Thirty-first session
FIRST COMMITTEE
Agenda item 47

CONCLUSION OF A TREATY ON THE COMPLETE AND GENERAL
PROHIBITION OF NUCLEAR WEAPON TESTS

Letter dated 22 November 1976 from the First Deputy Foreign Minister
of the Union of Soviet Socialist Republics addressed to the
Secretary-General

I have the honour to transmit herewith the text of the revised draft treaty
on the complete and general prohibition of nuclear weapon tests, in connexion
with the consideration of agenda item 47 of the thirty-first session of the
General Assembly.

I request that this text be circulated as an official document of the
General Assembly.

(Signed) V. KUZNETSOV
First Deputy Foreign Minister
of the Union of Soviet Socialist Republics

76-24090
The States Parties to this Treaty,

Proclaiming their intention to bring about, as speedily as possible, the cessation of the nuclear arms race, the adoption of effective measures towards nuclear disarmament and the conclusion of an agreement on general and complete disarmament under strict and effective international control,

Taking into account the appeals by the General Assembly of the United Nations to put an end to nuclear weapon tests in all environments,

Noting that the prohibition of all nuclear weapon tests would be in the interests of strengthening peace and slowing the arms race and would be a contribution to the process of international détente,

Reaffirming that the potential benefits of any peaceful application of nuclear explosions should be available to nuclear as well as non-nuclear States in conformity with the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons 3/ and of the present Treaty,

Noting the great positive significance of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, signed in Moscow on 5 August 1963, 4/.

Stressing the importance of strict compliance with the above-mentioned Treaty up to the time of the entry into force of this Treaty,

Seeking to achieve the permanent cessation of all test explosions of nuclear weapons by all States,

Having agreed on the following:

Article I

1. Each State Party to this Treaty undertakes to prohibit, to prevent and to refrain from carrying out any test explosions of nuclear weapons anywhere under its jurisdiction or control in all environments - in the atmosphere, in outer space, under water and underground.

---

3/ General Assembly resolution 2373 (XXII), annex.
2. Each State Party to this Treaty undertakes to refrain from encouraging, inciting, or in any way participating in the carrying out of nuclear explosions prohibited by paragraph 1 of this article.

Article II

1. Control over compliance with this Treaty shall be conducted by the States Parties, through their own national technical means of control, in accordance with the generally recognized rules of international law.

2. In order to promote the objectives of and ensure compliance with the provisions of this Treaty, the Parties to the Treaty shall co-operate in an international exchange of seismic data.

3. In case a State Party to this Treaty has doubts regarding the nature of a seismic event that occurred in the territory of another State Party to this Treaty, it has the right to raise the question of carrying out an on-site inspection in order to ascertain the true nature of that event. The State Party to the Treaty that raised this question must cite appropriate grounds in support of the necessity of carrying out the inspection. The State Party to the Treaty which is the object of doubts regarding its compliance with the Treaty, recognizing the importance of this question, may take a favourable position regarding the carrying out of an inspection in its territory, provided it finds the grounds convincing, or it may take another decision. Such an inspection shall be carried out according to rules established by the inviting State Party.

4. In order to promote the objectives of and to ensure compliance with the provisions of this Treaty, the Parties shall, when necessary, consult one another, make inquiries and receive appropriate information in connexion with such inquiries.

5. Any State Party to this Treaty which ascertains that any other State Party is acting in violation of obligations deriving from the provisions of the Treaty may lodge a complaint with the Security Council of the United Nations. Such a complaint must contain all possible evidence confirming its validity and a request for its consideration by the Security Council. The Council shall inform the States Parties to the Treaty of the results of its consideration.

Article III

1. The provisions of article I shall not apply to any underground nuclear explosions conducted by nuclear-weapon States for peaceful purposes on the territory under their jurisdiction and in compliance with the agreements under which, in accordance with article V of the Treaty on the Non-Proliferation of Nuclear Weapons, non-nuclear-weapon States are to benefit from any peaceful applications of nuclear explosions.

2. The explosions referred to in paragraph 1 of this article shall be conducted as follows:
(a) In the case of non-nuclear-weapon States, in conformity with the provisions of article V of the Treaty on the Non-Proliferation of Nuclear Weapons;

(b) In the case of nuclear-weapon States, in conformity with a procedure to be established under a special agreement concerning which the nuclear-weapon States will conduct negotiations with due regard for the recommendations of the International Atomic Energy Agency on the subject and which will be concluded as speedily as possible.

Article IV

The provisions of this Treaty shall not affect obligations assumed by the States Parties to the Treaty under other international agreements.

Article V

1. Any Party to this Treaty may propose amendments to the Treaty. The text of any proposed amendment shall be submitted to the depositary Governments, which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one third or more of the Parties to the Treaty, the depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, for the purpose of considering such amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Parties to the Treaty. The amendment shall enter into force for each Party depositing its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the nuclear-weapon States Parties to the Treaty. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

Article VI

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and accession shall be deposited with the Governments of ..., which are hereby designated the depositary Governments.

3. This Treaty shall enter into force upon the deposit of the instruments of ratification by ... Governments, including the Governments of all nuclear-weapon States.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, the Treaty shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference of Parties to the Treaty or of other notifications.

6. This Treaty shall be registered by the depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article VII

1. This Treaty shall be of unlimited duration.

2. Each State Party shall, in the exercise of its national sovereignty, have the right to withdraw from the Treaty if it decides that extraordinary circumstances, connected with the subject-matter of this Treaty, have jeopardized its supreme interests. It shall give three months' notice of such withdrawal to all other Parties to the Treaty and to the Security Council of the United Nations. Such notice shall include a statement of the extraordinary circumstances which it regards as having jeopardized its supreme interests.

Article VIII

This Treaty, the Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited in the archives of the depositary Governments. Duly certified copies of this Treaty shall be transmitted by the depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized for the purpose, have signed this Treaty.

DONE in ... copies, at ... on the ... day of ..., ...