PREPARATORY COMMITTEE FOR THE SECOND
SPECIAL SESSION OF THE GENERAL
ASSEMBLY DEVOTED TO DISARMAMENT

A COMPREHENSIVE STUDY OF OFFICIAL PROPOSALS OR DECLARATIONS
MADE AND DECISIONS TAKEN BY THE GENERAL ASSEMBLY ON THE
PROCEDURE OF UNILATERAL OR NEGOTIATED MORATORIA AS A
PROVISIONAL MEASURE FOR THE PROHIBITION OF NUCLEAR-WEAPON
TESTS, AS WELL AS THEIR APPLICATION BY ANY STATE

Background paper prepared by the Secretariat

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INTRODUCTION

1. In 1978, the General Assembly held its first special session devoted to disarmament (tenth special session) and decided that a second special session should be held at a future date. 1/ That same year, at its thirty-third regular session, the General Assembly decided to convene the second special session devoted to disarmament in 1982 (resolution 33/71 H).

2. The General Assembly, at its thirty-fifth session, in 1980, decided to establish a Preparatory Committee for the Second Special Session of the General Assembly Devoted to Disarmament composed of 78 Member States appointed by the President of the General Assembly on the basis of equitable geographic distribution. It requested the Preparatory Committee to prepare a draft agenda for the second special session devoted to disarmament to examine all relevant questions relating to that session and to submit to the General Assembly at its thirty-sixth session its recommendations thereon (resolution 35/47).

3. At its 3rd meeting, on 5 December 1980, the Preparatory Committee requested the Secretariat to prepare a number of factual background papers on various subjects, including one entitled "A comprehensive study of official proposals or declarations made and decisions taken by the General Assembly on the procedure of unilateral or negotiated moratoria as a provisional measure for the prohibition of nuclear-weapon tests, as well as their application by any State", which is the subject of this paper. The Committee indicated that this could be done either by updating or supplementing the corresponding papers which had been prepared for the first special session devoted to disarmament or in other ways as appropriate (A/AC.206/SR.3).

4. In response to the request of the Preparatory Committee, the Secretariat has prepared this paper, which covers the years 1977-1980 and is a supplement to the earlier paper on the same subject prepared for the first special session devoted to disarmament, which covered the period up to 1976.

PROPOSALS, DECLARATIONS AND DECISIONS

5. At the 1977 session of the Conference of the Committee on Disarmament (CCD), Japan, Mexico, the Netherlands, Pakistan and Sweden urged that, if a comprehensive ban could not be achieved in the near future, agreement should be reached on the suspension of all nuclear tests for a limited period. The question was referred to again by a number of countries at the thirty-second session of the General Assembly and in subsequent years.

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6. On 2 November 1977, Leonid Brezhnev, President of the Presidium of the Supreme Soviet of the USSR, made a statement in Moscow to the effect that the USSR was prepared to agree that, together with a ban on all nuclear-weapon tests for a definite period of time, a moratorium should be declared on nuclear explosions for peaceful purposes.

7. At its thirty-second session, in 1977, the General Assembly had on its agenda two items on the question of cessation of nuclear testing. One item was entitled "Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban", and the other "Conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests". At that session, the General Assembly adopted one single resolution (32/78) under the two items. By that resolution, the General Assembly, inter alia, noted with satisfaction that negotiations had begun among the USSR, the United Kingdom and the United States, with a view to the drafting of an agreement on the subject of the resolution itself; declared that the conclusion of such an agreement and its signature would be the best possible augury for the success of the special session of the General Assembly devoted to disarmament, to be held in 1978; and urged the three nuclear-weapon States to expedite their negotiations with a view to bringing them to a positive conclusion as soon as possible and to use their best endeavours to transmit the results for full consideration by the CCD, by the beginning of its spring session in 1978.

8. At the special session of the General Assembly devoted to disarmament, in 1978, the General Assembly noted in its Final Document 3/ that the tripartite negotiations on a "treaty prohibiting nuclear-weapon tests, and a protocol covering nuclear explosions for peaceful purposes, which would be an integral part of the treaty" were still in progress and stated that all efforts should be made by the negotiating parties to achieve an agreement which, following General Assembly endorsement, could attract the widest possible adherence. The General Assembly stated: "In this context, various views were expressed by non-nuclear-weapon States that, pending the conclusion of this treaty, the world community would be encouraged if all the nuclear-weapon-States refrained from testing nuclear weapons. In this connexion, some nuclear-weapon States expressed different views." 4/

