TO: The Secretary-General
A:

THROUGH: S/C DE:

FROM: A.E. Nesterenko
DE: Under-Secretary, PSCA

Urgent

SUBJECT: Forthcoming meetings of the Preparatory Committee for a Conference of Non-Nuclear Weapon States

DATE: 31 January 1967

REFERENCE: 

I am forwarding herewith a memorandum that sets out the situation as it appears to be a day or so before the first meeting of the Preparatory Committee for a Conference of Non-Nuclear Weapon States.
UNITED NATIONS

INTEROFFICE MEMORANDUM

TO: Mr. A.E. Nesterenko
Under-Secretary, PSCA

THROUGH: S/C DE:

FROM: Dr. Otto Frey
Associate Chief, DAD, PSCA

DATE: 31 January 1967

REFERENCE: ____________________________

SUBJECT: Forthcoming meetings of the Preparatory Committee for a Conference of Non-Nuclear Weapon States

Very Urgent

It appears that the views of some delegations, particularly those of Pakistan, have changed since "Preliminary Note on the Preparatory Committee for a Conference of Non-Nuclear Weapon States" was forwarded on 18 January, not

1. Ambassador Syed Amjad Ali now prefers that Pakistan be represented in the Bureau. The following names are being mentioned for the Chairman: Ambassadors Al-Rashid, Adebo and Malecela.

Spain is reported to be anxious to provide the Vice-Chairman as neither Chile nor Peru are interested in that function. There is a good chance that Ambassador Don Manuel Aznar will be a member of the Bureau.

The person of the Rapporteur depends on who is elected Chairman. If an African becomes Chairman, an Asian would be Rapporteur and vice versa.

2. It is not at all clear what the plans for future work are. This may depend on the desires of the Chairman and the representative of Pakistan as much as on the political situation.

However the Pakistani delegation which originally was anxious to be in the Chair now believes that the timing of the meeting subsequent to the organizational one is not at all dependent on the arrival or working concepts of Ambassador Shahi but on the progress of work in the ENDC and the political wishes of the members.

Pakistan also has made tentative inquiries about the possibility of establishing some kind of liaison between the Preparatory Committee and the ENDC. Only Nigeria belongs to both bodies and it appears that Pakistan would welcome a more direct link. It is conceivable that this is the task or function that Pakistan might desire for itself.
PREPARATORY COMMITTEE FOR THE CONFERENCE OF NON-NUCLEAR WEAPON STATES

Tentative cost estimates of the Conference

Note by the Secretary-General

1. Pending the decisions to be taken by the Preparatory Committee, a pro memoria provision has been made for the Conference in the budget estimates for the financial year 1968. The necessary estimates will be submitted to the General Assembly at its twenty-second session in due course once the detailed requirements have been established.

2. In order that the Preparatory Committee might be aware of the order of magnitude of the costs which are likely to be involved, depending upon the nature of the Conference arrangements to be recommended, this paper provides tentative estimates based on a number of broad assumptions. It should also be pointed out that in choosing the dates for holding of the Conference, it will be necessary to take into consideration the heavy programme of meetings already scheduled for 1968. In this connexion, the Committee may be advised that the Conference could be scheduled to be held at Headquarters during the period 24 June to 31 July 1968.

3. To establish tentative cost figures, the following assumptions have been made:
   (a) The Conference would be held either at Headquarters or at the United Nations Office at Geneva;
   (b) The duration of the Conference would be four weeks;
   (c) There would be no more than two meetings a day, i.e., one in the morning and one in the afternoon;
   (d) The languages of the Conference for interpretation, summary records and documentation would be English, French, Russian and Spanish;
   (e) Pre-Conference documentation would comprise no more than fifty pages;
   (f) In-session documentation, in addition to summary records, would not exceed 500 pages;

67-15429
(g) The final report of the Conference would not exceed twenty pages;
(h) Participation in the Conference would comprise States Members of the United Nations, of the specialized agencies or of the IAEA.
The extent to which additional temporary staff, including consultants, will be required cannot be estimated at the present time since this will depend upon decisions to be taken by the Preparatory Committee as to the agenda of the Conference and the requirements for background studies and papers.

4. Preliminary cost estimates

(i) Pre-Conference documentation

Should this documentation not exceed fifty pages it could be processed by the Office of Conference Services within its existing staff capacity.

(ii) Temporary staff and consultants

This item is included only pro memoria.

(iii) Conference servicing costs

<table>
<thead>
<tr>
<th></th>
<th>Headquarters</th>
<th>Geneva</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Travel and subsistence of five substantive staff from Headquarters</td>
<td>-</td>
<td>6,000</td>
</tr>
<tr>
<td>(b) Temporary conference and other staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) Salaries, wages and subsistence (where applicable):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 interpreters, 31 translators (7 English, 8 French, 8 Spanish, 8 Russian), 11 revisers (2 English, 3 French, 3 Spanish, 3 Russian), 47 steno-typists (11 English, 12 French, 12 Spanish, 12 Russian)</td>
<td></td>
<td>93,000</td>
</tr>
<tr>
<td>5 secretaries</td>
<td></td>
<td>3,300</td>
</tr>
<tr>
<td>1 meeting services officer</td>
<td></td>
<td>1,100</td>
</tr>
<tr>
<td>Ushers, sound recording technicians</td>
<td></td>
<td>1,500</td>
</tr>
<tr>
<td>(ii) Travel of non-local staff</td>
<td></td>
<td>6,700</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$52,000</td>
<td>$105,600</td>
</tr>
</tbody>
</table>

/...
### Document reproduction and distribution

4.5 million page units at $4.00 per thousand (Geneva) and $6.00 per thousand (Headquarters) 27,000 18,000

### General expenses

<table>
<thead>
<tr>
<th>Item</th>
<th>Headquarters</th>
<th>Geneva</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cables, freight etc.</td>
<td>1,500</td>
<td>3,000</td>
</tr>
</tbody>
</table>

### Public information services

<table>
<thead>
<tr>
<th>Item</th>
<th>Headquarters</th>
<th>Geneva</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Travel and subsistence of staff from Headquarters (2 radio and 1 visual service)</td>
<td>-</td>
<td>3,300</td>
</tr>
<tr>
<td>(ii) Contractual services and rental of equipment (film unit, $2,400, photographer and laboratory costs, $800, telecommunications, $1,600)</td>
<td>-</td>
<td>4,800</td>
</tr>
<tr>
<td>(iii) Supplies (film stock and magnetic tapes)</td>
<td>1,500</td>
<td>1,500</td>
</tr>
<tr>
<td>(iv) Printing of booklet on the Conference (in four languages)</td>
<td>10,000</td>
<td>10,000</td>
</tr>
<tr>
<td>(v) Other costs, such as cables, postage etc.</td>
<td>1,500</td>
<td>1,500</td>
</tr>
</tbody>
</table>

**TOTAL** $13,000 $21,100

### Summary of estimates costs

<table>
<thead>
<tr>
<th>Item</th>
<th>Headquarters</th>
<th>Geneva</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Temporary staff and consultants</td>
<td>Pro memoria</td>
<td>Pro memoria</td>
</tr>
<tr>
<td>2. Travel and subsistence of substantive staff</td>
<td>-</td>
<td>6,000</td>
</tr>
<tr>
<td>3. Temporary conference and other staff</td>
<td>52,000</td>
<td>105,600</td>
</tr>
<tr>
<td>4. Documents reproduction and distribution</td>
<td>27,000</td>
<td>18,000</td>
</tr>
<tr>
<td>5. General expenses</td>
<td>1,500</td>
<td>3,000</td>
</tr>
<tr>
<td>6. Public information services</td>
<td>13,000</td>
<td>21,100</td>
</tr>
</tbody>
</table>

**TOTAL** $93,500 $153,700
DRAFT PROVISIONAL AGENDA FOR THE CONFERENCE OF NON-NUCLEAR-WEAPON STATES

1. Methods of assuring the security of non-nuclear-weapon States
   (a) Conclusion of an international convention under which nuclear-weapon States undertake not to use or threaten the use of nuclear weapons against States which have unconditionally renounced the production, acquisition and use of nuclear weapons
   (b) Security guarantees through international agreements between non-nuclear-weapon States and nuclear-weapon States against a threat or use of nuclear weapons against a non-nuclear-weapon State which has renounced the production, acquisition and use of nuclear weapons
   (c) Establishment of nuclear-free zones
   (d) Declaration by nuclear-weapon States, jointly or severally, to protect the non-nuclear-weapon States who have renounced the production, acquisition and use of nuclear weapons against threat or use of nuclear weapons
   (e) Other methods
   (f) Procedure for implementing these measures and invoking such guarantees

   /A system of guarantees on the pattern of the Locarno Treaty/

2. Implications of production and acquisition of nuclear weapons by non-nuclear-weapon States
   (a) Security implications
   (b) Economic implications

67-19548
3. Prevention of the proliferation of nuclear weapons through co-operation among non-nuclear-weapon States

(a) The question of the renunciation of the production, acquisition and/or use of nuclear weapons by non-nuclear-weapon States in the context of non-proliferation

(b) The co-operation among non-nuclear-weapon States in avoiding the presence of nuclear weapons on their territory, including the establishment of nuclear-free zones

(c) Consideration of an international convention by non-nuclear-weapon States to undertake the prevention of the production, acquisition and use of nuclear weapons

(d) Reciprocal inspections on a bilateral basis and multilateral inspections by an international agency, of nuclear establishment for peaceful purposes, in the territory of non-nuclear-weapon States and safeguards against industrial espionage through such inspections

(e) The question of nuclear explosions for peaceful purposes by non-nuclear-weapon States and the possibility of misuse of such technology for the production of nuclear weapons

(f) Submission of periodic reports by countries, to an international agency, on the nature and the extent of nuclear technical assistance and fissile material supplied by them to non-nuclear-weapon States for peaceful purposes

4. Programmes for the peaceful uses of nuclear energy

(a) Access for non-nuclear-weapon States, who have renounced the production, acquisition and use of nuclear weapons, to technology for peaceful uses of nuclear energy

(b) Assistance to non-nuclear-weapon States, who have renounced the production, acquisition and use of nuclear weapons, in the implementation of programmes of peaceful uses of nuclear energy

(c) The question of peaceful explosions for the benefit of non-nuclear-weapon States

5. Implementation of Conference decisions
<table>
<thead>
<tr>
<th>TO:</th>
<th>FROM:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Secretary-General</td>
<td>A.E. Nesterenko</td>
</tr>
<tr>
<td>FOR ACTION</td>
<td>25/1/68</td>
</tr>
<tr>
<td>FOR APPROVAL</td>
<td></td>
</tr>
<tr>
<td>FOR SIGNATURE</td>
<td></td>
</tr>
<tr>
<td>PREPARE DRAFT</td>
<td></td>
</tr>
<tr>
<td>FOR COMMENTS</td>
<td></td>
</tr>
<tr>
<td>MAY WE CONFER?</td>
<td></td>
</tr>
<tr>
<td>YOUR ATTENTION</td>
<td></td>
</tr>
<tr>
<td>AS DISCUSSED</td>
<td></td>
</tr>
<tr>
<td>AS REQUESTED</td>
<td></td>
</tr>
<tr>
<td>NOTE AND FILE</td>
<td></td>
</tr>
<tr>
<td>NOTE AND RETURN</td>
<td></td>
</tr>
<tr>
<td>FOR INFORMATION</td>
<td></td>
</tr>
<tr>
<td>Date:</td>
<td>25/1/68</td>
</tr>
<tr>
<td>CR. 13 (11-64)</td>
<td></td>
</tr>
</tbody>
</table>

Date of Action: 19/1/68

Note: put up on 12 Feb. 27/1/68

No further action called for.
Questions concerning the Conference of
Non-Nuclear-Weapon States
(29 August - 28 September 1968, Geneva)

Attached is a note, "Preparation for the Conference of Non-Nuclear-
Weapon States" which explores Secretariat responsibilities regarding
the Conference.

The background against which that note should be read is not
without uncertain and unpredictable factors, as has been the whole
development leading to the adoption by 110 votes against none with
8 abstentions of Assembly Resolution 2346 B (XXII) calling for the
Conference.

The importance of the Conference, the nature of its proceedings,
its agenda and the participation of non-nuclear-weapon States and
also the nuclear-weapon States will be influenced by the draft non-
proliferation treaty having been adopted before the resumed session
of the General Assembly and the very contents of that draft treaty.
These considerations apply similarly to security assurances or guarantees
brought about by the treaty, though perhaps separately from it.

Some non-nuclear-weapon States, especially in Asia and Africa,
will be in favour of holding the Conference under all circumstances;
others may want to make the final decision dependent on results in
the ENDC and the resumed session. Certain nuclear-weapon States are
not likely to attend; other nuclear-weapon States may decide on the
degree of participation in the light of the political and negotiating
situation in the early summer.

This uncertain situation handicaps Secretariat preparation for
the Conference. The role of the Secretary-General (see attached note)
involves mainly invitations to the Conference and the preparation of
documentation. If action is initiated soon, the necessary consultations
preceding Secretariat action may not yield the clear results. To delay
consultations on the participation of States in the Conference or the
selection of consultants and their preparation of papers may also have
certain drawbacks.
Nor can one safely assume that the Conference agenda will remain completely unchanged: here again events may lead to revisions by the resumed session of the General Assembly.

The Secretariat can of course bring up to date its papers that were annexed to the Report of the Preparatory Committee and with the help of consultants work can of course be started very soon on certain selected papers.

