cease, as this 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 Water²⁴ and the Treaty on the Non-Proliferation of Nuclear Weapons²⁵ have already expressed in those treaties their determination to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Recalling its previous resolutions on the subject, in particular resolution 32/78 of 12 December 1977, paragraph 51 of resolution S-10/2 of 30 June 1978, resolution 33/60 of 14 December 1978, section IV of resolution 33/71 H of 14 December 1978 and resolution 34/73 of 11 December 1979,

Taking note with appreciation of the report of the Secretary-General on a comprehensive nuclear-test ban,²³

Taking note of the progress report on the trilateral negotiations, submitted to the Committee on Disarmament by the three negotiating nuclear-weapon States, on a treaty prohibiting nuclear-test explosions in all environments and its protocol covering nuclear explosions for peaceful purposes,²⁶

²⁶ See CD/139/Appendix II/Vol. II, document CD/130.

Expressing regret that those negotiations have not moved as rapidly as had been expected,

Emphasizing the urgent need for all nuclear-weapon States to cease the testing of nuclear weapons,

Recognizing the indispensable role of the Committee on Disarmament in the negotiation of a comprehensive test-ban treaty capable of attracting the widest possible international support and adherence,

Believing that the Committee on Disarmament should establish an *ad hoc* working group on a nuclear-test-ban treaty,

Recognizing the importance to a treaty prohibiting nuclear testing of the work being carried out under the auspices of the Committee on Disarmament on the development of a global seismic verification system,

Convinced that the conclusion of such a treaty would create a favourable international climate for the second special session of the General Assembly devoted to disarmament, to be held in 1982,

1. *Reiterates its grave concern* that nuclear-weapon testing continues unabated against the express 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 greatest urgency and priority;

3. *Calls upon* the three negotiating nuclear-weapon States to exert their best efforts to bring their negotiations to a successful conclusion in time for consideration during the next session of the Committee on Disarmament;

4. *Expresses the conviction* that such a treaty is a vital requirement to halt the nuclear-arms race and the qualitative improvement of nuclear weapons and to prevent the spread of nuclear weapons to additional countries;

5. *Requests* the Committee on Disarmament to take the necessary steps, including the establishment of a working group, to initiate substantive negotiations on a comprehensive test-ban treaty as a matter of the highest priority at the beginning of its session to be held in 1981;

6. *Further requests* the Committee on Disarmament to determine, in the context of its negotiations on such a treaty, the institutional and administrative steps necessary for establishing, testing and operating an international seismic monitoring network and effective verification system;

7. *Urges* all members of the Committee on Disarmament to co-operate with the Committee in fulfilling its mandate and, to this end, to support the creation of a working group on a comprehensive nuclear-test ban;

8. *Calls upon* the Committee on Disarmament to exert all efforts in order that a draft comprehensive nuclear-test-ban treaty may be submitted to the General Assembly no later than at its second special session devoted to disarmament, to be held in 1982;

9. *Decides* to include in the provisional agenda of its thirty-sixth session an item relating to the implementation of the present resolution.

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12 December 1980

35/146. Implementation of the Declaration on the Denuclearization of Africa

A

NUCLEAR CAPABILITY OF SOUTH AFRICA

The General Assembly.

Recalling its resolution 34/76 B of 11 December 1979,

Bearing in mind the Declaration on the Denuclearization of Africa²⁷ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

Alarmed by South Africa's increased sophistication in the nuclear field, including the advanced processing and enrichment of uranium as nuclear-weapon fuel and its advanced nuclear technology,

Alarmed also at the fact that South Africa's nuclear capability has been enhanced by the co-operation of certain Western States and Israel with the racist régime,

Taking note of the report of the Security Council Committee established by resolution 421 (1977) concerning the question of South Africa on ways and means of making the mandatory arms embargo against South Africa more effective,²⁸

Noting with concern that South Africa has persistently refused to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons²⁹ and to conclude adequate and comprehensive safeguards agreements with the International Atomic Energy Agency with a view to preventing the diversion of nuclear materials from peaceful uses to the manufacture of nuclear weapons and other nuclear explosive devices,

Recalling its decision taken at the tenth special session, devoted to disarmament, that the Security Council should take appropriate effective steps to prevent the frustration of the decision of the Organization of African Unity for the denuclearization of Africa,³⁰

Bearing in mind the persistent concern with which the international community regards South Africa's capability and plans in the nuclear field,

Having considered the report of the Secretary-General on South Africa's plan and capability in the nuclear field, including the reported explosion of a nuclear device in the South Atlantic on 22 September 1979,³¹

1. *Expresses its appreciation* to the Secretary-General for his report on South Africa's plan and capability in the nuclear field;

2. *Expresses its deep alarm* that the report has established South Africa's capability to manufacture nuclear weapons;

3. *Also expresses its deep concern* that South Africa's nuclear capability is being developed to preserve white supremacy by intimidating neighbouring countries and blackmailing the entire continent of Africa;

4. *Reaffirms* that the racist régime's nuclear plans and capability constitute a very grave danger to international peace and security and, in particular, jeopardize the security of African States and increase the danger of the proliferation of nuclear weapons;

²⁷ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

²⁸ Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980, document S/14179.

²⁹ Resolution 2373 (XXII), annex.

³⁰ Resolution S-10/2, para. 63 (c).

³¹ A/35/402 and Corr.1.