

General Assembly resolution 44/104 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

81st plenary meeting
15 December 1989

44/105. Cessation of all nuclear-test explosions

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 Declaration,⁶ 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 the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,⁷ which underlined that the immediate suspension of and comprehensive ban on nuclear tests remained one of the highest priorities of nuclear disarmament,

Recalling also that the leaders of the States associated with the Six-Nation Initiative on peace and disarmament affirmed in the Stockholm Declaration, adopted on 21 January 1988,⁸ that "Any agreement that leaves room for continued testing would not be acceptable",

Taking note with satisfaction of the continuing 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,⁹

Expressing its concern that, after six years of efforts, the Conference on Disarmament has not yet succeeded in establishing an *ad hoc* committee on item 1 of its agenda, entitled "Nuclear-test ban",

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 Weapons 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 1990 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;

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

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44/106. Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water

The General Assembly,

Reiterating its conviction that a comprehensive nuclear-test-ban treaty is the highest-priority step towards nuclear disarmament,

Recalling its resolution 1910 (XVIII) of 27 November 1963, in which it noted with approval the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water,⁴ signed on 5 August 1963, and requested the Conference of the Eighteen-Nation Commit-

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

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

⁵ *Ibid.*, vol. 729, No. 10485.

⁶ *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.

⁷ See A/44/551-S/20870, annex.

⁸ A/43/125-S/19478, annex.

⁹ See *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 17* (A/44/27), para. 29.

tee on Disarmament¹⁰ to continue with a sense of urgency its negotiations to achieve the objectives set forth in the preamble to the Treaty,

Convinced that, pending the conclusion of a comprehensive nuclear-test-ban treaty, the nuclear-weapon States should suspend all nuclear-test explosions through an agreed moratorium or unilateral moratoria,

Noting that article II of the Treaty provides a procedure for convening a conference of the parties to the Treaty to consider amendments to the Treaty,

Noting also that, in its resolution 42/26 B of 30 November 1987, it recommended that the non-nuclear-weapon States parties to the Treaty formally submit an amendment proposal to the Depositary Governments with a view to convening a conference at the earliest possible date to consider amendments to the Treaty that would convert it into a comprehensive nuclear-test-ban treaty and that, by its resolution 43/63 B of 7 December 1988, it welcomed the submission of such an amendment proposal,

Noting further that the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, supported the initiative to convene, as soon as possible in 1990, an amendment conference to convert the Treaty into a comprehensive nuclear-test-ban treaty,⁷

Considering that more than one third of the parties have requested the convening of a conference to consider such an amendment and that Depositary Governments have announced their intention to comply with their obligations under the Treaty,

Convinced that such a conference will serve to strengthen the Treaty,

1. *Recommends* that a preparatory committee, open to all parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, should be established to make arrangements for the amendment conference and that the preparatory committee should meet at United Nations Headquarters from 29 May to 1 June 1990, followed by a one-week session of the conference from 4 to 8 June 1990 and a second substantive session from 7 to 18 January 1991;

2. *Recommends also* that the costs of the amendment conference and its preparatory committee should be shared among the States parties to the Treaty, on the basis of the present scale of assessments of the United Nations;

3. *Requests* the Secretary-General to render the necessary assistance and provide such services, including summary records, as may be required for the amendment conference and its preparation;

4. *Invites* the amendment conference to transmit to the General Assembly the documents it deems appropriate to keep the Assembly duly informed of its ongoing work.

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

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44/107. 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.

Recognizing the recent progress made in the negotiations between the Union of Soviet Socialist Republics and the United States of America, as reflected in their joint statement of 23 September 1989,¹¹ towards improved verification arrangements and the ratification of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapons Tests,¹² 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,¹³ signed on 28 May 1976, and urging both countries to complete that process,

Welcoming the ongoing implementation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles¹⁴ and the agreement in principle on and further progress made towards an agreement for 50 per cent reductions in their strategic nuclear forces,

Recalling the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,⁷

Recalling also the proposals by the leaders of the Six-Nation Initiative¹⁵ 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,

¹⁰ A/44/578-S/20868, annex.

¹¹ *Official Records of the General Assembly, Twenty-ninth Session, Supplement No. 27 (A/9627), annex II, document CCD/431.*

¹² *The United Nations Disarmament Yearbook*, vol. I: 1976 (United Nations publication, Sales No. E.77.IX.2), appendix III.

¹³ *Ibid.*, vol. 12: 1987 (United Nations publication, Sales No. E.88.IX.2), appendix VII.

¹⁴ 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), the Stockholm Declaration issued on 21 January 1988 (A/43/125-S/19478, annex) and the Declaration issued on 22 May 1989 on the occasion of the fifth anniversary of the launching of the Six-Nation Initiative (A/44/318-S/20689, annex).

¹⁰ The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.