As far as can be ascertained, the members of the Preparatory Committee feel that their task is completed. Thus, it is the Secretary-General who will have to arrive at decisions, possibly after consultations with delegations most directly concerned.
Preparations for the Conference of Non-Nuclear-Weapon States
(29 August - 28 September 1968, Geneva)

1. Task of the Secretary-General

The Secretary-General has been requested by General Assembly resolution 2346 B (XXII) "to make appropriate arrangements for the convening of the Conference in accordance with the recommendations of the Preparatory Committee" (A/6817).

2. Invitations

Two categories of States are to be invited to the Conference: (1) "non-nuclear-weapon States Members of the United Nations and members of the specialized agencies and of the IAEA" (resolution 2346 B (XXII), paragraph 3; and (2) "nuclear-weapon States" (resolution 2346 B (XXII), paragraph 4, in conjunction with A/6817, paragraph 17.

Resolution 2346 B (XXII) clearly indicates which non-nuclear-weapon States are to be invited to the Conference. As far as the nuclear-weapon States are concerned, the resolution makes reference to the recommendations of the Preparatory Committee, which in its Report (paragraphs 16 and 17), stated that it "appreciated the importance of the co-operation of nuclear-weapon States for the success of the Conference, and ... agreed that nuclear-weapon States should be invited to attend from the outset with full rights of participation except the right to vote. This voting rule results from the specific nature of the Conference."

In regard to invitations to the Conference, the formula "nuclear-weapon States", as used in the Report of the Preparatory Committee is somewhat ambiguous. In the Committee, to whose recommendations paragraph 4 of resolution 2346 B (XXII) refers, several members spoke in favour of inviting the PRC as a nuclear-weapon State. In the General Assembly debate, which led to the approval of the Report, no clarification was provided; at the same time, nothing was said that would preclude an invitation to the PRC under the formula "nuclear-weapon States".

3. Documentation for the Conference

In accordance with paragraph 4 of the resolution, the Secretary-General must also "provide adequate and comprehensive documentation on the various items on
the agenda of the Conference" (A/6817, paragraph 30).

Provision is made for the employment of consultant experts to prepare documentation on some of the agenda items (A/7016, paragraph 9). SEE ANNEX.
ANNEX I

SUBJECTS TO BE DEALT WITH BY THE CONSULTANT EXPERTS

The question of a co-operation among non-nuclear-weapon States, including the establishment of nuclear-free zones (item (1)), is a subject which seems to lend itself to treatment by an expert either from Pakistan or Poland.

For the next two subjects (items (2) and (3)), both dealing with various aspects of international control, the expert might be selected from either Canada or Czechoslovakia. The subjects described in items (4) and (5) are complex and present numerous technical aspects. It is assumed that a suitable expert from either Canada or Sweden could deal with these questions competently.

The question of access to peaceful uses of nuclear energy and assistance for implementation of such programmes (questions (6) and (7)) could be assigned to experts from either Pakistan or Sweden.

Finally, subjects (8) to (12) contain many important legal elements. Subjects (8), (9) and (10) could be assigned to one or two experts from the following countries: Italy, Poland, U.A.R., while subject (11) could be assigned either to Italy or Mexico. The expert for subject (12) could be selected either from Brazil or Japan.

List of Subjects Based on the Conference Agenda

1. Co-operation among non-nuclear-weapon States in avoiding the presence of nuclear weapons on their territory, including the establishment of nuclear-free zones.

2. Reciprocal inspections on a bilateral basis and multilateral inspections by an international agency, of nuclear establishments for peaceful purposes, in the territory of non-nuclear-weapon States and safeguards against industrial espionage through such inspections.

3. Submission of periodic reports by countries, to an international agency, on the nature and the extent of nuclear technical assistance and fissile material supplied by them to non-nuclear-weapon States for peaceful purposes.

4. The question of nuclear explosions for peaceful purposes by non-nuclear-weapon States and the possibility of misuse of such technology for the production of nuclear weapons.

5. The question of peaceful explosions for the benefit of non-nuclear-weapon States.
6. Access for non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons to technology for peaceful uses of nuclear energy.

7. Assistance to non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons in the implementation of programmes of peaceful uses of nuclear energy.

8. Draft of an international convention under which nuclear-weapon States undertake not to use or threaten the use of nuclear weapons against States which have unconditionally renounced the production, acquisition and use of nuclear weapons.

9. Security guarantees through international agreements against a threat or use of nuclear weapons against a non-nuclear-weapon State which has renounced the production, acquisition and use of nuclear weapons.

10. Draft declaration by nuclear-weapon States, jointly or severally, to protect the non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons against threat or use of nuclear weapons.

11. Draft international convention by non-nuclear-weapon States to undertake the prevention of the production, acquisition and use of nuclear weapons.

12. The question of the renunciation of the production, acquisition and/or use of nuclear weapons by non-nuclear-weapon States in the context of non-proliferation.
<table>
<thead>
<tr>
<th>TO:</th>
<th>Mr. Narasimhan</th>
</tr>
</thead>
<tbody>
<tr>
<td>A:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FOR ACTION</th>
<th>POUR SUITE A DONNER</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR APPROVAL</td>
<td>POUR APPROBATION</td>
</tr>
<tr>
<td>FOR SIGNATURE</td>
<td>POUR SIGNATURE</td>
</tr>
<tr>
<td>PREPARE DRAFT</td>
<td>PROJET A REDIGER</td>
</tr>
<tr>
<td>FOR COMMENTS</td>
<td>POUR OBSERVATIONS</td>
</tr>
<tr>
<td>MAY WE CONFER?</td>
<td>POURRIONS-NOUS EN PARLER?</td>
</tr>
<tr>
<td>YOUR ATTENTION</td>
<td>VOTRE ATTENTION</td>
</tr>
<tr>
<td>AS DISCUSSED</td>
<td>COMME CONVENU</td>
</tr>
<tr>
<td>AS REQUESTED</td>
<td>SUITE A VOTRE DEMANDE</td>
</tr>
<tr>
<td>NOTE AND FILE</td>
<td>NOTER ET CLASSER</td>
</tr>
<tr>
<td>NOTE AND RETURN</td>
<td>NOTER ET RETOURNER</td>
</tr>
<tr>
<td>FOR INFORMATION</td>
<td>POUR INFORMATION</td>
</tr>
</tbody>
</table>

Date: 22 April 68  
FROM: Blaine Bloom  
CR. 13 (11-64)
UNITED NATIONS

INTEROFFICE MEMORANDUM

TO: Mr. Aleksei E. Nesterenko
Under-Secretary-General
Department of Political and Security Council Affairs

DATE: 19 April 1968

FROM: Elaine Sloan, Director of the General Legal Division in charge of the Office of Legal Affairs

SUBJECT: Conference of Non-Nuclear Weapon States - Invitation to Participants

1. I wish to refer to your inquiry to Mr. Stavropoulos concerning the questions raised by Mr. Corradini and Mr. Vejvoda with respect to invitations to the Conference of Non-Nuclear-Weapon States to be convened in Geneva from 29 August to 28 September 1968. I understand that the opinion of the Legal Office is desired on the following points:

   (1) Whether an invitation should be sent to the People's Republic of China as a nuclear weapon state;

   (2) Whether the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic are to be invited as Nuclear-Weapon or Non-Nuclear-Weapon States.

2. As is pointed out in Mr. Corradini's and Mr. Vejvoda's memorandum the General Assembly, in Resolution 2346 B (II) of 19 December 1968, decided "to invite to the Conference non-nuclear-weapon States Members of the United Nations and Members of the Specialized Agencies and of the International Atomic Energy Agency." The Assembly in the same resolution approved "the recommendations of the Preparatory Committee ..."

3. The Report of the Preparatory Committee for the Conference of Non-Nuclear Weapon States (A/6817) contained the following:

   "15. Under paragraph 20 of General Assembly resolution 2153 B (XXI), the Committee was to consider the question of associating 'nuclear States' with the work of the Conference.

   "16. The question was raised by some representatives at the second meeting and again discussed by the Committee at its fifth meeting. Representatives appreciated the importance of the co-operation of nuclear-weapon States for the success of the Conference, and the Committee agreed that nuclear-weapon States should be invited to attend from the outset with full rights of participation except the right to vote. This voting rule results from the specific nature of the Conference."
"17. Consequently, the Committee decided to recommend that nuclear-weapon States should be invited to participate in the Conference with full rights except the right to vote."

4. Thus, among the recommendations approved by the General Assembly was the recommendation "that nuclear-weapon States should be invited to participate at the Conference with full rights except the right to vote."

5. The association of nuclear-weapon States with the work of the Conference was discussed at the fifth meeting of the Preparatory Committee on 17 August 1967 (A/CONF.35/PC/SR.5, pp. 3-4). The following express references were made to the People's Republic of China:

Mr. Malecela (United Republic of Tanzania) considered that "the nuclear-weapon States" meant "all States with nuclear weapons and thus included the People's Republic of China." He added that because of the exclusion of the People's Republic there had been little progress in disarmament negotiations over the past twenty years.

Mr. Mohammed (Nigeria) stated that "In principle, his delegation would be in favour of inviting the People's Republic of China, since it was a nuclear Power. On the other hand, as past experience showed, the participation of the People's Republic in a convention concluded under United Nations auspices would undoubtedly raise difficulties. The Committee should have a thorough discussion of the problem."

Mr. Figueroa (Chile) said that "There should be no difficulty about the participation of the People's Republic of China, since the principle that all great Powers, whether Members or not, should be associated with disarmament negotiations had been stated by the General Assembly in various resolutions, including resolution 2030 (XX)."

Mr. Shahi (Pakistan) reserved the position of his Government on inviting the People's Republic of China.

6. Also, at the sixth meeting of the Preparatory Committee on 17 August 1967 (A/CONF.35/PC/SR.6, pp. 3 and 4), in discussing the venue of the meeting, Mr. Foum (United Republic of Tanzania) said that the Committee must exclude New York as its venue. "The success of the Conference would depend on co-operation with the nuclear Powers or with a group of nuclear Powers. It was essential that the People's Republic of China should participate. If the Conference was held in New York, the usefulness of addressing an invitation to the Government of the People's Republic of China might be doubted." As a matter of interest, it may be
noted that the decision of the Preparatory Committee concerning the Association of Nuclear-Weapon-States with the work of the Conference was first recorded in the Journal of the United Nations (No. 4224, 18 August 1967), as follows:

"The Committee decided in principle that Nuclear-Weapon-States would participate fully in the Conference, except for voting."

The following issue of the Journal (No. 4225, 21 August 1967), however, contained the following corrigendum which was apparently issued at the insistence of the Members of the Committee:

"The Committee accepted the principle that all Nuclear-Weapon-States should be associated with the work of the Conference and would have all rights except that of voting."

(Underlining added.)

However, in the Report of the Preparatory Committee which was before the General Assembly the word "all" was not included and the phrase read:

"to recommend that Nuclear-Weapon-States should be invited ..."

7. From the legal point of view, the question of China has been dealt with as a question of representation. The General Assembly, at the twenty-second session, again rejected a proposal to change the representation of China. It is clear that the Secretary-General cannot depart from this decision and must invite the Government of the People's Republic of China which is represented in the United Nations.

8. Even if the question were to be considered as an "all States" issue, the Secretary-General has stated that it is beyond his competence "to determine the highly political and controversial question whether or not certain areas, the status of which is in dispute among Members of the United Nations, are States within the meaning of the 'all States' formulae which on occasion appear in United Nations resolutions." He has pointed out that he would be able to implement such a formula only if the General Assembly should provide him with a list of States coming within the formula, other than those which are Members of the United Nations family (Members of the United Nations, specialized agencies, Atomic Energy Agency and parties to the Statute of the International Court of Justice).

9. In the present case, the People's Republic of China was mentioned by some representatives in the Preparatory Committee (see paragraph 5 above) but no specific reference to the Chinese People's Republic was contained in the Report of the Preparatory Committee or in the recommendation approved by the General Assembly. In view of the dropping of the word "all" in the Report, it was not even clearly indicated that all Nuclear-Weapon-States would be invited.
10. There is one aspect peculiar to the present issue which should be examined: that is, the question whether "Nuclear-Weapon-State" has a particular meaning apart from the usual rules applying to representation and to the "all States" formula. There would seem to be little doubt that the General Assembly in referring to "Nuclear-Weapon-States" in other contexts has had in mind the People's Republic of China. For example, Resolution 2268 (XXII) concerning a treaty for the prohibition of nuclear weapons for Latin America "Invites Powers possessing nuclear weapons to sign and ratify Additional Protocol II of the Treaty as soon as possible" and Resolution 2343 (XXII) on the urgent need for suspension of nuclear and thermonuclear tests "Calls upon all Nuclear-Weapon-States to suspend nuclear weapon tests in the atmosphere, in outer space and under water."

11. If there is any reason to believe that the People's Republic of China might be willing to attend the Conference, it might be necessary to explore the possibilities. For example, the Secretary-General might ask the General Assembly at its resumed session to clarify its intent with respect to Nuclear-Weapon-States or the General Assembly might adopt a device along the lines suggested in Resolution 2030 (XX) on the question of convening a world disarmament conference. In this resolution the General Assembly urged "that the necessary consultations be conducted with all countries for the purpose of establishing a widely representative preparatory committee which will take appropriate steps for the convening of a world disarmament conference ..." Since, however, the Republic of China is necessarily invited under paragraph 3 of Resolution 2346 B (XXII), and in view of the attitude of the People's Republic of China toward other nuclear disarmament negotiations, it seems doubtful that it would be receptive to any overtures.

