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REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM IN THE
AGENDA OF THE THIRTY-THIRD SESSION

CONCLUSION OF AN INTERNATIONAL CONVENTION ON THE STRENGTHENING OF
GUARANTEES OF THE SECURITY OF NON-NUCLEAR STATES

Letter dated 8 September 1978 from the Acting Permanent Representative
of the Union of Soviet Socialist Republics to the United Nations
addressed to the Secretary-General

I have the honour to transmit to you a letter dated 8 September 1978 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics, Mr. A. A. Gromyko, requesting the inclusion of an additional item in the agenda of the thirty-third session of the General Assembly.

M. KHARLAMOV
Acting Permanent Representative
of the USSR to the United Nations

* Reissued for technical reasons.

ANNEX

Letter dated 8 September 1978 from the Minister for
Foreign Affairs of the Union of Soviet Socialist
Republics addressed to the Secretary-General

The Union of Soviet Socialist Republics proposes the inclusion of an item entitled "Conclusion of an international convention on the strengthening of guarantees of the security of non-nuclear States" in the agenda of the thirty-third session of the General Assembly as an important and urgent question.

The Soviet Union understands the desire of the non-nuclear countries to be given international legal guarantees by the nuclear States that they will not use nuclear weapons against them. From the lofty rostrum at the special session of the General Assembly on disarmament, it stated that it would never use nuclear weapons against those States which renounced the production and acquisition of such weapons and had no such weapons in their territory.

The Soviet Union believes that those States which renounce the production and acquisition of nuclear weapons and do not allow them to be placed in their territory are making a substantial contribution to the prevention of the proliferation of nuclear weapons and thus to the easing, and ultimately the elimination, of the threat of a nuclear war, which would have devastating consequences for mankind. Such States are entitled to have the necessary guarantees that nuclear weapons will not be used against them.

It is well known that Security Council resolution 255 (1968), together with the guarantees given in it to non-nuclear countries by the three nuclear Powers, was intended to serve the purpose of safeguarding the security of non-nuclear States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. It now appears possible and advisable to take further steps to strengthen the security of a wide circle of non-nuclear States in accordance with their wishes in this respect.

These wishes of the non-nuclear States for the strengthening of guarantees of their security are all the more understandable if one takes into account the fact that there are still in the world hot-beds of dangerous tension and conflict, that no decisive stage has yet been reached in curbing the armaments race, and that stocks of weapons, including nuclear weapons, are continuing to grow steadily.

As early as 1966, the Soviet Union spoke out in favour of a treaty prohibiting the use of nuclear weapons against States which had pledged themselves to retain their non-nuclear status and which did not have nuclear weapons in their territory. At the present time, as a result of a generally favourable evolution in the world situation, further preconditions have been established for the implementation of measures to strengthen peace and universal security, including measures to strengthen international legal guarantees of the security of non-nuclear States.

/...

It is obvious that the adoption by the nuclear Powers of agreed guarantees in this respect might provide a more comprehensive and more effective solution to the problem of protecting the non-nuclear States from the use of nuclear weapons against them. This purpose would be served by the conclusion of an international convention to which, on the one hand, nuclear-weapon States which are prepared to give appropriate guarantees of security to non-nuclear States and, on the other, interested non-nuclear States which renounce the production and acquisition of nuclear weapons and which have no such weapons in their territory would be parties.

In an endeavour to initiate practical action on this matter, the Soviet Union proposes for the consideration of the General Assembly a draft international convention on the strengthening of guarantees of the security of non-nuclear States.

The Soviet Union is convinced that States Members of the United Nations will give very serious consideration to the proposal of the Soviet Union on further measures to strengthen guarantees of the security of non-nuclear States. The Soviet Government also hopes that the draft international convention attached to this letter will assist in the solution of this problem.

I request you to consider this letter as an explanatory memorandum, as required under rule 20 of the rules of procedure of the General Assembly, and to circulate it, together with the attached text of a draft international convention, as an official document of the General Assembly.