9. At the thirty-third session of the General Assembly, several Member States called for a moratorium on tests. In particular, Nigeria stated that a clear political directive was required from the General Assembly embodying, inter alia, an immediate moratorium on all nuclear tests and concrete arrangements to ensure commencement of substantive work on a draft treaty on cessation of tests by the Committee on Disarmament at its first session in 1979. At its thirty-third session the General Assembly adopted two resolutions on the cessation of nuclear testing: resolution 33/60, under the item "Implementation of General Assembly resolution 32/78", and resolution 33/71 C, under the item "Review of the

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4/ Ibid.
implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session". In resolution 33/60 the General Assembly, while it reaffirmed its conviction that a treaty on the subject of the resolution was a matter of the highest priority, it did not raise the question of a moratorium on tests. On the other hand, by resolution 33/71 C (which had been submitted originally by India at the special session of the General Assembly devoted to disarmament, but had not been pressed to a vote) the General Assembly, recalling the various views expressed by non-nuclear-weapon States during the special session of the General Assembly devoted to disarmament, called upon all States, in particular all the nuclear-weapon States, pending the conclusion of the test-ban treaty, to refrain from conducting any testing of nuclear weapons and other nuclear explosive devices.

10. At its thirty-fourth session, in 1979, the General Assembly adopted a single resolution (34/73) on cessation of nuclear testing which did not raise the question of a moratorium on tests. India regretted that the nuclear-weapon States had not heeded the call of the Assembly in its resolution 33/71 C for a moratorium on tests pending the conclusion of a treaty, despite the fact that one of them (the USSR) had voted in favour.

11. In the Committee on Disarmament, in 1980, India and Mexico called for a moratorium on all further tests pending the outcome of the trilateral negotiations by the USSR, the United Kingdom and the United States.

12. At the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in Geneva in 1980, the States members of the Group of 77 participating in the Conference proposed (NPT/CONF.II/C.1/2) that the following be duly reflected in the final document of the Conference: "The accomplishment of a comprehensive test-ban treaty, which has been constantly identified as worthy of the highest priority, would create a very favourable international climate for the second special session of the General Assembly devoted to disarmament which is to be held in 1982. Pending such an accomplishment, the three nuclear-weapon States Party to the NPT should proclaim the immediate cessation of all their nuclear-weapon tests, either through simultaneous unilateral moratoria or through a trilateral moratorium." The Conference, however, was unable to adopt a substantive final document due to differences of opinion on this and other points.

13. At the thirty-fifth session of the General Assembly in 1980, several Member States called for a moratorium on further nuclear-test explosions pending the completion of a comprehensive ban. The USSR proposed that all nuclear-weapon Powers declare themselves ready to renounce all nuclear explosions for a period of a year. To that end, it submitted a draft resolution (A/C.1/35/L.1) which, inter alia, called upon all nuclear-weapon States - as an indication of their goodwill and in order to create more favourable conditions for completing the elaboration of a test-ban treaty - "not to conduct any nuclear explosions within a period of one year beginning from a date to be agreed upon among them, having made in advance appropriate declarations to that effect". The draft resolution was not pressed to a vote. Although in agreement with the principle of a
moratorium, several Member States considered that it should be of unspecified
duration, pending the completion of a treaty. Mexico said that it would be highly
desirable to have a moratorium subscribed to by at least the three nuclear-weapon
States acting as depositaries of the Treaty on the Non-Proliferation of Nuclear
Weapons. Japan also emphasized that tremendous encouragement would be derived
from a voluntary suspension of tests.

14. At the thirty-fifth session, two resolutions (35/145 A and B) were adopted
by the General Assembly, resolution 35/145 A dealing with the question of a
moratorium on tests. In that resolution the General Assembly, **inter alia,**
reaffirmed its conviction that a treaty to achieve the prohibition of all nuclear-
test explosions by all States for all time was a matter of the highest priority and
constituted a vital element for the success of efforts to prevent both vertical
and horizontal proliferation of nuclear weapons and a contribution to nuclear
disarmament; urged all States that had not yet done so to adhere without further
delay to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space
and Under Water of 1963 and, meanwhile, to refrain from testing in the environments
covered by the Treaty; and called upon the States depositaries of that Treaty as well
as the Treaty on the Non-Proliferation of Nuclear Weapons — namely, the USSR, the
United Kingdom and the United States — by virtue of their special responsibilities
under those two treaties and as a provisional measure until the new comprehensive
test-ban treaty entered into force, "to bring to a halt without delay all nuclear-
test explosions, either through a trilaterally agreed moratorium or through three
multilateral moratoria".

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