12. The second question is whether the Byelorussian and Ukrainian Soviet Socialist Republics should be invited as Nuclear-Weapon-States or Non-Nuclear-Weapon-States. This question does not lend itself to an easy legal answer. Neither the General Assembly resolution nor the Report of the Preparatory Committee contains a definition of either Nuclear-Weapon or Non-Nuclear-Weapon States. There is a definition in Article IX of the Draft Treaty on the Non-Proliferation of Nuclear Weapons. Paragraph 3 of this Article states:

"For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967."

13. For the purposes of the present Conference, the only practical difference is the fact that only Non-Nuclear-Weapon-States may vote. However, a classification as a Nuclear or a Non-Nuclear-Weapon-State may have much more significant consequences in other contexts. For example,
Non-Nuclear-Weapon-States that may become parties to the proposed Non-Proliferation Treaty would accept obligations with respect to safeguards on their territories while Nuclear-Weapon-States would be subject to other obligations.

14. One possible approach might be to ask the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic for their opinion as to the category to which they belong and, possibly, the basis for their position. Another and in my view a preferable approach would be for the Secretary-General to avoid the necessity of a decision on this question. The communication which he sends concerning the convening of the Conference need not specify the capacity in which the State is being invited. For that matter, it need not even contain an express invitation since the invitation has already been decided by the General Assembly. The communication could merely refer to the General Assembly Resolution and could quote the relevant provisions including the recommendation of the Preparatory Committee contained in paragraph 17 of its Report. The letter could then deal with the practical matters such as the time and place of the Conference, the submission of credentials, etc. This approach was in fact followed in the communication convening the Conference on the Law of Treaties. Exactly the same letter could be sent to all Members of the United Nations, the specialized agencies and the International Atomic Energy Agency without specifying whether it was sent to them under paragraph 3 or under the recommendation approved in paragraph 1 of General Assembly Resolution 2346 (XXII).

15. If this course were to be adopted, the problem of whether or not the Byelorussian and Ukrainian Soviet Socialist Republics should have the right to vote could be settled by the Conference if they choose to attend.

cc: Mr. Narasimhan
7 May 1968

Mr. A. E. Nesterenko
Under-Secretary-General for Political and
Security Council Affairs

Dear Under-Secretary-General,

The Secretary-General

Conference of Non-Nuclear-Weapon States - Invitations to Participants

I have carefully studied the points raised in your memorandum dated 30 April on the above subject, and I have also taken note of the views expressed by Mr. Sloan in his memorandum to you dated 19 April on the same subject.

I am impressed by the arguments of Mr. Sloan, especially in paragraphs 7, 8 and 9 of his memorandum. In the circumstances, I feel that a decision to invite the People's Republic of China to the Conference of Non-Nuclear-Weapon States would be a political decision beyond my competence.

cc: Mr. Lemieux
1. The time is approaching when invitations will have to be sent to the participants in the Conference of Non-Nuclear-Weapon States, in accordance with General Assembly resolution 2346B of 19 December 1967. In para. 4 of that resolution the General Assembly requested the Secretary-General "to make appropriate arrangements for convening the Conference in accordance with the recommendations of the Preparatory Committee" (A/6817). In the view of the Office of Legal Affairs, sending invitations three months before the opening date of a conference seems to be a sufficient time.

2. In connexion with this question, the Office of Legal Affairs has been consulted on two basic problems:

(a) Whether, on the basis of resolution 2346B (XXII), the People's Republic of China is to be invited to the Conference;

(b) Whether, on the basis of that same resolution, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic are to be invited as nuclear-weapon States or non-nuclear-weapon States.

3. The views of the Office of Legal Affairs on these two questions are contained in the attached memorandum that Mr. Blain Sloan addressed to me on 19 April, a copy of which was previously sent to your Office.

4. As shown by precedents, the question under point (a) of para. 2 above is controversial. The General Assembly at its 22nd session was able to avoid debate on the matter by endorsing without discussion the report of the Preparatory Committee which recommended (A/6817, para. 17) that "nuclear-weapon States should be invited to participate in the Conference with full rights except the right to vote". However, Mr. Sloan's memorandum clearly shows that the formula used by the Preparatory Committee provides arguments for and against
extending an invitation to the People's Republic of China. Moreover, the General Assembly, in paragraph 3 of resolution 2346 B, decided to "invite to the Conference non-nuclear-weapon States Members of the United Nations and members of specialized agencies and of the International Atomic Energy Agency".

5. Under these circumstances, I am bound to submit the question under point (a) of paragraph 2 above to your judgment.

6. As regards point (b) of paragraph 2 above, I concur with the recommendations of Mr. Sloan contained in paragraphs 14 and 15 of his memorandum.
TO: Mr. Aleksii I. Kesterenko  
Under-Secretary-General  
Department of Political and Security  
Council Affairs

DATE: 19 April 1968

THROUGH: S/C DE:

FROM: Elaine Sloan, Director of the General Legal Division in charge of the Office of Legal Affairs

SUBJECT: Conference of Non-Nuclear Weapon States - Invitation to Participants

1. I wish to refer to your inquiry to Mr. Stavropoulos concerning the questions raised by Mr. Corradini and Mr. Vejvoda with respect to invitations to the Conference of Non-Nuclear-Weapon States to be convened in Geneva from 29 August to 28 September 1968. I understand that the opinion of the Legal Office is desired on the following points:

   (1) Whether an invitation should be sent to the People's Republic of China as a nuclear weapon state;

   (2) Whether the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic are to be invited as Nuclear-Weapon or Non-Nuclear-Weapon States.

2. As is pointed out in Mr. Corradini's and Mr. Vejvoda's memorandum the General Assembly, in Resolution 2346 B (II) of 19 December 1968, decided "to invite to the Conference non-nuclear-weapon States Members of the United Nations and Members of the Specialized Agencies and of the International Atomic Energy Agency." The Assembly in the same resolution approved "the recommendations of the Preparatory Committee ...".

3. The Report of the Preparatory Committee for the Conference of Non-Nuclear Weapon States (A/6817) contained the following:

   "15. Under paragraph 20 of General Assembly resolution 2153 B (XXI), the Committee was to consider the question of associating 'nuclear States' with the work of the Conference.

   "16. The question was raised by some representatives at the second meeting and again discussed by the Committee at its fifth meeting. Representatives appreciated the importance of the co-operation of nuclear-weapon States for the success of the Conference, and the Committee agreed that nuclear-weapon States should be invited to attend from the outset with full rights of participation except the right to vote. This voting rule results from the specific nature of the Conference."
"17. Consequently, the Committee decided to recommend that nuclear-weapon States should be invited to participate in the Conference with full rights except the right to vote."

4. Thus, among the recommendations approved by the General Assembly was the recommendation "that nuclear-weapon States should be invited to participate at the Conference with full rights except the right to vote."

5. The association of nuclear-weapon States with the work of the Conference was discussed at the fifth meeting of the Preparatory Committee on 17 August 1967 (A/CONF.35/PC/35, pp. 3-4). The following express references were made to the People's Republic of China:

Mr. Malecela (United Republic of Tanzania) considered that "the nuclear-weapon States" meant "all States with nuclear weapons and thus included the People's Republic of China." He added that because of the exclusion of the People's Republic there had been little progress in disarmament negotiations over the past twenty years.

Mr. Mohammed (Nigeria) stated that "in principle, his delegation would be in favour of inviting the People's Republic of China, since it was a nuclear Power. On the other hand, as past experience showed, the participation of the People's Republic in a convention concluded under United Nations auspices would undoubtedly raise difficulties. The Committee should have a thorough discussion of the problem."

Mr. Niguerca (Chile) said that "there should be no difficulty about the participation of the People's Republic of China, since the principle that all great Powers, whether members or not, should be associated with disarmament negotiations had been stated by the General Assembly in various resolutions, including resolution 2030 (XX)."

Mr. Shahi (Pakistan) reserved the position of his Government on inviting the People's Republic of China.

6. Also, at the sixth meeting of the Preparatory Committee on 17 August 1967 (A/CONF.35/PC/36, pp. 3 and 4), in discussing the venue of the meeting, Mr. Fomu (United Republic of Tanzania) said that the Committee must exclude New York as its venue. "The success of the Conference would depend on cooperation with the nuclear Powers or with a group of nuclear Powers. It was essential that the People's Republic of China should participate. If the Conference was held in New York, the usefulness of addressing an invitation to the Government of the People's Republic of China might be doubted." As a matter of interest, it may be
noted that the decision of the Preparatory Committee concerning the
Association of Nuclear-Weapon-States with the work of the Conference
was first recorded in the Journal of the United Nations (No. 4224,
18 August 1967), as follows:

"The Committee decided in principle that Nuclear-Weapon-
States would participate fully in the Conference, except for
voting."

The following issue of the Journal (No. 4225, 21 August 1967), however,
contained the following corrigendum which was apparently issued at the
insistence of the Members of the Committee:

"The Committee accepted the principle that all Nuclear-
Weapon-States should be associated with the work of the
Conference and would have all rights except that of voting."
(Underlining added.)

However, in the Report of the Preparatory Committee which was before the
General Assembly the word "all" was not included and the phrase read:

"to recommend that Nuclear-Weapon-States should be invited ..."

7. From the legal point of view, the question of China has been
dealt with as a question of representation. The General Assembly, at
the twenty-second session, again rejected a proposal to change the
representation of China. It is clear that the Secretary-General cannot
depart from this decision and must invite the Government of the Republic
of China which is represented in the United Nations.

6. Even if the question were to be considered as an "all States"
issue, the Secretary-General has stated that it is beyond his competence
"to determine the highly political and controversial question whether or
not certain areas, the status of which is in dispute among Members of the
United Nations, are States within the meaning of the 'all States' formulae
which on occasion appear in United Nations resolutions." He has pointed
out that he would be able to implement such a formula only if the General
Assembly should provide him with a list of States coming within the
formula, other than those which are Members of the United Nations family
(Members of the United Nations, specialized agencies, Atomic Energy
Agency and parties to the Statute of the International Court of Justice).

9. In the present case, the People's Republic of China was mentioned
by some representatives in the Preparatory Committee (see paragraph 5
above) but no specific reference to the Chinese People's Republic was
contained in the report of the Preparatory Committee or in the recommen-
dation approved by the General Assembly. In view of the dropping of the word
"all" in the report, it was not even clearly indicated that all Nuclear-Weapon-
States would be invited.
10. There is one aspect peculiar to the present issue which should be examined: that is, the question whether "Nuclear-Weapon-State" has a particular meaning apart from the usual rules applying to representation and to the "all States" formula. There would seem to be little doubt that the General Assembly in referring to "Nuclear-Weapon-States" in other contexts has had in mind the People's Republic of China. For example, resolution 2265 (XXII) concerning a treaty for the prohibition of nuclear weapons for Latin America "Invites Powers possessing nuclear weapons to sign and ratify Additional Protocol II of the Treaty as soon as possible" and resolution 2343 (XXII) on the urgent need for suspension of nuclear and thermonuclear tests "Calls upon all Nuclear-Weapon-States to suspend nuclear weapon tests in the atmosphere, in outer space and under water."

11. If there is any reason to believe that the People's Republic of China might be willing to attend the Conference, it might be necessary to explore the possibilities. For example, the Secretary-General might ask the General Assembly at its resumed session to clarify its intent with respect to Nuclear-Weapon-States or the General Assembly might adopt a device along the lines suggested in resolution 2030 (XX) on the question of convening a world disarmament conference. In this resolution the General Assembly urged "that the necessary consultations be conducted with all countries for the purpose of establishing a widely representative preparatory committee which will take appropriate steps for the convening of a world disarmament conference ..." Since, however, the Republic of China is necessarily invited under paragraph 3 of resolution 2346 B (XXII), and in view of the attitude of the People's Republic of China toward other nuclear disarmament negotiations, it seems doubtful that it would be receptive to any overtures.

12. The second question is whether the Byelorussian and Ukrainian Soviet Socialist Republics should be invited as Nuclear-Weapon-States or Non-Nuclear-Weapon-States. This question does not lend itself to an easy legal answer. Neither the General Assembly resolution nor the Report of the Preparatory Committee contains a definition of either Nuclear-Weapon or Non-Nuclear-Weapon States. There is a definition in Article IX of the Draft Treaty on the Non-Proliferation of Nuclear Weapons. Paragraph 3 of this Article states:

"For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967."

13. For the purposes of the present Conference, the only practical difference is the fact that only Non-Nuclear-Weapon-States may vote. However, a classification as a Nuclear or a Non-Nuclear-Weapon-State may have much more significant consequences in other contexts. For example,
Non-Nuclear-Weapon-States that may become parties to the proposed Non-Proliferation Treaty would accept obligations with respect to safeguards on their territories while Nuclear-Weapon-States would be subject to other obligations.

14. One possible approach might be to ask the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic for their opinion as to the category to which they belong and, possibly, the basis for their position. Another and in my view a preferable approach would be for the Secretary-General to avoid the necessity of a decision on this question. The communication which he sends concerning the convening of the Conference need not specify the capacity in which the State is being invited. For that matter, it need not even contain an express invitation since the invitation has already been decided by the General Assembly. The communication could merely refer to the General Assembly Resolution and could quote the relevant provisions including the recommendation of the Preparatory Committee contained in paragraph 17 of its Report. The letter could then deal with the practical matters such as the time and place of the Conference, the submission of credentials, etc. This approach was in fact followed in the communication convening the Conference on the Law of Treaties. Exactly the same letter could be sent to all members of the United Nations, the specialized agencies and the International Atomic Energy Agency without specifying whether it was sent to them under paragraph 3 or under the recommendation approved in paragraph 1 of General Assembly Resolution 2346 (XXII).

