

40/18. Bilateral nuclear-arms negotiations

The General Assembly,

Noting the agreement between the Union of Soviet Socialist Republics and the United States of America to begin negotiations on "a complex of questions concerning space and nuclear arms — both strategic and intermediate-range —" with the objective "to work out effective agreements aimed at preventing an arms race in space and terminating it on Earth", which negotiations ultimately "should lead to the complete elimination of nuclear arms everywhere",²

Deeply concerned by the fact that humanity is confronted today with an unprecedented threat to its survival arising from the massive and competitive accumulation of the most destructive weapons ever produced, especially nuclear weapons more than sufficient to destroy all life on Earth,

Conscious that such a situation is all the more difficult to justify if one takes into account that there already exists an international consensus that a nuclear war cannot be won and must never be fought,

1. Expresses its hope that the forthcoming meeting between the two leaders of the Union of Soviet Socialist Republics and the United States of America will give a decisive impetus to their current bilateral negotiations so that these negotiations produce early and effective agreements on the halting of the nuclear-arms race with its negative effects on international security as well as on social and economic development, reduction of their nuclear arsenals, prevention of an arms race in outer space and the use of outer space for peaceful purposes;

2. Invites the two negotiating parties to keep the General Assembly duly informed of the progress of their negotiations;

3. Reaffirms that in these negotiations the vital interests of all peoples, including those of the two negotiating parties, are at stake;

4. Further reaffirms that bilateral negotiations do not in any way diminish the urgent need to initiate and pursue multilateral negotiations on the cessation of the nuclear-arms race and nuclear disarmament and on the prevention of an arms race in outer space;

5. Requests the Secretary-General to convey this resolution to the leaders of the Union of Soviet Socialist Republics and the United States of America before their meeting at Geneva on 19 and 20 November 1985.

80th plenary meeting
18 November 1985

40/79. Implementation of General Assembly resolution 39/51 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)

The General Assembly,

Recalling its resolutions 2286 (XXII) of 5 December 1967, 3262 (XXIX) of 9 December 1974, 3473 (XXX) of 11 December 1975, 32/76 of 12 December 1977, S-10/2 of 30 June 1978, 33/58 of 14 December 1978, 34/71 of 11 December 1979, 35/143 of 12 December 1980, 36/83 of 9 December 1981, 37/71 of 9 December 1982 and 38/61 of 15 December 1983 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition

tion of Nuclear Weapons in Latin America (Treaty of Tlatelolco),³

Taking into account that within the zone of application of that Treaty, to which twenty-three sovereign States are already parties, there are some territories which, in spite of not being sovereign political entities, are nevertheless in a position to receive the benefits deriving from the Treaty through its Additional Protocol I, to which the four States that *de jure* or *de facto* are internationally responsible for those territories may become parties,

Considering that it would not be fair if the peoples of some of those territories were deprived of such benefits without being given the opportunity to express their opinion in this connection,

Recalling that three of the States to whom Additional Protocol I is opened — the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands and the United States of America — became parties to the Protocol in 1969, 1971 and 1981, respectively,

1. Deplores that the signature of Additional Protocol I by France, which took place on 2 March 1979, has not yet been followed by the corresponding ratification, notwithstanding the time already elapsed and the pressing invitations which the General Assembly has addressed to it;

2. Once more urges France not to delay any further such ratification, which has been requested so many times and which appears all the more advisable, since it is the only one of the four States to which the Protocol is open that is not yet party to it;

3. Decides to include in the provisional agenda of its forty-first session an item entitled "Implementation of General Assembly resolution 40/79 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

113th plenary meeting
12 December 1985

40/80. Cessation of all test explosions of nuclear weapons

A

The General Assembly,

Bearing in mind that the complete cessation of nuclear-weapon tests, which has been examined for more than twenty-five years and on which the General Assembly has adopted nearly fifty resolutions, is a basic objective of the United Nations in the sphere of disarmament, to the attainment of which it has repeatedly assigned the highest priority,

Stressing that on eight 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 as early as 1972 the Secretary-General declared that all the technical and scientific aspects of the problem have been so fully explored that only a political

² See Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), appendix II (CD/642/Appendix II/Vol. II), documents CD/570 and CD/571.

