

9. *Decides* to include in the provisional agenda of its thirty-eighth session an item entitled "Prevention of an arms race in outer space".

98th plenary meeting
9 December 1982

37/84. Relationship between disarmament and development

The General Assembly,

Recalling the conclusions contained in chapter VII of the study entitled *The Relationship between Disarmament and Development*,⁶⁶

Recalling also resolution 36/92 G of 9 December 1981, in which the General Assembly, *inter alia*, commended the study, its conclusions and its recommendations to the attention of all Member States and decided to transmit the report to the Assembly at its twelfth special session for its substantive consideration and appropriate action,

Noting the proposals on the follow-up decisions regarding the study, circulated as official documents at the twelfth special session of the General Assembly,⁶⁷

Noting also that, in the Concluding Document of the Twelfth Special Session of the General Assembly, it is recommended that the items on the agenda on which the Assembly had not reached decisions should be taken up at its thirty-seventh session for further consideration,⁶⁸

Noting further that it has decided to include the question of the relationship between disarmament and development in its agenda as a separate item,

1. *Requests* the Secretary-General to take appropriate administrative action in accordance with the recommendations of the Group of Governmental Experts on the Relationship between Disarmament and Development, as specified in chapter VII of the study entitled *The Relationship between Disarmament and Development*;

2. *Urges* Member States to consider appropriate measures in accordance with all relevant recommendations of the Group of Governmental Experts;

3. *Determines* that the question of reallocation and conversion of resources, through disarmament measures, from military to civilian purposes should be included in the provisional agenda of the General Assembly at intervals to be decided upon, starting with its fortieth session, in 1985;

4. *Recommends* that an investigation—with due regard to the capabilities of existing agencies and institutions currently responsible for the international transfer of resources—of the modalities of an international disarmament fund for development should be undertaken by the United Nations Institute for Disarmament Research, in consultation with other relevant international institutions;

5. *Requests* the Secretary-General to report to the General Assembly at its thirty-eighth session on the measures taken in implementation of the present solution.

98th plenary meeting
9 December 1982

37/85. 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,

⁶⁶ United Nations publication, Sales No. E.82.IX.1.

⁶⁷ A/S-12/18 and A/S-12/AC.1/49.

⁶⁸ See *Official Records of the General Assembly, Twelfth Special Session, Annexes*, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 64.

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,⁶⁹ the text of which is annexed to the present resolution,

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 made by other States on this question 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, starting from a date to be agreed among them and until the above-mentioned treaty is concluded, after the appropriate declarations have been 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".

98th plenary meeting
9 December 1982

ANNEX

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

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

One such effective measure would be the 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 THE 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 environment—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 this Treaty shall refrain from causing, encouraging, or in any way participating in carrying out such explosions until the relevant procedure has been evolved.

4. Promptly after the entry into force of this Treaty, consideration shall be given to the question of procedure for carrying out nuclear explosions for peaceful purposes. Such procedure, to be agreed upon, may take the form of a special agreement or agreements constituting an integral part of this Treaty.

⁶⁹ See A/37/243.

B. ENSURING COMPLIANCE WITH THE TREATY

(1) *General provisions on verification*

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

6. For the purpose of verifying compliance by other States parties with the provisions of this Treaty, any State party shall have the right to use the national technical means of verification which it has 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 this Treaty, at the disposal of other parties.

8. The States parties to this 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 the 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 this Treaty.

(2) *Consultations and co-operation*

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

13. In the interests of increasing the effectiveness of this Treaty, the States parties to the Treaty shall agree in an appropriate way on the prevention of any actions aimed at deliberately falsifying the actual state of affairs with regard to compliance with this Treaty by other States parties.

(3) *International exchange of seismic data*

14. For the purposes of better assuring compliance with obligations under this 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 the international exchange of seismic data*

15. Each State party to this Treaty shall have the right to participate in the 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 this Treaty, shall draw in its work upon the recommendations contained in the reports of the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events⁷⁰ established by the Committee on Disarmament. Such measures 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 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 a representative to this Committee.

21. The Committee, which will function on the basis of consensus, shall hold its first meeting not later than ninety days after the entry into force of this 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 to enhance 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 this Treaty.

24. Other questions relating to the organization and procedures of the Committee of Experts, its possible subsidiary bodies and their functions, rights, duties and proceedings, its role in promoting 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 this Treaty, if it has doubts regarding an event on the territory of another State which may have been a nuclear explosion, may send that party a request for an on-site inspection. The request should state the reasons why it is being made, including relevant seismic and other physical data that could be 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 this 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 to the Committee of Experts.

27. If the requesting State party is not satisfied with the explanation 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 ascertaining the facts in the form of scientific and technical expertise.