15. If this course were to be adopted, the problem of whether or not the Byelorussian and Ukrainian Soviet Socialist Republics should have the right to vote could be settled by the Conference if they choose to attend.

cc: Mr. Marasimhan
CONFERENCES OF NON-NUCLEAR-WEAPON STATES
Geneva, 1968

DRAFT RULES OF PROCEDURE*

* As recommended by the Preparatory Committee (A/6817, annex II) and approved by the General Assembly (resolution 2346 B (XXII)).
DRAFT RULES OF PROCEDURE

CHAPTER I

REPRESENTATION AND CREDENTIALS

Composition of delegations

Rule 1

The delegation of each State participating in the Conference shall consist of no more than four representatives and such alternate representatives and advisers as may be required.

Alternates or advisers

Rule 2

An alternate representative or an adviser may act as a representative upon designation by the chairman of the delegation.

Submission of credentials

Rule 3

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference, if possible not later than twenty-four hours after the opening of the Conference. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

/...
Credentials Committee

Rule 4

A Credentials Committee shall be appointed at the beginning of the Conference. It shall consist of nine members, who shall be appointed by the Conference on the proposal of the President. It shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation in the Conference

Rule 5

Pending a decision of the Conference upon their credentials, representatives shall be entitled provisionally to participate in the Conference.

CHAPTER II

OFFICERS

Elections

Rule 6

The Conference shall elect a President and four Vice-Presidents, and such other officers as it may decide. The Vice-Presidents shall be elected after the election of the Chairmen of the Main Committees provided for in rule 45. These officers shall be elected on the basis of ensuring the representative character of the General Committee. The Conference may also elect such other officers as it deems necessary for the performance of its functions.

President

Rule 7

The President shall preside at the plenary meetings of the Conference.

Rule 8

The President, in the exercise of his functions, remains under the authority of the Conference.
Acting President

Rule 9

If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

Rule 10

A Vice-President acting as President shall have the same powers and duties as the President.

Replacement of the President

Rule 11

If the President is unable to perform his functions, a new President shall be elected for the duration of the Conference.

The President shall not vote

Rule 12

The President, or Vice-President acting as President, shall not vote, but shall appoint another member of his delegation to vote in his place.

CHAPTER III

GENERAL COMMITTEE

Composition

Rule 13

There shall be a General Committee which shall comprise the President and Vice-Presidents of the Conference and the Chairmen of the Main Committees which the Conference may set up in accordance with rule 45. The President of the Conference or, in his absence, a Vice-President designated by him shall serve as Chairman of the General Committee.
Substitute members

Rule 14

If the President or a Vice-President of the Conference finds it necessary to be absent during a meeting of the General Committee, he may designate a member of his delegation to sit and vote in the Committee. The Chairman of a Main Committee shall, in case of absence, designate the Vice-Chairman of that Committee as his substitute. A Vice-Chairman shall not have the right to vote if he is of the same delegation as another member of the General Committee.

Functions

Rule 15

The General Committee shall assist the President in the general conduct of the business of the Conference. It shall assist the President in drawing up the agenda for each plenary meeting and in determining the priority of its items. Subject to the decisions of the Conference, it shall ensure the co-ordination of its work in accordance with the provisions of rule 48.

CHAPTER IV

SECRETARIAT

Duties of the Secretary-General, the Executive Secretary of the Conference and the Secretariat

Rule 16

1. The Secretary-General of the Conference shall be the Secretary-General of the United Nations. He, or his representative, shall act in that capacity in all meetings of the Conference and its committees.

2. The Secretariat shall receive, translate, reproduce and distribute documents, reports and resolutions of the Conference; interpret speeches made at the meetings; prepare and circulate records of the public meetings; have the custody and preservation of the documents in the archives of the United Nations;

/...
publish the reports of the public meetings; distribute all documents of the Conference to the participating Governments and, generally, perform all other work that the Conference may require.

Statements by the Secretariat

Rule 17

The Secretary-General or any member of the staff designated by him for that purpose may make oral or written statements concerning any question under consideration.

CHAPTER V

CONDUCT OF BUSINESS

Quorum

Rule 18

A quorum shall be constituted by the representatives of a majority of the States participating in the Conference.

General powers of the President

Rule 19

In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the Conference; direct the discussions at such meetings; accord the right to speak; put questions to the vote and announce decisions. He shall rule on points of order and, subject to these rules of procedure, have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the limitation of time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the debate on the question under discussion.
Speeches

Rule 20

No person may address the Conference without having previously obtained the permission of the President. Subject to rules 21 and 22, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall be in charge of drawing up a list of such speakers. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

Precedence

Rule 21

The Chairman or Rapporteur of a committee, or the representative of a sub-committee or working group, may be accorded precedence for the purpose of explaining the conclusion arrived at by his committee, sub-committee or working group.

Points of order

Rule 22

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.
Time-limit on speeches

Rule 23

The Conference may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. When the debate is limited and a representative has spoken his allotted time, the President shall call him to order without delay.

Closing of list of speakers

Rule 24

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. He may, however, accord the right of reply to any representative if a speech delivered after he has declared the list closed makes this desirable.

Adjournment of debate

Rule 25

During the discussion of any matter, a representative may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall immediately be put to the vote. The President may limit the time to be allowed to speakers under this rule.

Closure of debate

Rule 26

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall immediately be put to the vote. If the Conference is in favour of the closure, the President shall declare the closure of the debate. The President may limit the time to be allowed to speakers under this rule.

/...
Suspension or adjournment of the meeting

Rule 27

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall immediately be put to the vote. The President may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

Order of procedural motions

Rule 28

Subject to rule 22, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

(a) To suspend the meeting;
(b) To adjourn the meeting;
(c) To adjourn the debate on the question under discussion;
(d) To close the debate on the question under discussion.

Proposals and amendments

Rule 29

Proposals and amendments before the meeting shall normally be introduced in writing and handed to the Executive Secretary of the Conference, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Conference unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President, however, may permit the discussion and consideration of amendments or motions as to procedure, even though these amendments or motions have not been circulated or have only been circulated the same day.
Decisions on competence

Rule 30

Subject to rule 22, any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal or amendment submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Withdrawal of motions

Rule 31

A motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that the motion has not been amended. A motion which has thus been withdrawn may be reintroduced by any representative.

Reconsideration of proposals

Rule 32

When a proposal has been adopted or rejected it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on the motion to reconsider shall be accorded to only two speakers opposing the motion, after which it shall be immediately put to the vote.

CHAPTER VI

VOTING

Voting rights

Rule 33

1. Each non-nuclear-weapon State represented at the Conference shall have one vote.

2. Nuclear-weapon States participating in the Conference shall have all rights, except that of voting.
Required majority

Rule 34

1. Decisions of the Conference on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.

2. Decisions of the Conference on matters of procedure shall be taken by a majority of the representatives present and voting.

3. If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting.

Meaning of the expression "representatives present and voting"

Rule 35

For the purpose of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Method of voting

Rule 36

The Conference shall normally vote by show of hands, but any representative may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President.

Conduct during voting

Rule 37

After the President has announced the beginning of voting, no representatives shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting. The President may permit representatives to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The President may limit the time to be allowed for such explanations.
Division of proposals and amendments

Rule 38

A representative may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given to only two speakers in favour and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Voting on amendments

Rule 39

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Voting on proposals

Rule 40

If two or more proposals relate to the same question, the Conference, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.
Elections

Rule 41

All elections shall be held by secret ballot unless otherwise decided by the Conference.

Rule 42

1. When one person or one delegation is to be elected and no candidate obtains a majority of votes of the representatives present and voting in the first ballot, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If, in the second ballot, the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, their number shall be reduced to two by lot, and the balloting, restricted to them, shall continue in accordance with the preceding paragraph.

Rule 43

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining a majority of votes of the representatives present and voting in the first ballot shall be elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places. The voting, however, shall be restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled, provided that after the third inconclusive ballot votes may be cast for any eligible person or delegation. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled. The three ballots thereafter shall be unrestricted, and so on, until all the places have been filled.

/...
Equally divided votes

Rule 44

If a vote is equally divided on matters other than elections, the proposal shall be regarded as rejected.

CHAPTER VII
COMMITTEES

Creation of committees

Rule 45

In addition to the General Committee and the Credentials Committee, the Conference shall establish two or more Main Committees as it deems necessary for the performance of its functions. Each committee may set up sub-committees or working groups.

Representation on Main Committees

Rule 46

Each State participating in the Conference may be represented by one representative on each Main Committee. It may assign to these Committees such alternate representatives and advisers as may be required.

Drafting Committee

Rule 47

The Conference may appoint, on the proposal of the General Committee, a Drafting Committee. This Committee shall give advice on drafting as requested by other committees and by the Conference and shall co-ordinate and review the drafting of all texts adopted.
Co-ordination by the General Committee

Rule 48

1. The General Committee may meet from time to time to review the progress of the Conference and its committees and to make recommendations for furthering such progress. It shall also meet at such other times as the President deems necessary or upon the request of any other of its members.

2. Questions affecting the co-ordination of their work may be referred by other committees to the General Committee, which may make such arrangements as it thinks fit, including the holding of joint meetings of committees or sub-committees and the establishment of joint working groups. The General Committee shall appoint, or arrange for the appointment of, the chairman of any such joint body.

Officers

Rule 49

Except in the case of the General Committee, each committee and sub-committee shall elect its own officers.

Quorum

Rule 50

A majority of the representatives on a committee or sub-committees shall constitute a quorum.

Officers, conduct of business and voting in committees

Rule 51

The rules contained in chapters II, V and VI above shall be applicable, mutatis mutandis, to the proceedings of committees and sub-committees, except that decisions of committees and sub-committees shall be taken by a majority of the representatives present and voting. In the case of a reconsideration of proposals or amendments, however, the majority required shall be that established by rule 32.
CHAPTER VIII

LANGUAGES AND RECORDS

Official and working languages

Rule 52

Chinese, English, French, Russian and Spanish shall be the official languages of the Conference. English, French, Russian and Spanish shall be working languages.

Interpretation from an official language

Rule 53

Speeches made in any of the official languages shall be interpreted into the other official languages.

Interpretation from other languages

Rule 54

Any representative may make a speech in a language other than the official languages. In this case he shall himself provide for interpretation into one of the working languages. Interpretation into the other working languages by the interpreters of the Secretariat may be based on the interpretation given in the first working language.

Summary records

Rule 55

Summary records of the plenary meetings of the Conference and of the meetings of the Main Committees of the Conference shall be kept by the Secretariat. They shall be sent as soon as possible to all representatives, who shall inform the Secretariat within five working days after the circulation of the summary record of any changes they wish to have made.
Language of documents and summary records

Rule 56

Important documents of the Conference shall be made available in the official languages of the Conference. Other documents and summary records shall be made available in the working languages of the Conference.

CHAPTER IX
PUBLIC AND PRIVATE MEETINGS

Plenary meetings and meetings of committees and sub-committees

Rule 57

The plenary meetings of the Conference and the meetings of committees and sub-committees shall be held in public unless the body concerned decides otherwise.

Meetings of working groups

Rule 58

Meetings of a working group shall be held in private unless the body concerned decides otherwise.

Communiqués to the Press

Rule 59

At the close of any private meeting a communiqué may be issued to the Press through the Executive Secretary.
CHAPTER X

OBSERVERS

Observers for specialized agencies

Rule 60

1. Observers for the competent specialized agencies and the International Atomic Energy Agency may participate, without the right to vote, in the deliberations of the Conference and its Main Committees, upon the invitation of the President or Chairman, as the case may be, on questions within the scope of their activities.

2. Written statements of such agencies shall be distributed by the Secretariat to the delegations at the Conference.
CONFERENCE OF NON-NUCLEAR-WEAPON STATES  
Geneva, 1968

PROVISIONAL AGENDA

1. Opening of the Conference
2. Election of the President
3. Adoption of the rules of procedure (A/CONF.35/L.1)
4. Appointment of Credentials Committee
5. Election of Chairmen of Main Committees
6. Election of Vice-Presidents
7. Election of other Conference officers
8. Adoption of the agenda
9. Programme of work
10. General debate
11.* Methods of assuring the security of non-nuclear-weapon States
   (a) Conclusion of an international convention under which nuclear-weapon States undertake not to use or threaten the use of nuclear weapons against States which have unconditionally renounced the production, acquisition and use of nuclear weapons
   (b) Security guarantees through international agreements against a threat or use of nuclear weapons against a non-nuclear-weapon State which has renounced the production, acquisition and use of nuclear weapons
   (c) Establishment of nuclear-free zones
   (d) Declaration by nuclear-weapon States, jointly or severally, to protect the non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons against threat or use of nuclear weapons

68-96187
(e) Other methods

(f) Procedure for implementing these measures and invoking such guarantees

12.* Implications of production and acquisition of nuclear weapons by non-nuclear-weapon States

(a) Security implications

(b) Economic implications

13.* Prevention of the proliferation of nuclear weapons through co-operation among non-nuclear-weapon States

(a) The question of the renunciation of the production, acquisition and/or use of nuclear weapons by non-nuclear-weapon States in the context of non-proliferation

(b) Co-operation among non-nuclear-weapon States in avoiding the presence of nuclear weapons on their territory, including the establishment of nuclear-free zones

(c) Consideration of an international convention by non-nuclear-weapon States to undertake the prevention of the production, acquisition and use of nuclear weapons

(d) Reciprocal inspections on a bilateral basis and multilateral inspections by an international agency, of nuclear establishments for peaceful purposes, in the territory of non-nuclear-weapon States and safeguards against industrial espionage through such inspections

(e) The question of nuclear explosions for peaceful purposes by nuclear-weapon States and the possibility of misuse of such technology for the production of nuclear weapons

(f) Submission of periodic reports by countries, to an international agency, on the nature and the extent of nuclear technical assistance and fissile material supplied by them to non-nuclear-weapon States for peaceful purposes

14.* Programmes for the peaceful uses of nuclear energy

(a) Access for non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons to technology for peaceful uses of nuclear energy

(b) Assistance to non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons in the implementation of programmes of peaceful uses of nuclear energy

/...
(c) The question of peaceful explosions for the benefit of non-nuclear-weapon States

15.* Implementation of Conference decisions

16. Adoption of the Final Act of the Conference

* Item recommended by the Preparatory Committee for the Conference of Non-Nuclear-Weapon States (A/6717, annex I) and approved by the General Assembly (resolution 2346 B (XXII)).
Ok. put up on 1st Aug.

