



General Assembly

Distr.
GENERALA/37/243
1 October 1982
ENGLISH
ORIGINAL: RUSSIAN

Thirty-seventh session

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

IMMEDIATE CESSATION AND PROHIBITION OF NUCLEAR-WEAPON TESTS

Letter dated 1 October 1982 from the Minister for Foreign
Affairs of the Union of Soviet Social Republics addressed
to the Secretary-General

The Soviet Union proposes the inclusion in the agenda of the thirty-seventh session of the United Nations General Assembly of an important and urgent item entitled "Immediate cessation and prohibition of nuclear-weapon tests".

At present, no task is more important than to remove the threat of nuclear war from mankind and to achieve the cessation of the nuclear-arms race. For its part, the Soviet Union is exerting untiring efforts for the attainment of this goal. That was also the purport of its recent extremely important step - namely, assumption of the obligation not to be the first to use nuclear weapons. The peoples of the world have the right to expect that all the other nuclear Powers will follow the Soviet Union's example.

The complete cessation of nuclear-weapon tests - by all States and in all environments - would also constitute a major step towards reducing the nuclear threat. This measure, which is long overdue, 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-weapon States.

The Soviet Union, like other peace-loving States, is deeply concerned over the fact that almost 20 years after the conclusion of the treaty banning nuclear-weapon tests in three environments - in the atmosphere, in outer space and under water - the complete cessation of nuclear-weapon tests has not yet been achieved because of the obstructionist policies of certain nuclear States.

It is the view of the Soviet Union that resolute and vigorous actions are needed to bring this problem out of the impasse: it is necessary to formulate and conclude without delay an international treaty on the complete and general prohibition of nuclear-weapon tests and, for the purpose of creating more favourable conditions for the elaboration of such a treaty, to declare a moratorium on all nuclear explosions for the duration of the negotiations.

Motivated by the desire to contribute to speedy progress towards this goal, the Soviet Union is submitting to this session of the General Assembly for its consideration "Basic Provisions of a Treaty on the Complete and General Prohibition of Nuclear-Weapon Tests".

That document takes into account everything positive that has been achieved over many years of discussion in various forums of the problem of banning nuclear-weapon tests and reflects additional considerations of many States, in particular on questions of verification of compliance with a future treaty.

Please regard this letter as an explanatory memorandum in accordance with the rules of procedure of the United Nations General Assembly and circulate it together with the attached draft resolution and the above-mentioned document as official General Assembly documents.

(Signed) A. GROMYKO
Minister for Foreign Affairs
of the USSR

ANNEX

IMMEDIATE CESSATION AND PROHIBITION OF NUCLEAR-WEAPON TESTS

(Draft resolution)

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 Soviet Union at this session,

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 USSR, the text of which is annexed to this resolution, as well as the proposals and observations of other States on this question made in the course of this session;
3. Calls on 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 an item entitled "Immediate cessation and prohibition of nuclear-weapon tests".

APPENDIX

BASIC PROVISIONS OF A TREATY ON THE COMPLETE AND GENERAL PROHIBITION OF NUCLEAR-WEAPON TESTS

Proposal of the USSR

The task of averting nuclear war - which is the aim of the efforts of the Soviet Union 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.

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.

ENSURING COMPLIANCE WITH THE TREATY

General provisions on verification

1. 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.

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2. 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.

3. 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.

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

5. 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.

Consultations and co-operation

1. 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.

2. 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.

3. 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.

4. 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.

International exchange of seismic data

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.

Guidelines for an international exchange of seismic data

1. 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.

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

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

4. 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.

5. 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.

International Committee of Experts of States Parties to the Treaty

1. 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.

2. The Committee, which shall function on the basis of consensus, shall hold its first meeting not later than 90 days after the entry into force of the Treaty and shall meet thereafter as necessary.

3. 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.

4. 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.

5. 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.

Fact-finding procedure regarding compliance with
the Treaty. On-site inspection

1. 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, sent 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.

2. 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.

3. 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.

4. 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.

5. 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.

Procedure for lodging complaints with the
United Nations Security Council

1. 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 United

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Nations Security Council. Such a complaint should include all relevant information, as well as all possible evidence supporting the validity of the complaint.

2. 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.

3. 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.

Concluding provisions of the Treaty

The Treaty shall be of unlimited duration. It shall enter into force upon the deposit of instruments of ratification by 20 Governments, including the Governments of all States permanent members of the Security Council.

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 USSR, the United States and the United Kingdom.

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.
