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CONFERENCE OF NON-NUCLEAR-WEAPON STATES

ESTABLISHMENT, WITHIN THE FRAMEWORK OF THE INTERNATIONAL  
ATOMIC ENERGY AGENCY OF AN INTERNATIONAL SERVICE FOR  
NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES UNDER  
APPROPRIATE INTERNATIONAL CONTROL

Report of the Secretary-General

Since the completion of the Secretary-General's report, replies have been received from the Governments of Austria, Japan, Maldives and the Philippines. The substantive paragraphs of these replies are reproduced herewith.

AUSTRIA

[Original: English]

The Austrian Government holds the view that IAEA is in a position to play an important part in the field of nuclear explosions for peaceful purposes.

The Austrian Government is, in particular, of the opinion that the Agency should assume the role referred to in article V of the Treaty on the Non-Proliferation of Nuclear Weapons and serve as the appropriate international body through which potential benefits from peaceful applications of nuclear explosions would be made available to non-nuclear-weapon States.

The Austrian Government regards the above-mentioned tasks as falling within the statutory purview of IAEA and has no doubt that these tasks can be satisfactorily carried out by the Agency which would, we are sure, make the necessary technical preparations and arrangements to ensure the proper discharge of this new responsibility.

As to the initial activities to be undertaken, it is felt that the exchange and dissemination of information should be especially emphasized. The Agency should in this regard be asked to compile the necessary data and follow the developments in this field closely, in order to be able to advise member States on the potentialities of this new technology.

In addition to these activities, the Agency should maintain the necessary safeguarding procedures with respect to peaceful nuclear explosions.

JAPAN

[Original: English]

In the view of the Government of Japan, the functions to be performed by the Agency in relation to the above-mentioned international service should include, inter alia, the following:

(1) To promote exchange and dissemination of information on all aspects of the use of nuclear explosions for peaceful purposes;

(2) To undertake economic and safety reviews, feasibility study and technical assistance on a peaceful nuclear explosion project, at the request of a State member of the Agency;

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(3) To act as the intermediary in arranging for nuclear explosion services for peaceful purposes from nuclear-weapon States to non-nuclear-weapon States in order to ensure, for instance, that the cost for such services will be kept as low as possible and materials and services concerned will be provided not only by nuclear-weapon States but also by non-nuclear-weapon States in so far as they are available locally;

(4) To establish an appropriate international observation system pursuant to the procedures which may be adopted by the Agency, provided that such system should be conceived in the principle that the expenses of the observation will be borne not by beneficiary States alone, but on a global basis;

(5) In view of the fact that the technology relating to nuclear explosions for peaceful purposes is still in an early stage of development, to study further the possible role of the Agency, with special reference to (i) the elaboration of the character of international observation and intermediary arrangements, (ii) legal problems on various aspects including, in particular, nuclear liability arising from peaceful nuclear explosions, and (iii) the measures to ensure the freedom of scientific research on peaceful nuclear explosions.

#### MALDIVES

/Original: English/

The Maldivian Government supports the idea of an international service for nuclear explosions for peaceful purposes, under appropriate international control. It would prefer such activities to be conducted under the supervision of a body approved by the United Nations.

#### PHILIPPINES

/Original: English/

The views of the Philippine Government on the matter are as follows:

(a) Performance of the functions of the international body referred to in article V of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and arrangement or performance of the international observation called for by that article, are within the International Atomic Energy Agency's technical competence and clearly fall within its statutory functions;

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(b) The Agency's initial activities must place emphasis on the exchange and dissemination of information. The Agency must keep itself informed of technological progress and developments in the nuclear-weapon States so as to enable it to provide member States, on request, with expert advice and assistance in assessing the potential role that use of nuclear explosions for peaceful purposes can play in their development; and

(c) The Agency's wide range of well developed procedures for providing assistance and services to member States can readily be extrapolated to this use of nuclear energy. The Agency is thus able to offer machinery which a non-nuclear-weapon State could employ to develop a project for the use of a nuclear explosion for peaceful purposes, and to obtain the required services from a nuclear-weapon State through an "appropriate international body" in which the nuclear-weapon States participate.

The Philippine Government would like to point out, however, that in view of the restrictive provision of article III.A.1 of the Statute, it would seem that non-member States Parties to the Treaty would be excluded from obtaining the benefits of the peaceful applications of nuclear explosions through the Agency.

The Philippine Government believes that the appropriate international observation referred to in article V of the Treaty could be undertaken by the Agency without any fundamental structural and organizational changes.

The Philippine Government believes further that the international observation referred to in article V of the Treaty should have a twofold purpose, namely:

- (a) To guard against violations of the Treaty; and
- (b) To ensure the health and safety of the world.

The Philippine Government finds difficulty with the concept that article V of the Treaty only requires that a reasonable opportunity be offered for international observation of nuclear explosions for peaceful purposes. There should be actual observation by the Agency in the case of all nuclear explosions for peaceful purposes whether the benefits are obtained through an appropriate international body or pursuant to bilateral agreements.

The Philippine Government thinks that an amendment to the partial test ban treaty would be appropriate. However, certain steps should be taken to protect the world from additional hazards of radiation which may be released by nuclear explosions for peaceful purposes.

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Finally, the Philippine Government considers it important that before the implementation of the Treaty, the following questions should be clarified:

- (a) The status of member States which are not Parties to the Treaty; and
- (b) The status of non-member States which are Parties to the Treaty.

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