½
2017.

Thanks.
Press releases
have been made.

They
7/8/65.
Suggested Revision of the Provisional Agenda for the Conference of Non-Nuclear-Weapon States (document A/6817/Annex I)


2. Establishment of nuclear-free zones.

3. Implications of production and acquisition of nuclear weapons by non-nuclear-weapon States:
   a) Security implications
   b) Economic implications

4. Additional measures for the prevention of proliferation of nuclear weapons:
   a) Reciprocal inspections on a bilateral basis and multilateral inspections by an international agency, of nuclear establishments for peaceful purposes, in the territories of non-nuclear-weapon States and safeguards against industrial espionage through such inspections.
   b) Submission of periodic reports by countries, to an international agency, on the nature and extent of nuclear technical assistance and fissionable material supplied by them to non-nuclear-weapon States for peaceful purposes.

5. Programmes for cooperation in the field of peaceful uses of nuclear energy:
   a) Access to and exchange of equipment, materials and scientific and technological information for the

---

Report of the Secretary-General on the effects of the possible use of nuclear weapons and on the security and economic implications for States of the acquisition and further development of these weapons (A/6858)
2.

peaceful uses of nuclear energy among non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons, and nuclear-weapon States.

b) Assistance and cooperation in further development of the applications of nuclear energy for peaceful purposes, especially in the territories of the non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons with due consideration for the needs of the developing areas of the world.

c) Benefits from peaceful applications of nuclear explosions to non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons pursuant to special international agreements or agreements through an appropriate international body or through bilateral arrangements.

d) The question of nuclear explosions for peaceful uses by non-nuclear-weapon States and the possibility of misuse of such technology for the production of nuclear weapons.

6. Concrete and urgent measures for nuclear arms control and nuclear disarmament.


............
Proposals for amendments by India to the working paper on suggested revision of the provisional agenda for the Conference of Non-Nuclear-Weapon States.

(1) Item 3:
The heading of the item should read:
"Implications of production and acquisition of nuclear weapons by non-nuclear-weapon States and further development of these weapons by nuclear-weapon States."

(2) Item 4:
Add the following sub-items:
(c) Conclusion of Comprehensive Test Ban Treaty.
(d) Freeze on further production of fissile materials for weapons purposes.
(e) Submission of periodic reports by nuclear-weapon States to the U.N. on their inventory of fissile material for weapons and non-weapons purposes.
CONFERECE OF NON-NUCLEAR-WEAPON STATES

Geneva, 1968

REPORT ADOPTED BY THE GENERAL COMMITTEE
at its First Meeting on 2 September 1968

I. AGENDA

The General Committee recommends the following text of the Agenda for the Conference:

1. Measures to assure the security of non-nuclear-weapon States.
2. Establishment of nuclear-weapon free zones.
3. Effective measures for the prevention of further proliferation of nuclear weapons, the cessation of the nuclear arms race at an early date and nuclear disarmament:
   (a) Safeguards against the diversion of source or special fissionable material from peaceful to military uses, and safeguards against industrial espionage;
   (b) Submission of periodic reports by countries, to an international agency, on the nature of nuclear technical assistance and the nature and extent of special fissionable material supplied by them to non-nuclear-weapon States for peaceful purposes;
   (c) Conclusion of a comprehensive test ban treaty;
   (d) Freeze on production of fissile materials for weapon purposes and the cessation of the manufacture of nuclear weapons.
4. Programmes for co-operation in the field of peaceful uses of nuclear energy:
   (a) Access to and exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy among non-nuclear-weapon States and nuclear-weapon States;
(b) Assistance and co-operation in development of the application of nuclear energy for peaceful purposes, in the territories of the non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world;

(c) The question of nuclear explosions for peaceful uses.

(d) Benefits from peaceful applications of nuclear explosions to non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons pursuant to special international agreement or agreements through an appropriate international body or through bilateral arrangements.

5. Adoption of Final Document and Implementation of Conference decisions.

II. ALLOCATION OF ITEMS

The General Committee recommends that the allocation of items be as follows:

<table>
<thead>
<tr>
<th>Items</th>
<th>Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 3</td>
<td>Committee 1</td>
</tr>
<tr>
<td>4</td>
<td>Committee 2</td>
</tr>
<tr>
<td>5</td>
<td>Plenary</td>
</tr>
</tbody>
</table>
CONFERENCE OF NON-NUCLEAR-WEAPON STATES

Assessment of Early Phase of Conference

The Conference, in which ninety-six countries are participating, including the four nuclear-weapon Powers Members of the United Nations, has moved a long way since its opening on 29 August.

Agenda

At the outset, the procedural items of the provisional agenda were disposed of quickly, in a businesslike manner. To reach agreement on the substantive items of the agenda, some concerted efforts on the part of a Working Group of the General Committee and the General Committee itself were required. However, as a spirit of accommodation prevailed, at its third plenary meeting the Conference was able to adopt its agenda (A/CONF.35/2) without a dissenting vote. The agreement was undoubtedly facilitated by the skill, tact and firmness shown by the President of the Conference, Mr. M. Arshad Husain, Foreign Minister of Pakistan.

The Conference agenda is somewhat different from the one recommended by the General Assembly at its twenty-second session (A/6817, Annex I), several months before the adoption of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The agenda structure has been simplified. Even the scope of the Conference, though basically the same as originally set out in resolution 2153 B (XXI) of 17 November 1966, now can be better visualized. It embraces three main subjects affecting the very existence and future development of non-nuclear-weapon States: measures to assure the security of non-nuclear weapon States; measures for the prevention of further proliferation of nuclear weapons; the cessation of the nuclear arms race at an early date and nuclear disarmament; programmes for co-operation in the field of peaceful uses of nuclear energy. In the General Committee and its Working Group, several items of the provisional agenda having only marginal interest were eliminated. In spite of this, the final agenda still contains, under the three main headings, some ten weighty and complex items. Therefore it would be too much to expect that the Conference can fully deal with all of them during the relatively brief time at its disposal, even counting on intense work by the two Main Committees.

General Debate and NPT

In the general debate in plenary, in which fifty-three non-nuclear-weapon States participated, the level of representation was high, the
atmosphere rather sombre, and the interventions reflected a considerable degree of solidarity among the States not possessing nuclear weapons.

The NPT was at the top of the list of subjects which received consideration in general debate. Sixty-five of the ninety-six participants in the Conference have signed the Treaty. Among the thirty-one which have not yet signed the Treaty are the following: Algeria, Argentina, Australia, Brazil, Chile, Federal Republic of Germany, France, India, Indonesia, Israel, Italy, Japan, Pakistan, Portugal, South Africa, Spain, Switzerland, Turkey, and the United Republic of Tanzania.

The speeches in the general debate usually reflected the view that the Conference must necessarily deal with the problems left unsolved in the Treaty, as well as arising from the implementation of the Treaty. However, while the Conference objectives included those of the NPT, as the President stated in his inaugural address, they exceeded those of the NPT. In his words, "This Conference will fully recognize the fact that the Treaty has been concluded and signed by a large number of countries, but it cannot regard that Treaty as conclusive of the effort to prevent the spread of nuclear weapons or can the Conference regard the Treaty as ensuring the availability of all the peaceful applications of nuclear energy and technology to all nations."

This view was not challenged. On the contrary, it found its way into the agenda, where certain items, notably items 14(a) and 14(b) on programmes for co-operation in the field of peaceful uses of nuclear energy, refer to non-nuclear-weapon States in general, and not only to those which have signed the NPT. Some reservations were voiced on this point and others may be heard in the future. However, the predominant view in the Conference was that the States not Parties to the NPT had the same inherent right as the Parties to the Treaty to enjoy the benefits deriving from the peaceful applications of nuclear energy.

Security Guarantees

On security guarantees, while in principle the same view prevailed (India went so far as to say that any linking of security assurances to the signature of the NPT or any other treaty was contrary to the Charter), in practice there were many different positions reflecting a variety of situations. It will be a major task of the Conference to reconcile the different viewpoints (particularly of the non-aligned on one side and the members of alliances on the other) concerning security.
On one particular aspect of security there was, however, a large measure of consensus among non-nuclear-weapon States, namely, that the security arrangements associated with the NPT/Security Council Resolution 255 (1968) were unsatisfactory. Those arrangements, it was felt, were not only inadequate but also not quite dependable.

First, they consisted simply in declarations of intent which added nothing to the imperfect security system under the Charter. Second, the assurances provided by the USSR, the United Kingdom and the United States, instead of relating to the actual use or threat of use of nuclear weapons were related to "aggression", a concept which had never been defined. Moreover, action based on such assurances depended on Security Council procedures by which that body could be paralyzed. Truly, the three nuclear-weapon Powers had reaffirmed the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence until the Security Council had taken measures necessary to maintain international peace and security, but many non-aligned countries felt that collective assistance would in practice be available only to members of alliances or beneficiaries of unilateral guarantees outside the framework of the United Nations.

On the other hand, the three nuclear-weapon Powers had not renounced the use or the threat of use of nuclear weapons against non-nuclear weapon States. On this point, it was felt that possibilities existed to find a formula which would satisfy the legitimate expectations of the non-nuclear-weapon States, provided the nuclear-weapon Powers showed good will.

A number of countries, among them the FRG, Israel and Jugoslavia, warned that it was not enough to take measures against nuclear aggression or threat of aggression, since nuclear weapon States could resort to conventional weapons as well. The FRG, stressing that the renunciation of the use and threat of force in any form which might impair the territorial integrity and political independence of States should be universally re-affirmed, stated that it was prepared to submit proposals and cooperate in the elaboration of proposals by other States, with a view to achieving prohibition of any aggression or threat of aggression with nuclear, biological, chemical and conventional weapons.

Further Measures of Disarmament

Another view that found wide support at the Conference was that the NPT would mean very little unless, in accordance with Article VI of the Treaty, it was followed by other measures of nuclear disarmament leading
to GCD. Disarmament, in general, was treated as an aspect of the question of security of States. No new measures of disarmament have been put forth. The accent so far is on nuclear-weapon-free zones, conclusion of a comprehensive test ban, freeze on production of fissile material for weapon purposes, cessation of production of nuclear weapons and prohibition of their use. Several countries stated that the question of disarmament should be left to the General Assembly and the ENDC for consideration. This, of course, is not likely to prevent the Conference from making a number of recommendations on further disarmament measures.

**Peaceful Uses of Nuclear Energy**

The question of peaceful uses of nuclear energy was viewed by many as the area where the Conference could make its greatest contribution for a wider acceptance of the NPT. In plenary, as well as in the Committee debate, some significant points emerged, first and foremost that the benefits of nuclear energy should not remain the privilege of the few. Therefore, safeguards (Article III of NPT) should be confined to source and special fissionable material and be so applied as to protect each country against unwarranted interference and industrial espionage. To avoid discrimination, it would also be desirable, many participants felt, that all countries, without exception, should accept safeguards on peaceful nuclear activities. Concerning the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy (Article IV of NPT), the non-nuclear-weapon States more advanced in peaceful nuclear technology have begun to formulate concrete requests, above all about the technology of enriching uranium which, they felt, was indispensable for peaceful activities but still remained shrouded in secrecy.

Concerning the peaceful applications of nuclear explosions (Article V of NPT), it was recognized that the technique of such explosions was still in its infancy but that the prospects were encouraging. Therefore, it was necessary as of now to take adequate measures to ensure that the potential benefits from any such peaceful applications would be made available to non-nuclear weapon States on a non-discriminatory basis.

There was some discussion as to whether it would be necessary to set up a new international agency for the implementation of Articles IV and V of the NPT. The prevailing view seemed to be that it would be preferable to re-structure the IAEA and increase its financial resources to meet the new tasks. However, at this stage, the question is far from being settled.
Concluding remarks

The short time at the disposal of the Conference is likely to prevent it from going beyond formulating principles and guidelines. Of course, even recommendations in the fields of security, disarmament and development of peaceful uses of nuclear energy can have practical effect only to the extent that they are heeded by the nuclear-weapon Powers. Thus far, the latter have not participated in the debate, either in plenary or in Committees 1 and 2. It is expected, however, that they will make statements in both Committees in the next phase of the Conference. It would be in the interest of all States if the nuclear-weapon Powers were to use the Conference to explain and discuss with the non-nuclear-weapon Powers how its main goals can be achieved.

It is generally felt that in its final act the Conference should limit its recommendations to a very limited number of key issues. So far, in addition to a number of working papers, there are five draft resolutions before the Conference: one by Brazil inviting all States to enter into negotiations, at an appropriate forum, not later than 1 May 1969, for the conclusion of a General Convention through which the nuclear-weapon States shall undertake to give "positive and negative guarantees to all non-nuclear-weapon States"; one by Switzerland and one by Spain on safeguards; again one by Switzerland on effective access to advanced nuclear technology (including that relating to uranium enrichment) and on guaranteed access to fissionable materials; and one by Brazil on a study to be prepared by a group of experts appointed by the Secretary-General on the impact of nuclear technology on the economic and scientific advancement of developing countries.