A. GROMYKO
Minister for Foreign Affairs of the USSR

ADDENDUM

Draft international convention on the strengthening of
guarantees of the security of non-nuclear States

The States Parties to this Convention,

Conscious of the fact that a nuclear war would have devastating consequences for all mankind,

Prompted by a desire to take all possible steps to reduce and ultimately to eliminate the danger of such a war,

Wishing to contribute to the prevention of the wider proliferation of nuclear weapons and to promote the cessation of the nuclear armaments race and the adoption of effective measures directed towards nuclear disarmament,

Welcoming the desire of States in various regions of the world to keep their territories free from nuclear weapons,

Bearing in mind their obligations under the Charter of the United Nations to maintain peace, to refrain from the threat or use of force and to live in peace with each other as good neighbours,

Having regard to Security Council resolution 255 (1968) of 19 June 1968, General Assembly resolution 2936 (XXVII) of 29 November 1972 and the relevant provisions of the Final Document of the special session of the General Assembly devoted to disarmament of 30 June 1978, including the request made therein that urgent efforts be made to conclude effective agreements to assure non-nuclear-weapon States against the use or the threat of use of nuclear weapons,

Regarding guarantees that nuclear weapons will not be used against non-nuclear States as an important means of strengthening peace and universal security and wishing to give such guarantees an international legal character,

Have agreed as follows:

Article I

The nuclear-weapon States Parties to this Convention pledge themselves not to use or threaten to use nuclear weapons against non-nuclear States Parties to this Convention which renounce the production and acquisition of nuclear weapons and which have no nuclear weapons in their territory or anywhere under their jurisdiction or control, on land, on the sea, in the air or in outer space.

Article II

The obligation set forth in article I of this Convention shall extend not only to the territory of non-nuclear States Parties, but also to the armed forces and installations under the jurisdiction and control of such States wherever they may be, on land, on the sea, in the air or in outer space.

Article III

Any State Party to this Convention which has reason to believe that the actions of any other State Party are contrary to the provisions of articles I and II of the Convention may request that consultations be held between the States Parties with a view to clarifying the actual circumstances of the matter. Such a request must include any information relating to the matter and also all possible evidence to support it.

Article IV

1. This Convention shall be concluded for an indefinite period of time.
2. Each Party to the Convention shall, in the exercise of its State sovereignty, be entitled to secede from the Convention if it decides that exceptional circumstances relating to the content of the Convention have placed its higher interests in jeopardy. It shall notify all the Parties to the Convention and the Security Council of the United Nations of its secession, giving three months' notice. Such notification must include a statement of the exceptional circumstances which it regards as having placed its higher interests in jeopardy.

Article V

1. Any State Party to this Convention may propose amendments to this Convention. The text of each proposed amendment must be submitted to the depositary, who shall immediately transmit it to all States Parties.
2. An amendment shall enter into force for each State Party to this Convention which accepts the amendment after the documents concerning its acceptance have been deposited with the depositary by the majority of States Parties. Subsequently, the amendment shall enter into force for each of the remaining States Parties on the date of the deposit by them of the document concerning its acceptance.

Article VI

1. This Convention is open for signature by all States. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention is subject to ratification by the States which have signed it. The instruments of ratification or the documents concerning accession shall be deposited with the Secretary-General of the United Nations, who is hereby designated the depositary.

3. This Convention shall enter into force following the deposit of the instruments of ratification by ... States which have signed the Convention, including at least ... nuclear-weapon States.

4. For States whose instruments of ratification or documents concerning accession are deposited after the entry into force of this Convention, the Convention shall enter into force on the date of the deposit of the instruments of ratification or documents concerning accession.

5. The depositary shall immediately notify all States which have signed or acceded to this Convention of the date of each signature, the date of deposit of each instrument of ratification or document concerning accession, the date of the entry into force of this Convention and of any amendments thereto, and also of the receipt by him of other notifications.

6. This Convention shall be registered by the depositary in accordance with Article 102 of the Charter of the United Nations.

Article VII

This Convention, the Russian, Arabic, Chinese, English, French and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall duly forward certified copies of the Convention to the Governments of the States which have signed or acceded to the Convention.

In witness whereof, the undersigned, duly authorized for that purpose by their respective Governments, have signed this Convention, which was opened to signature on ...