28. For the purpose of conducting inspection on the territory of the States parties which may give their agreement, procedures shall be elaborated for such inspections and the manner in which they are to be conducted, 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. This Treaty shall also contain a provision enabling any two or more of the States parties to agree, by mutual consent, in view of special interests or special circumstances, on additional measures which would facilitate verification of compliance with this 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 this 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 this Treaty undertakes to provide or support assistance, in accordance with the provisions of the Charter of the United Nations, to any State party which requests it, 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.

⁷⁰ See *Official Records of the General Assembly, Thirty-third Session, Supplement No. 27 (A/33/27)*, annex II, documents CCD/558 and Add.1; and CD/53/Appendix III/Vol. II, documents CD/43 and Add.1.

C. CONCLUDING PROVISIONS OF THE TREATY

33. This 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 this 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 Kingdom of Great Britain and Northern Ireland and the United States of America.

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

37/95. Reduction of military budgets

A

The General Assembly,

Expressing its deep concern about the ever-spiralling arms race and growing military expenditures, which constitute a heavy burden for the economies of all nations and have extremely harmful effects on world peace and security,

Recalling that at its twelfth special session, the second special session devoted to disarmament, all Member States unanimously and categorically reaffirmed the validity of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, as well as their solemn commitment to it,⁷¹

Reaffirming the provisions of the Final Document of the Tenth Special Session of the General Assembly, according to which the gradual reduction of military budgets on a mutually agreed basis, for example in absolute figures or in terms of percentage points, particularly by nuclear-weapon States and other militarily significant States, would be a measure that would contribute to curbing the arms race and would increase the possibilities for the reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries,⁷²

Recalling also the Declaration of the 1980s as the Second Disarmament Decade,⁷³ in which it is provided that during this period renewed efforts should be made to reach agreement on the reduction of military expenditures and the reallocation of resources thus saved to economic and social development, especially for the benefit of developing countries,

Recalling further its resolution 34/83 F of 11 December 1979, in which it considered that a new impetus should be given to endeavours to achieve agreements to freeze, reduce or otherwise restrain, in a balanced manner, military expenditures, including adequate measures of verification satisfactory to all parties concerned,

Having considered the report of the Disarmament Commission on the work accomplished during its session in 1982 on the question of the reduction of military budgets,⁷⁴

Convinced that the identification and elaboration of a set of principles that should govern further actions of States in freezing and reducing military budgets could contribute to harmonizing the views of States and create confidence among them conducive to achieving international agreements on the reduction of military budgets.

⁷¹ *Ibid.*, Twelfth Special Session, Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 62.

⁷² Resolution S-10/2, para. 89.

⁷³ Resolution 35/46, annex.

⁷⁴ Official Records of the General Assembly, Twelfth Special Session, Supplement No. 3 (A/S-12/3), paras. 23-25.

Considering that the identification and elaboration of the principles that should govern further actions of States in freezing and reducing military budgets and the other current activities within the framework of the United Nations related to the question of the reduction of military budgets should be regarded as having the fundamental objective of reaching international agreements on the reduction of military expenditures,

Aware of the various proposals submitted by Member States and of the activities carried out so far within the framework of the United Nations in the field of the reduction of military budgets,

1. *Declares once again its conviction* that it is possible to achieve international agreements on reduction of military budgets without prejudice to the right of all States to undiminished security, self-defence and sovereignty;

2. *Reaffirms* that human and material resources released through the reduction of military expenditures could be reallocated to economic and social development, especially for the benefit of the developing countries;

3. *Reiterates* the urgent need to reinforce the endeavours of all States and international action in the reduction of military budgets, with a view to reaching international agreements to freeze, reduce or otherwise restrain military expenditures;

4. *Urges* all States, in particular the most heavily armed States, pending the conclusion of agreements on the reduction of military expenditures, to exercise self-restraint in their military expenditures with a view to reallocating the funds thus saved to economic and social development, especially for the benefit of developing countries;

5. *Requests* the Disarmament Commission to continue, at its session in 1983, the consideration of the item entitled "Reduction of military budgets", including consideration of the background paper⁷⁵ as well as other proposals and ideas on that subject, with a view to identifying and elaborating the principles that should govern further actions of States in freezing and reducing military expenditures, keeping in mind the possibility of embodying such principles in a suitable document at an appropriate stage;

6. *Also requests* the Disarmament Commission to consider, at its next substantive session, other proposals and ideas, as well as recommendations submitted by Member States, for reducing military budgets;

7. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled "Reduction of military budgets".

101st plenary meeting
13 December 1982

B

The General Assembly,

Deeply concerned about the arms race and present tendencies to increase further the rate of growth of military expenditures, the deplorable waste of human and economic resources and the potentially harmful effects on world peace and security,

Considering that a gradual reduction of military expenditures on a mutually agreed basis would be a measure that would contribute to curbing the arms race and would increase the possibilities of reallocating resources now being used for military purposes to economic and social development, especially for the benefit of the developing countries,

⁷⁵ *Ibid.*, Supplement No. 3 (A/S-12/3), annex II.