One of the issues that the Conference is likely to deal with in its final act will be the implementation of Conference decisions. The establishment of machinery responsible for studying how best the recommendations of the Conference can be implemented and to prepare the work for future Conferences seems at this stage to be strictly connected with the question of how to achieve positive results. On this subject, the Conference has before it a working paper submitted by Italy.
<table>
<thead>
<tr>
<th>TO: U Thant, Secretary-General</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOR ACTION</td>
</tr>
<tr>
<td>FOR APPROVAL</td>
</tr>
<tr>
<td>FOR SIGNATURE</td>
</tr>
<tr>
<td>PREPARE DRAFT</td>
</tr>
<tr>
<td>FOR COMMENTS</td>
</tr>
<tr>
<td>MAY WE CONFER?</td>
</tr>
<tr>
<td>YOUR ATTENTION</td>
</tr>
<tr>
<td>AS DISCUSSED</td>
</tr>
<tr>
<td>AS REQUESTED</td>
</tr>
<tr>
<td>NOTE AND FILE</td>
</tr>
<tr>
<td>NOTE AND RETURN</td>
</tr>
<tr>
<td>FOR INFORMATION</td>
</tr>
</tbody>
</table>

Date: 7/10/68

FROM: L.N. Kutakov

DE: CR.13 (11-64)
Introduction

1. By resolution 2153 B (XXI) of 17 November 1966, the General Assembly decided to convene a Conference of Non-Nuclear-Weapon States to meet not later than July 1968 to consider the following and other related questions: "(a) How can the security of the non-nuclear-States best be assured? (b) How may non-nuclear Powers co-operate among themselves in preventing the proliferation of nuclear weapons? (c) How can nuclear devices be used for exclusively peaceful purposes?" By the same resolution, the General Assembly requested its President immediately to set up a preparatory committee, widely representative of the non-nuclear-weapon States, to make appropriate arrangements for convening the Conference and to consider the question of associating nuclear-weapon States with the work of the Conference, and report thereon to the General Assembly at its twenty-second session.

2. In accordance with the provisions of resolution 2153 B (XXI), the President of the twenty-first session of the General Assembly announced on 20 December 1966 that the preparatory committee would be composed of: Chile, Dahomey, Kenya, Kuwait, Malaysia, Malta, Nigeria, Pakistan, Peru, Spain, United Republic of Tanzania. The preparatory committee, under the chairmanship of Mr. Burudi Nabwera (Kenya), held a series of meetings between February - September 1967 and on 15 September 1967 adopted its report to the General Assembly (A/6817).
3. At its 1640th plenary meeting on 19 December 1967, the General Assembly adopted the following resolution:

"The General Assembly,

Recalling its resolution 2153 B (XXI) of 17 November 1966, by which it decided that a conference of non-nuclear-weapon States should be convened not later than July 1968,

Having considered with appreciation the report of the Preparatory Committee for the Conference of Non-Nuclear-Weapon States, I/

1. Approves the recommendations of the Preparatory Committee for the Conference of Non-Nuclear-Weapon States, subject to paragraph 2 below;

2. Decides to convene the Conference of Non-Nuclear-Weapon States at Geneva from 29 August to 28 September 1968;

3. Decides to invite to the Conference non-nuclear-weapon States Members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency;

4. Requests the Secretary-General to make appropriate arrangements for convening the Conference in accordance with the recommendations of the Preparatory Committee."

Organization of the Conference

4. The Conference was convened on 29 August 1968 at the Palais des Nations, Geneva. After the opening of the Conference by Mr. Vittorio Winspeare Guicciardi, Director-General of the United Nations Office at Geneva, the Conference elected as its President Mr. Arshad Husain, Minister for Foreign Affairs of Pakistan.

5. At its second plenary meeting, on 30 August, the Conference established the Credentials Committee, consisting of the following States: Australia, Bulgaria, Ceylon, Costa Rica, Ireland, Jamaica, Japan, Madagascar, Morocco. Mr. Sean P. Kinnon (Ireland) was elected Chairman of the Committee.

---

1/ A/6817.
Corrigendum to A/CONF. 35/10

1. Please add on Page 3, line 6
   Mr. M. A. Husain (India)

   Draft Final Document of the Conference.

3. Annex VI, Page 11, Conference referred these draft resolutions to be included in the Final document.
At the same meeting on 30 August 1968, the Conference elected Mr. Hector Gros Espiell (Uruguay) and Mr. Burudi Nabwora (Kenya) Chairman of the two Main Committees, Committee I and Committee II respectively.

At the same meeting, the Conference also elected twelve Vice-Presidents: Dr. Heinrich Haymerle (Austria), Mr. Julio Cesar Turbay Ayala (Colombia), Dr. José R. Martinez Cobo (Ecuador), Mr. Richard Maximilian Akwei (Ghana), Mr. S.E.M. Piero Vinci (Italy), Mr. Senjin Tsuruoka (Japan), Mr. George Macovescu (Romania), Mr. Eduardo De Laiglesia (Spain), Dr. Hussein Khallaf (United Arab Republic), Mr. Earle E. Sexton (United Republic of Tanzania) and Mr. Dimce Belovski (Yugoslavia).

At its sixteenth meeting on 16 September 1968, the Conference decided to set up a Drafting Committee composed of Algeria, Argentina, Brazil, Canada, Ghana, India, Italy, Japan, Mexico, Nigeria, Pakistan, Poland, Romania, Switzerland and Zambia. Mr. S.E.M. Piero Vinci (Italy) and Mr. Antonio Gómez Robledo (Mexico) were elected Chairman and Vice-Chairman respectively.

The Conference held a series of meetings between 29 August and 28 September 1968. Ninety-six countries participated in the Conference (Annex I). The International Atomic Energy Agency, the International Labour Organisation and the World Meteorological Organization were represented at the Conference by observers.

The delegations of Austria, Federal Republic of Germany, Italy, Pakistan, Somalia, Thailand and Uganda were represented by their Foreign Ministers.

Agenda of the Conference

In its report to the twenty-second session of the General Assembly, the Preparatory Committee had recommended a provisional agenda for the Conference (A/6817) which was circulated as a document of the Conference (A/CONF.35/L.2) (Annex II).

The General Committee of the Conference, at its first meeting, decided to recommend to the Conference modification in the items 11-15 of the provisional agenda. The agenda, as recommended by the General Committee,
was adopted by the Conference at its third plenary meeting on 3 September 1968 (Annex III). The Conference also decided to allocate agenda items 11, 12 and 13 to Committee 1, agenda item 14 to Committee 2, and agenda item 15 to the plenary.

**Rules of Procedure for the Conference**

12. In its report to the twenty-second session of the General Assembly, the Preparatory Committee had recommended the draft rules of procedure for the Conference (A/6817).

13. At its second plenary meeting, the Conference adopted the draft rules of procedure, as recommended by the Preparatory Committee, with one modification, namely, Rule 6 to be amended by the number of Vice-Presidents being increased from four to twelve (A/CONF.35/1).

**Work of the Conference**

14. The Conference held twenty plenary meetings. Of these, 15 meetings were taken up for the General Debate in which 54 delegations took the floor. Committee 1 held 22 meetings between 4 and 26 September 1968 and Committee 2 held 17 meetings between 4 and 25 September 1968. The reports of Committees 1 and 2 are annexed (Annex IV and V).

15. At the twentieth plenary meeting, the Conference approved the Report of the Credentials Committee (A/CONF.35/CR.1 and Add.1).

**Documentation**

16. The Conference had before it a large number of documents. Apart from the pre-conference documentation prepared by the Secretariat of the United Nations in accordance with resolution 2346 B (XXII) of the General Assembly, the Conference had several working papers and a substantial number of draft proposals in the Committees and in plenary. All these documents and the records of the Conference are annexed to this report (Annex VI).

**Decisions taken by the Conference**

17. The Conference adopted the following resolutions and declaration and authorizes the President of the Conference to transmit them to the Secretary-General of the United Nations:
I. Resolutions relating to items 11:

Measures to assure the security of non-nuclear-weapon States.

Resolution 1

The Conference of Non-Nuclear-Weapon States,

Aware that mankind will continue to be exposed to the danger of nuclear war and destruction as long as there exist nuclear weapons,

Considering the perspectives opened up by the Treaty on the Non-Proliferation of Nuclear Weapons which has been recommended by Resolution 2373 (XXII) of the United Nations General Assembly for the widest possible adherence to both nuclear-weapon and non-nuclear-weapon States,

 Conscious that all States, and in particular the non-nuclear-weapon States, will find lasting security only through general and complete disarmament by which all weapons, both nuclear and non-nuclear, will eventually be abolished, and that to this end a first condition is that the nuclear arms race be stopped.

Concerned that the basically unequal defensive capabilities of nuclear-weapon States and non-nuclear-weapon States must not jeopardize the inalienable right of every State to choose its political, economic, social and cultural system without interference in any form by other States,

Convinced that, therefore, the overriding principle of the non-use of force and the prohibition of the threat of force in relations between States, as expressed in Article 2 of the United Nations Charter, should be reaffirmed, and that this principle is indivisible and cannot be applied selectively, that every State has an equal and inalienable right to enjoy the protection afforded by this principle,

Convinced of the importance of the inherent right, recognized under Article 51 of the United Nations Charter, of individual or collective self-defence,

1. Reaffirms

   (i) the principle, indivisible in its application, of the non-use of force and the prohibition of the threat of force in relations between States by employing nuclear or non-nuclear weapons, and the belief that all States without exception have an equal and inalienable right to enjoy the protection afforded by this principle, recognized under Article 2 of the United Nations Charter;

   (ii) the right to equality, sovereignty, territorial integrity, non-intervention in internal affairs and self-determination of every State;
(iii) the inherent right, recognized under Article 51 of the United Nations Charter, of individual or collective self-defence which, apart from measures taken or authorized by the Security Council of the United Nations, is the only legitimate exception to the overriding principle of the non-use of force in relations between States.

2. Requests the nuclear-weapon States to reaffirm these principles on their behalf.

II. Resolutions relating to item 12:

Establishment of nuclear-weapon-free zone.

Resolution B

The Conference of Non-Nuclear-Weapon States,

Considering that the establishment of nuclear-weapon-free zones, on the initiative of the States situated within each zone concerned, is one of the measures which can contribute most effectively to halting the proliferation of those instruments of mass destruction and to promoting progress towards nuclear disarmament,

Noting that a nuclear-weapon-free zone is of benefit to the security and economic development of the States within the zone, since it frees their territories from the danger of nuclear attacks and avoids the squandering of their resources on the production of nuclear armaments,

Taking into account the conclusions which follow from resolutions 1911 (XVIII) and 2033 (XX) of the United Nations General Assembly,

Recalling that General Assembly resolution 2028 (XX) established the principle of an acceptable balance of mutual responsibilities and obligations of the nuclear-weapon and non-nuclear-weapon States,

Recalling further that in resolution 2153A (XXI) the General Assembly expressly called upon all nuclear-weapon Powers to refrain from the use, or the threat of use, of nuclear weapons against States which might conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories,

Convinced that, for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, the co-operation of the nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol,

Observing that the Treaty for the Prohibition of Nuclear Weapons in Latin America, or Treaty of Tlatelolco, has already established a nuclear-weapon-free zone comprising territories densely populated by man,
Noting that Additional Protocol II of that Treaty defines the following obligations to be assumed by the nuclear-weapon States:

(a) to respect "in all its express aims and provisions" the "status of denuclearization of Latin America in respect of warlike purpose, as defined, delimited and set forth" in the Treaty of Tlatelolco;
(b) "not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the treaty applies",
and
(c) "not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty",

Recalling that in resolution 2286 (XXII) the General Assembly invited Powers possessing nuclear weapons "to sign and ratify Additional Protocol II of the Treaty as soon as possible",

Recommends all non-nuclear-weapon States not comprised in the zone established by the Treaty of Tlatelolco to initiate or continue such studies as they may deem opportune concerning the possibility and desirability of establishing by treaty the military denuclearization of their respective zones, provided that political and security conditions permit.

- B -
1. Regrets the fact that not all the nuclear-weapon States have yet signed Additional Protocol II to the Treaty of Tlatelolco;
2. Urges the nuclear-weapon Powers to comply in full with paragraph 4 of resolution 2286 (XXII) adopted by the United Nations General Assembly on 5 December 1986.

III. Resolutions relating to item 13:

Effective measures for the prevention of further proliferation of nuclear weapons, the cessation of the nuclear arms race at an early date and nuclear disarmament:

(a) Safeguards against the diversion of source and special fissionable material from peaceful to military uses, and safeguards against industrial espionage
(b) Submission of periodic reports by countries, to an international agency, on the nature of nuclear technical assistance and the nature and extent of special fissionable material supplied by them to non-nuclear-weapon States for peaceful purposes.
(c) Conclusion of a comprehensive test ban treaty
(d) Freeze on production of fissile materials for weapon purposes and the cessation of the manufacture of nuclear weapons.
Resolution C

The Conference of Non-Nuclear-Weapon States,

Having discussed the question of "Effective measures for the prevention of further proliferation of nuclear weapons, the cessation of the nuclear arms race at an early date and nuclear disarmament".