³ United Nations, Treaty Series, vol. 634, No. 9068, p. 326.

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, addressing a plenary meeting of the General Assembly on 12 December 1984,⁴ after appealing for a renewed effort towards a comprehensive test-ban treaty, emphasized that no single multilateral agreement could have a greater effect on limiting the further refinement of nuclear weapons and that a comprehensive test-ban treaty is the litmus test of the real willingness to pursue nuclear disarmament,

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 Water⁵ undertook in article I of that Treaty to conclude a treaty resulting in the permanent banning of all nuclear-test explosions, including all those explosions underground, and that such an undertaking was reiterated in 1968 in the preamble to the Treaty on the Non-Proliferation of Nuclear Weapons,⁶ article VI of which further embodies their solemn and legally binding commitment to take effective measures relating to the cessation of the nuclear-arms race at an early date and to nuclear disarmament,

Bearing in mind that the same three nuclear-weapon States, in the report they submitted on 30 July 1980 to the Committee on Disarmament after four years of trilateral negotiations, stated, *inter alia*, that they were “mindful of the great value for all mankind that the prohibition of all nuclear-weapon test explosions in all environments will have” as well as “conscious of the important responsibility placed upon them to find solutions to the remaining problems”, adding furthermore that they were “determined to exert their best efforts and necessary will and persistence to bring the negotiations to an early and successful conclusion”,⁷

Noting that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration⁸ adopted on 21 September 1985, called upon the nuclear-weapon States parties to the Treaty to resume trilateral negotiations in 1985 and called upon all the nuclear-weapon States to participate in the urgent negotiation and conclusion of a comprehensive nuclear-test-ban treaty, as a matter of the highest priority, in the Conference on Disarmament,

Bearing in mind that the multilateral negotiation of such a treaty in the Conference on Disarmament must cover all the various interrelated problems which it will be necessary to solve in order that the Conference may transmit a complete draft treaty to the General Assembly,

1. *Reiterates once again its grave concern* that nuclear-weapon tests have not yet stopped, in spite of 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;

3. *Reaffirms also its conviction* that such a treaty would constitute a contribution of the utmost importance to the cessation of the nuclear-arms race and that the commencement of negotiations on such a treaty is an indispensable element of the obligations of States parties to the Treaty on

the Non-Proliferation of Nuclear Weapons under article VI of that Treaty;

4. *Urges once more* the three depositary Powers of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons to abide strictly by their undertakings to seek to achieve the early discontinuance of all test explosions of nuclear weapons for all time and to expedite negotiations to this end;

5. *Appeals* to all States members of the Conference on Disarmament, in particular to the three depositary Powers of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons, to promote the establishment by the Conference at the beginning of its 1986 session of an *ad hoc* committee to carry out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;

6. *Recommends* to the Conference on Disarmament that it instruct such an *ad hoc* committee to establish two working groups which will deal, respectively, with the following interrelated questions:

(a) Working Group I — Structure and scope of the treaty;

(b) Working Group II — Compliance and verification;

7. *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, to bring to a halt without delay all nuclear-test explosions, either through a trilaterally agreed moratorium or through three unilateral moratoria, for which they would then proceed to negotiate the establishment of appropriate means of verification;

8. *Decides* to include in the provisional agenda of its forty-first session an item entitled “Cessation of all nuclear-test explosions”.

113th plenary meeting
12 December 1985

B

The General Assembly,

Bearing in mind the determination, proclaimed since 1963 in the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water,⁵ to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Bearing also in mind that in 1968 the Treaty on the Non-Proliferation of Nuclear Weapons⁶ recalled such determination and included in its article VI an undertaking by each of its parties to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date,

Recalling that in its resolution 2028 (XX) of 19 November 1965, adopted unanimously, it had stressed that one of the basic principles on which the treaty to prevent the proliferation of nuclear-weapons should be based was that such treaty, which was then to be negotiated, should embody an acceptable balance of mutual responsi-

⁴ See *Official Records of the General Assembly, Thirty-ninth Session, Plenary Meetings*, 97th meeting.

⁵ United Nations, *Treaty Series*, vol. 480, No. 6964, p. 43.

⁶ Resolution 2373 (XXII), annex.

⁷ See CD/139/Appendix II/Vol. II, document CD/130.

