

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 is not fair that the peoples of some of those territories are deprived of such benefits without being given the opportunity to express their opinion in this connection,

Recalling that three of the States to which Additional Protocol I is open —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 France 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-fourth session an item entitled "Implementation of General Assembly resolution 43/62 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

73rd plenary meeting
7 December 1988

43/63. Cessation of all nuclear-test explosions

A

The General Assembly,

Bearing in mind that the complete cessation of nuclear-weapon tests, which has been examined for more than thirty years and on which the General Assembly has adopted more than 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,

Recalling that the Secretary-General, addressing a plenary meeting of the General Assembly on 12 December 1984, 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,³

Taking into account that the three nuclear-weapon States that act as depositaries of the 1963 Treaty Banning

Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water⁴ 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,⁵ article VI of which further embodies their solemn and legally binding commitment to take effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament,

Noting that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration⁶ adopted on 21 September 1985, called upon the nuclear-weapon States parties to the Treaty to resume trilateral negotiations in 1985 and 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,

Recalling that the leaders of the six States associated with the five-continent peace and disarmament initiative affirmed in the Stockholm Declaration,⁷ adopted on 21 January 1988, that "Any agreement that leaves room for continued testing would not be acceptable",

Taking note with satisfaction of the progress made in the Conference on Disarmament by the *Ad Hoc* Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events on the seismic verification of a comprehensive test ban,⁸

1. *Reiterates once again its grave concern* that nuclear-weapon testing continues unabated, against 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;

4. *Urges once more* all nuclear-weapon States, in particular 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 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 to promote the establishment by the Conference at the beginning of its 1989 session of an *ad hoc* committee with the objective of carrying out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;

6. *Recommends* to the Conference on Disarmament that such an *ad hoc* committee should comprise two working groups dealing, respectively, with the following inter-related questions: contents and scope of the treaty, and compliance and verification;

⁴ United Nations, *Treaty Series*, vol. 480, No. 6964.

⁵ Resolution 2373 (XXII), annex.

⁶ *Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.111/64/I)* (Geneva, 1985), annex I.

⁷ A/43/125-S/19478, annex.

⁸ See *Official Records of the General Assembly, Forty-second Session, Supplement No. 27 (A/42/27)*, para. 31.

³ See *Official Records of the General Assembly, Thirty-ninth Session, Plenary Meetings*, 97th meeting, para. 302.

7. *Decides* to include in the provisional agenda of its forty-fourth session the item entitled "Cessation of all nuclear-test explosions".

73rd plenary meeting
7 December 1988

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,⁴ to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Bearing in mind also that in 1968 the Treaty on the Non-Proliferation of Nuclear Weapons⁵ 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 the 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 responsibilities 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 Declaration⁶ 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,

1. *Welcomes* the submission to the Depositary Governments of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water of an amendment proposal for consideration at a conference of the parties to the Treaty convened for that purpose in accordance with article II of the Treaty;

2. *Decides* to include in the provisional agenda of its forty-fourth session an item entitled "Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water".

73rd plenary meeting
7 December 1988

43/64. Urgent need for a comprehensive nuclear-test-ban treaty

The General Assembly,

Convinced that a nuclear war cannot be won and must never be fought,

Convinced also of the consequent urgent need for an end to the nuclear-arms race and the immediate and verifiable reduction and ultimate elimination of nuclear weapons,

Convinced further that an end to nuclear testing by all States in all environments for all time is an essential step in order to prevent the qualitative improvement and development of nuclear weapons and their further proliferation and to contribute, along with other concurrent efforts to reduce nuclear arms, to the eventual elimination of nuclear weapons,

Welcoming the ongoing negotiations between the Union of Soviet Socialist Republics and the United States of America in accordance with their joint statement of 17 September 1987, and noting the significant developments on improved verification arrangements to facilitate the ratification of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests,⁹ signed on 3 July 1974, and the Treaty between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes,¹⁰ signed on 28 May 1976,

Welcoming also the conclusion on 8 December 1987 of the historic Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles¹¹ and the agreement in principle on and progress made towards an agreement for 50 per cent reductions in the strategic nuclear forces of the Union of Soviet Socialist Republics and the United States of America,

Recalling the proposals by the leaders of the Six-Nation Initiative¹² to promote an end to nuclear testing,

Convinced that the most effective way to achieve the discontinuance of all nuclear tests by all States in all environments for all time is through the conclusion, at an early date, of a verifiable, comprehensive nuclear-test-ban treaty that will attract the adherence of all States,

Reaffirming the particular responsibilities of the Conference on Disarmament in the negotiation of a comprehensive nuclear-test-ban treaty,

1. *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 fundamental importance;

2. *Urges*, therefore, that the following actions be taken in order that a comprehensive nuclear-test-ban treaty may be concluded at an early date:

(a) The Conference on Disarmament should intensify its consideration of item 1 of its agenda entitled "Nuclear-test ban" and initiate substantive work on all aspects of a nuclear-test-ban treaty at the beginning of its 1989 session;

(b) States members of the Conference on Disarmament, in particular the nuclear-weapon States, and all

⁹ *Ibid.*, Twenty-ninth Session, Supplement No. 27, (A/9627), annex II, document CCD/431.

¹⁰ *The United Nations Disarmament Yearbook*, vol. 1: 1976 (United Nations publication, Sales No. E.77.IX.2), appendix III.

¹¹ *Ibid.*, vol. 12: 1987 (United Nations publication, Sales No. E.88.IX.2), appendix VII.

¹² See the Joint Declaration issued on 22 May 1984 by the heads of State or Government of Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania (A/39/277-S/16587, annex; for the printed text, see *Official Records of the Security Council, Thirty-ninth Year, Supplement for April, May and June 1984*, document S/16587, annex), reaffirmed in the Delhi Declaration issued on 28 January 1985 (A/40/114-S/16921, annex; for the printed text, see *Official Records of the Security Council, Fortieth Year, Supplement for January, February and March 1985*, document S/16921, annex), the Mexico Declaration issued on 7 August 1986 (A/41/518-S/18277, annex I), and the Stockholm Declaration issued on 21 January 1988 (A/43/125-S/19478, annex).