Bearing in mind that the achievement of the goal of nuclear non-proliferation necessitates the adoption of measures to prevent both horizontal and vertical proliferation,

Recognizing the growing concern of world opinion at the continuous expansion of research and development relating to new nuclear weapons,

Mindful of the report of the Eighteen-Nation Committee on Disarmament to the United Nations General Assembly of 28 August 1968 (ENDC/236),

Convinced that an agreement on nuclear disarmament would be facilitated by the adoption of various collateral measures,

Considering that such collateral measures should promote general and complete disarmament under international control,

Requests the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, to undertake negotiations for:

(a) the prevention of the further development and improvement of nuclear weapons and their delivery vehicles;

(b) the conclusion of a comprehensive test ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority;

(c) reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons;

(d) the reduction and subsequent elimination of all stockpiles of nuclear weapons and their delivery systems.

Resolution D

The Conference of Non-Nuclear-Weapon States,

Noting the agreement reached between the Governments of the USSR and the United States in July 1968 to enter in the nearest future into bilateral discussion on the limitation of both offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles,
Observing that such discussions have not yet taken place,

Recalling that Article VI of the Treaty on Non-Proliferation of Nuclear Weapons embodies an undertaking of the Parties to the Treaty to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Convinced that negotiations between the two nuclear-weapon powers should aim at, and lead to, negotiations among all such powers with a view to the cessation of the nuclear arms race and to the achievement of nuclear disarmament and relaxation of tensions,

Deeply concerned at the imminent danger of a renewal of the strategic nuclear arms race and its escalation to new levels which would become uncontrollable and of the consequent grave threat to the security of all States,

Emphasizing the special responsibility of the United States and the USSR to avert that danger,

Conscious of the vital need of mankind for a diversion to peaceful purposes of the resources at present consumed by the maintenance and augmentation of nuclear destructive power,

Urges the Governments of the USSR and the United States to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles.

Resolution E

The Conference of Non-Nuclear Weapon States,

Convinced that the proliferation of nuclear weapons would endanger the security of all States,

Recognizing the urgency and great importance of preventing the proliferation of nuclear weapons,

Recognizing further that the danger continues to exist that an increase in the number of States possessing nuclear weapons may occur, aggravating international tension and the difficulty of maintaining regional and world peace and security,

Mindful that the International Atomic Energy Agency is most suited to administer safeguards designed to prevent the diversion of source or special fissionable material from peaceful uses to the production of nuclear weapons or other nuclear explosive devices,
Recommends the acceptance of the IAEA system of safeguards, as may be evolved from time to time, by all the non-nuclear-weapon States, as set forth in an agreement to be negotiated and concluded with the IAEA in accordance with its safeguards system which would provide against diversion of source or fissionable material whether it is produced, processed or used in any principal nuclear facility or is outside any such facility established with or without the assistance of the IAEA, including these principal nuclear facilities which may have been established in pursuance of any bilateral or multilateral arrangements, as a step towards the non-proliferation of nuclear weapons.

Resolution F

The Conference of Non-Nuclear-Weapon States,

Considering that the non-proliferation of nuclear weapons is regarded as a step towards effective nuclear disarmament and a contribution to international co-operation in the peaceful uses of nuclear energy,

Recalling that both nuclear-weapon and non-nuclear-weapon States carry the responsibility of acting in accordance with the principle of the Charter, including the principle that the sovereign equality of all States should be respected,

Considering that, because of the present structure of the International Atomic Energy Agency, many countries are not adequately represented in the Board of Governors, which is the organ responsible for safeguards in that Agency,

Considering that any system of collective inspection must be based on the principle that every country inspected must be adequately represented in the body responsible for carrying out the inspections,

Considering also that it is necessary to improve and simplify the safeguards system at present being applied by IAEA so that it can better discharge its new responsibilities,

Emphasizing the desirability of promoting activities for the establishment of a modern and efficient safeguards system based on supervision of the flow of fissionable materials by means of instruments and other techniques at certain strategic points.
1. **Recommends** the establishment, within the International Atomic Energy Agency and under its Board of Governors, of institutional machinery on safeguards of which both countries supplying nuclear materials, as well as member countries whether possessing nuclear facilities or not, shall form part;

2. **Recommends** to IAEA that, in the process of improving and simplifying the safeguards system, **inter alia**, the following objectives be given appropriate consideration:

   (a) The safeguard procedures should be simplified by the use of instruments and other technical devices at certain strategic points of the flow of nuclear materials, with a view to restricting the safeguarding operations to the necessary minimum;

   (b) Simplification of safeguards in respect of fissionable materials in small quantities for use in scientific research;

   (c) Incorporation in the agreements of the rules laid down against industrial risks, including industrial espionage, by the Statute of IAEA, the decisions of the Board of Governors and directives of the Director General, particularly with regard to the possibility of challenging inspectors;

3. **Urges** the nuclear-weapon Powers to conclude with IAEA safeguard agreements consistent with the relevant rules;

4. **Considers it essential** that rules should be drawn up to avoid duplication of safeguard procedures and consequent commercial discrimination;

5. **Invites** the Secretary-General of the United Nations, Secretary-General of the Conference, to communicate this resolution to the International Atomic Energy Agency, together with the records of the discussions thereon and other relevant documents.

IV. **Resolutions relating to item 14:**

   Programmes for co-operation in the field of peaceful uses of nuclear energy:

   (a) Access to and exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy among non-nuclear-weapon States and nuclear-weapon States

   (b) Assistance and co-operation in development of the application of nuclear energy for peaceful purposes, in the territories of the non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world
Resolution G

The Conference of non-nuclear-weapon States,

Considering that nuclear energy has opened up new perspectives for the progress of mankind, and especially for the economic and scientific advancement of developing countries,

Having in mind the conclusions of the Board of Governors of the IAEA, contained in the latest Report of the Agency (doc. GC(XI)/362), in which it is observed that many developing countries are not sufficiently aware of the contribution which atomic energy can bring to the development of their economies,

Believing that the peoples of the world, and especially the peoples of the developing countries, should be made fully aware of the present and potential opportunities,

Noting the interest in acquiring a thorough knowledge of the various aspects of the question of peaceful applications of nuclear energy, as reflected in the deliberations of the Conference of Non-Nuclear-Weapon States.

1. Requests the Secretary-General of the United Nations to appoint a group of experts, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries;

2. Recommends the Secretary-General to draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report;

3. Requests the Secretary-General to transmit the report to the Governments of States members of the United Nations, its specialized agencies and IAEA in time to permit its consideration at the twenty-fourth regular session of the General Assembly.
Resolution H

The Conference of Non-Nuclear-Weapon States,

Recalling resolutions 2028 (XX), 2153 B (XXI), 2346 B (XXII), and 2373 (XXII) of the United Nations General Assembly,

Mindful of the relevant articles of the Statute of the International Atomic Energy Agency,

Recognizing that many speakers have emphasized their Government's increasing interest in the peaceful uses of nuclear energy for economic and social development, an interest further stimulated by Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons and compatible with recent advances in the technology of nuclear power,

Recalling also that Article V of the Treaty calls for appropriate international procedures in order for non-nuclear-weapon States to receive the potential benefits arising from any peaceful applications of nuclear explosions,

Noting the International Atomic Energy Agency's activities to carry out the function of stimulating international exchange of scientific and technological information and its efforts to assist developing countries in their efforts to acquire technical capabilities in the field of peaceful uses of nuclear power,

Noting that the Agency during the decade of its existence has gained valuable experience in carrying out these functions and has therefore already enlarged the contribution of atomic energy for peace, health and prosperity throughout the world,

Taking note of the fact that several delegations have expressed the opinion that the membership of the Board of Governors of the International Atomic Energy Agency should be enlarged so as to reflect equitable geographical distribution,

Aware that Member States of the Agency have agreed to place certain amounts of fissionable materials at the disposal of the Agency, for use in Agency projects,
I

Calls upon the Agency to continue its utmost efforts for compilation and dissemination of public information concerning the peaceful uses of nuclear energy, including those related to the peaceful application of nuclear explosions;

Recommends that the Agency study appropriate international arrangements to facilitate exchange of scientific and technical information which have commercial or industrial value and are not publicly available, so as to make it possible for the countries with interest to know of the existence and outline of such information and to enable the interested parties to enter into negotiations about the acquisition of such information with the owners thereof;

Invites the nuclear-weapon States to advise the Agency at regular intervals as to the possibility of their declassifying scientific and technical information which has become essential for the development of the peaceful uses of nuclear energy, as soon as there is no longer any reason for its classification on national security grounds, bearing in mind all the benefits to be derived from the dissemination of scientific knowledge.

II

Recommends that the Agency study further the ways and means of increasing the funds available for technical assistance, taking into full consideration the views of the interested countries, particularly those of the developing countries, expressed in this Conference;

III

Recommends that the Agency study the most effective means of ensuring access to special fissionable materials on commercial basis;

Urges the nuclear-weapon States to facilitate, to the fullest extent possible, the availability of fissionable materials for the peaceful nuclear programmes of the non-nuclear-weapon States accepting the application of safeguards as envisaged in Article III of the Treaty;

IV

Recommends that the Agency, in relation to the question of nuclear explosions for peaceful purposes, initiate necessary studies that are deemed advisable on its possible functions in this field;
V

Expresses its assumption that the Agency will examine at an appropriate time its procedures and arrangements, as well as the question of the composition of the Board of Governors, with a view to adapting them as necessary in the light of its new responsibilities.

VI

Requests the Secretary-General of the United Nations to bring this resolution to the attention of the Agency, together with the relevant records of the proceedings of the Conference of Non-Nuclear-Weapon States and the relevant proposals submitted thereto;

Invites the Agency to bear the present resolution in mind in preparing its annual reports for the General Assembly.

Resolution I

The Conference of Non-Nuclear-Weapon States,

Considering that nuclear power technology and the uses of radiation sources and radionuclides in the fields of agriculture, hydrology, medicine and industry have been developed to the extent that they can accelerate the programmes of economic development of a large number of developing countries,

Realizing that the nuclear projects are generally capital intensive and require a well-trained corps of nuclear scientists, engineers and technicians,

Noting that the technical assistance provided by the IAEA through voluntary contributions of the Member States, has fallen short of the demands made by developing Member States of the Agency, for fellowships, services of experts, equipment and materials,

Aware of the difficulties experienced by a large number of developing countries in securing financial support for the nuclear projects and training of their personnel for the operation and maintenance of those projects, even when such projects have been found to be technically feasible and economically viable.

Recommends that the IAEA should undertake to examine the basis on which arrangements can be made by the Agency to secure finances from international sources for the creation of a Special Nuclear Fund (SNF) to be made available in the form of (a) grants and (b) low-interest bearing loans, repayable over long periods of time, for
financing the nuclear projects which have been found by the Agency to be technically feasible and economically viable in the territories of non-nuclear-weapon states which are members of the Agency, particularly those in the developing areas of the world, and which may make request to the Agency under the provisions of Article XI B of the Agency's Statute.

Resolution J

The Conference,

Convinced that non-nuclear-weapon States have the inalienable right to use nuclear energy for their technological and economic development,

Considering that non-nuclear-weapon States should have full access on a non-discriminatory basis to equipment, materials and scientific and technological information for the peaceful applications of nuclear energy,

Mindful that international co-operation should play a decisive role in disseminating the peaceful applications of nuclear energy,

Considering that it is urgently necessary to increase multilateral assistance and co-operation in order to promote and facilitate those applications.

Recognizing the desirability of strengthening existing activities and establishing new programmes designed to effect a rapid increase in the use of nuclear energy for peaceful purposes,

Noting that international co-operation with a view to the peaceful utilization of nuclear energy is at present limited by the shortage of financial resources at the disposal of developing non-nuclear-weapon States and by the fact that it is not given priority in the programmes of the various suppliers of international finance,

Expressing its conviction that the financial resources and fissionable materials released by the adoption of nuclear disarmament measures should also be used to serve the economic development of the developing countries, and especially their technological and scientific progress,

Considering that the existence of an adequate supply of special fissionable materials is one of the essential conditions for the peaceful utilization of nuclear energy,

Observing that although some nuclear countries, pursuant to article IX of the Statute of the International Atomic Energy Agency, have made various quantities of special fissionable materials available to the Agency, an increasing demand by non-nuclear weapon States for such materials can be foreseen for the future, and that it is therefore necessary to keep an adequate reserve accessible to those States,
A

1. Requests the United Nations General Assembly to consider at its twenty-third regular session the establishment, within the United Nations Development Programme, of a "Nuclear Technology Research and Development Programme" to be executed as a matter of priority with the co-operation of the International Atomic Energy Agency for the benefit of the developing countries;

2. Requests the International Bank for Reconstruction and Development to consider, at the next meeting of its Board of Governors, the establishment for the benefit of the developing countries of a "Programme for the Use of Nuclear Energy in Economic Development Projects" which would be a matter of priority and under which finance would be granted on the most favourable terms as regards interest and repayment periods;

3. Invites the nuclear-weapon States to assume the main responsibility for financing the two programmes;

B

1. Requests the General Conference of the International Atomic Energy Agency to consider at its next meeting the establishment of a "Fund of Special Fissionable Materials" for the benefit of non-nuclear-weapon States and in particular of developing countries;

2. Invites the nuclear-weapon States to give a firm undertaking regarding the supply of such materials to the "Fund" at reasonable prices and in adequate quantities at the request of non-nuclear-weapon States;

C

Also recommends the nuclear-weapon States, independently of the contributions provided for in paragraphs A3 and B2, to channel into the Programmes and Fund proposed above a substantial share of such financial resources and special fissionable materials as may be released in the future as a result of the adoption of nuclear disarmament measures.