⁸ *Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.III/64/I)* (Geneva, 1985), annex I.

bilities and obligations of the nuclear and non-nuclear Powers,

Recalling also that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration⁸ adopted by consensus on 21 September 1985, expressed its deep regret that a comprehensive multilateral nuclear-test-ban treaty had not been concluded so far and called for the urgent negotiation and conclusion of such a treaty as a matter of the highest priority,

Noting that article II of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water provides a procedure for the consideration and eventual adoption of amendments to the Treaty by a conference of its parties,

Recommends that States parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water carry out urgent consultations among themselves as to the advisability and most appropriate method of taking advantage of the provisions of its article II for the conversion of the partial nuclear-test-ban treaty into a comprehensive nuclear-test-ban treaty.

113th plenary meeting
12 December 1985

40/81. Urgent need for a comprehensive nuclear-test-ban treaty

The General Assembly,

Convinced of the urgent need for a comprehensive nuclear-test-ban treaty capable of attracting the widest possible international support and adherence,

Reaffirming its conviction that an end to all nuclear testing by all States in all environments for all time 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 Water⁵ undertook not to carry out any nuclear-weapon-test explosion, or any other nuclear explosion, in the environments covered by that Treaty, and that in that Treaty the parties expressed their determination to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Recalling also that the parties to the Treaty on the Non-Proliferation of Nuclear Weapons⁶ recalled the determination expressed by the parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water in its preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to that end, declaring their intention to achieve at the earliest possible date the cessation of the nuclear-arms race and to undertake effective measures in the direction of nuclear disarmament,

Noting that in the Final Declaration⁸ of the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, regret was expressed that a comprehensive multilateral nuclear-test-ban treaty banning all nuclear tests by all States in all environments for all time had not been concluded and that all nuclear-weapon States were called on to participate in the

urgent negotiation and conclusion of such a treaty, as a matter of the highest priority, in the Conference on Disarmament,

Recalling further its previous resolutions on this subject,

Taking into account that part of the report of the Conference on Disarmament relating to consideration of the item entitled "Nuclear-test ban" during its session in 1985,⁹

Also taking into account relevant proposals and initiatives put forward in the Conference on Disarmament during its session in 1985 and other proposals and actions advanced in 1985 concerning efforts to promote an end to nuclear testing,

Expressing its profound regret that, in spite of strenuous efforts, the Conference on Disarmament was unable to reach agreement on the re-establishment at its session in 1985 of an *ad hoc* committee under item 1 of its agenda, entitled "Nuclear-test ban",

Recognizing the important role of the Conference on Disarmament in the negotiation of a comprehensive nuclear-test-ban treaty.

Recognizing the importance to such a treaty of the work on a global seismic detection network, assigned by the Conference on Disarmament to the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events,

Recalling paragraph 31 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ the first special session devoted to disarmament, relating to verification of disarmament and arms control agreements, which stated that the form and modalities of the verification to be provided for in any specific agreement depend on, and should be determined by, the purposes, scope and nature of the agreement,

1. *Reiterates its profound concern* that, despite the express wishes of the majority of Member States, nuclear testing continues;

2. *Reaffirms its conviction* that a treaty to achieve the prohibition of all nuclear-test explosions by all States in all environments for all time is a matter of greatest importance;

3. *Expresses the conviction* that such a treaty would constitute a vital element for the success of efforts to halt and reverse the nuclear-arms race and the qualitative improvement of nuclear weapons and to prevent the expansion of existing nuclear arsenals and the spread of nuclear weapons to additional countries;

4. *Urges* the Conference on Disarmament to establish at the beginning of its session in 1986 an *ad hoc* committee under item 1 of its agenda, entitled "Nuclear-test ban", to begin negotiations on a comprehensive nuclear-test-ban treaty in accordance with the following programme of work:

(a) Scope:

- (i) Comprehensive ban on nuclear explosions in all environments;
- (ii) Question of nuclear explosions for peaceful purposes;

(b) Verification:

- (i) Central importance of verification of a comprehensive test ban;
- (ii) Factors affecting verification needs;
- (iii) Means for monitoring compliance:
 - a. National technical means;

⁹ Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr 1), sect. III A.

¹⁰ Resolution S-10/2.