Resolution K

The Conference of Non-Nuclear-Weapon States,

Recalling that Article III of the Statute of the International Atomic Energy Agency has the following aims:

"1. To encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world; and, if requested to do so, to act as an intermediary for the purposes of securing the performance of services or the supplying of materials, equipment, or facilities by one member of the Agency for another; and to perform any operation or service useful in research on, or development or practical application of, atomic energy for peaceful purposes;
2. To make provision, in accordance with this Statute, for materials, services, equipment, and facilities to meet the needs of research on, and development and practical application of, atomic energy for peaceful purposes; including the production of electric power, with due consideration for the needs of the under-developed areas of the world;

3. To foster the exchange of scientific and technical information on peaceful uses of atomic energy;

4. To encourage the exchange and training of scientists and experts in the field of peaceful uses of atomic energy;

Appreciating the work already done by the Agency in this field;

Noting however the wide dissatisfaction expressed by participants in the Conference of Non-Nuclear-Weapon States with regard to the unrepresentative nature of the Agency and that the views of the developing countries are not fully given expression;

"Recommends to the Agency that representation on its Board of Governors be broadened so as to reflect equitable geographical distribution and the views of a broad spectrum of the developing countries."

Resolution L

The Conference of Non-Nuclear-Weapon States,

(a) Recognizing the importance and urgency of halting all nuclear-weapon tests by the rapid conclusion of a comprehensive test ban treaty,

(b) Aware that, with further technological progress, important benefits may be derived from the peaceful uses of nuclear explosives,

(c) Bearing in mind the discrimination and different treatment of States inherent in the present situation, allowing nuclear-weapon States to conduct without international conference any project in the field of nuclear explosions, the only internationally formalized limitation being the rules of the Partial Test Ban Treaty, while other States would be able to obtain the benefits from nuclear explosions for peaceful purposes only in an indirect way under the rules of Article V of the Non-Proliferation Treaty,

(d) Convinced therefore of the urgent need on the one hand to obtain, a comprehensive test ban treaty, prohibiting in principle all nuclear explosions, on the other hand, to create, in a separate international instrument, a régime, aiming at regulating and controlling, internationally, all explosions for peaceful purposes as exceptions from the general prohibition under the comprehensive test ban,
(e) Noting the Joint Memorandum on a comprehensive test ban treaty presented on 26 August 1968 to the Conference of the Eighteen-Nation Committee on Disarmament by the delegations of Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden and the United Arab Republic.

Endorses the opinion expressed in that document that the question of nuclear explosions for peaceful purposes is also closely linked with a comprehensive test ban, this aspect of the matter underlining the urgency of a universal and comprehensive solution of the problem of nuclear explosions for peaceful purposes compatible with a comprehensive test ban treaty.

Resolution M

The Conference of Non-Nuclear-Weapon States,

Believing that freedom of access to scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy, as well as access to scientific and technological information in the nuclear field among the non-nuclear-weapon States and between the non-nuclear-weapon States and the nuclear-weapon States, leads to the promotion of nuclear technology;

Realizing that technical assistance rendered by nuclear-weapon States and such non-nuclear-weapon States as have advanced in the field of nuclear technology through bilateral or multilateral channels, to those non-nuclear-weapon States which are less advanced, helps them to acquire the benefits of nuclear technology;

Considering the importance of strengthening all possible measures to prevent the proliferation of nuclear weapons,

Requests all nuclear-weapon States and those non-nuclear-weapon States which are in a position to do so, to provide access for students and scientists for purposes of training and acquisition of knowledge on a non-discriminatory basis to their scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy.

V RESOLUTION AND DECLARATION RELATING TO ITEM 15

Adoption of Final Document and Implementation of Conference Decisions

Resolution N

The Conference of Non-Nuclear-Weapon States,

Considering that, in order to ensure that its aims are fully achieved, it is necessary to establish a procedure for the preparation of the studies and drafts called for in the recommendations adopted by the Conference,
Bearing in mind that the multiplicity and importance of the resolutions adopted by the Conference call for the continuity of the work undertaken,

Invites the General Assembly, at its present session, to consider the best ways and means for the implementation of the decisions taken by the Conference, and the continuity of the work undertaken, and at a subsequent session, to consider the question of the convening of a second Conference of Non-Nuclear-Weapon States.

0: DECLARATION OF THE CONFERENCE OF NON-NUCLEAR-WEAPON STATES

The Conference of Non-Nuclear-Weapon States, with the participation of [names of countries] and also of France, the Union of Soviet Socialist Republics, the United Kingdom and the United States, was held in Geneva from 29 August to 28 September 1968.

Guided by the conviction that peace and security, like development in the world, are indivisible, and recognizing the universal responsibilities and obligations in this regard, the Conference addressed itself to the problems of universal peace and, in particular, the security of non-nuclear-weapon States, cessation of the nuclear arms race, general and complete disarmament and harnessing of nuclear energy exclusively for peaceful purposes, and has agreed on the following:

1. The participants of the Conference noted that there was a general acceptance of the fact that the future of mankind cannot be secure without the complete elimination of the use or threat of use of force in the spirit of the United Nations Charter. The Conference agreed that peace and progress could not be safeguarded for any nation unless the security of all nations is assured. The Conference stresses the necessity of further steps for an early solution of the question of security assurances in the nuclear era.

2. The participants consider as their sacred duty to appeal to all countries of the world to observe the United Nations Charter and the generally accepted norms of international law governing relations among States.

3. The Conference considers that an immediate cessation of the arms race and the acceleration of the process of nuclear disarmament and general and complete disarmament under effective international control are indispensable for the safeguarding of world peace and security, independence and economic progress of all countries.

* See Annex I
The Conference recommends that, pending the achievement of general and complete disarmament under effective international control, steps be undertaken urgently with a view to reaching agreements on various collateral measures.

4. In this context, the Conference has noted the Treaty on the Non-Proliferation of Nuclear Weapons, which was commended by United Nations General Assembly resolution 2372 (XXII). The Conference considers that the Treaty should be followed up by measures of disarmament, in particular nuclear disarmament.

5. The Conference considers that nuclear weapon-free zones, established under appropriate conditions, constitute an effective contribution to the prevention of the proliferation of nuclear weapons and to the promotion of disarmament. It notes with satisfaction the progress already achieved with regard to nuclear-weapon-free zones established by the Treaty for the Prohibition of Nuclear Weapons in Latin America.

6. The Conference further considers that possibilities for the peaceful use of nuclear energy have increased, which is of particular importance for the economic development of non-nuclear-weapon countries and for an accelerated development of the developing countries. It is imperative to ensure conditions which would promote the peaceful uses of nuclear energy, encourage international co-operation in this area, ensure unhampered flow of nuclear materials under appropriate and effective international safeguards, as well as information, scientific knowledge and advanced nuclear technology exclusively for peaceful purposes on a non-discriminatory basis. The Conference stresses the importance of the potential use of nuclear explosive devices for peaceful purposes within appropriate and effective international safeguards which should be prepared as soon as possible and under strict international control.

The Conference reiterates the need for appropriate international assistance, including financing, for the purposes of greater application of the peaceful uses of nuclear energy. In this respect the Conference underlines the necessity of an active co-operation and co-ordination of the programmes of all international organizations and agencies concerned with the development of developing countries. At the same time it recognizes the important role of the IAEA whose resources should be increased, but which should adapt itself adequately for its further responsibilities.

The Conference is, therefore, of the view that all nations and particularly nuclear-weapon Powers should accordingly be urged to facilitate international
co-operation in the use of nuclear energy for peaceful purposes. At the same time, every assistance should be given to develop the indigenous facilities for research and application of scientific knowledge for peaceful purposes to meet the challenge of modernization and progress which confront the developing nations.

7. The Conference notes with satisfaction the spirit of co-operation which prevailed among participants in the Conference and expresses the hope that this co-operation would be further developed among the non-nuclear-weapon States and between them and the nuclear-weapon States in the interests of world peace and progress.

8. Bearing in mind the complexity of the problems mentioned above and the need for their further consideration, the Conference recommends to the General Assembly of the United Nations the continuation of the efforts to deal with these problems, considering the best ways and means for the implementation of the decisions taken by the Conference, including the consideration of the question of convening another Conference at an appropriate time.

9. The participants of the Conference wish to reaffirm, on this occasion also, their full adherence to the principles of the United Nations Charter and to the obligations assumed on the basis thereof. They confirm their determination to contribute through concrete efforts to the constant strengthening of the Organization of the United Nations and to the acceptance of its principles, as well as to the implementation of its noble objectives.
<table>
<thead>
<tr>
<th>Countries</th>
<th>Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>Ireland</td>
</tr>
<tr>
<td>Algeria</td>
<td>Israel</td>
</tr>
<tr>
<td>Argentina</td>
<td>Italy</td>
</tr>
<tr>
<td>Australia</td>
<td>Ivory Coast</td>
</tr>
<tr>
<td>Austria</td>
<td>Jamaica</td>
</tr>
<tr>
<td>Belgium</td>
<td>Japan</td>
</tr>
<tr>
<td>Bolivia</td>
<td>Jordan</td>
</tr>
<tr>
<td>Brazil</td>
<td>Kenya</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>Kuwait</td>
</tr>
<tr>
<td>Burma</td>
<td>Laos</td>
</tr>
<tr>
<td>Burundi</td>
<td>Lebanon</td>
</tr>
<tr>
<td>Cameroon</td>
<td>Liberia</td>
</tr>
<tr>
<td>Canada</td>
<td>Libya</td>
</tr>
<tr>
<td>Ceylon</td>
<td>Liechtenstein</td>
</tr>
<tr>
<td>Chile</td>
<td>Luxembourg</td>
</tr>
<tr>
<td>China</td>
<td>Madagascar</td>
</tr>
<tr>
<td>Colombia</td>
<td>Malta</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>Mauritius</td>
</tr>
<tr>
<td>Czechoslovakia</td>
<td>Mexico</td>
</tr>
<tr>
<td>Dahomey</td>
<td>Mongolia</td>
</tr>
<tr>
<td>Denmark</td>
<td>Morocco</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>Netherlands</td>
</tr>
<tr>
<td>Ecuador</td>
<td>New Zealand</td>
</tr>
<tr>
<td>El Salvador</td>
<td>Nicaragua</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>Nigeria</td>
</tr>
<tr>
<td>Federal Republic of Germany</td>
<td>Norway</td>
</tr>
<tr>
<td>Finland</td>
<td>Pakistan</td>
</tr>
<tr>
<td>France</td>
<td>Panama</td>
</tr>
<tr>
<td>Ghana</td>
<td>Paraguay</td>
</tr>
<tr>
<td>Greece</td>
<td>Peru</td>
</tr>
<tr>
<td>Guatemala</td>
<td>Philippines</td>
</tr>
<tr>
<td>Hungary</td>
<td>Poland</td>
</tr>
<tr>
<td>India</td>
<td>Portugal</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Republic of Korea</td>
</tr>
<tr>
<td>Iran</td>
<td>Republic of Viet-Nam</td>
</tr>
<tr>
<td>Iraq</td>
<td>Romania</td>
</tr>
<tr>
<td>San Marino</td>
<td>Saudi Arabia</td>
</tr>
<tr>
<td>Somalia</td>
<td>South Africa</td>
</tr>
<tr>
<td>Southern Yemen</td>
<td>Spain</td>
</tr>
<tr>
<td>Sweden</td>
<td>Switzerland</td>
</tr>
<tr>
<td>Syria</td>
<td>Thailand</td>
</tr>
<tr>
<td>Trinidad and Tobago</td>
<td>Turkey</td>
</tr>
<tr>
<td>Tunisia</td>
<td>Uganda</td>
</tr>
<tr>
<td>United States of America</td>
<td>Union of Soviet Socialist Republics</td>
</tr>
<tr>
<td>United Arab Republic</td>
<td>United Kingdom of Great Britain and Northern Ireland</td>
</tr>
<tr>
<td>United Republic of Tanzania</td>
<td>United Republic of Tanzania</td>
</tr>
<tr>
<td>United Kingdom of Great Britain and Northern Ireland</td>
<td></td>
</tr>
<tr>
<td>Uruguay</td>
<td>Venezuela</td>
</tr>
<tr>
<td>Yemen</td>
<td>Yemen</td>
</tr>
<tr>
<td>Yugoslavia</td>
<td>Yugoslovakia</td>
</tr>
<tr>
<td>Zambia</td>
<td>Zambia</td>
</tr>
<tr>
<td>Observers</td>
<td>IAEA</td>
</tr>
<tr>
<td></td>
<td>ILO</td>
</tr>
<tr>
<td></td>
<td>WMO</td>
</tr>
</tbody>
</table>
PROVISIONAL AGENDA

1. Opening of the Conference
2. Election of the President
3. Adoption of the rules of procedure (A/CONF.35/L.1)
4. Appointment of Credentials Committee
5. Election of Chairmen of Main Committees
6. Election of Vice-Presidents
7. Election of other Conference officers
8. Adoption of the agenda
9. Programme of work
10. General debate
11.* Methods of assuring the security of non-nuclear-weapon States
   (a) Conclusion of an international convention under which nuclear-weapon States undertake not to use or threaten the use of nuclear weapons against States which have unconditionally renounced the production, acquisition and use of nuclear weapons
   (b) Security guarantees through international agreements against a threat or use of nuclear weapons against a non-nuclear-weapon State which has renounced the production, acquisition and use of nuclear weapons
   (c) Establishment of nuclear-free zones
   (d) Declaration by nuclear-weapon States, jointly or severally, to protect the non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons against threat or use of nuclear weapons
   (e) Other methods
   (f) Procedure for implementing these measures and invoking such guarantees
12.* Implications of production and acquisition of nuclear weapons by non-nuclear-weapon States
   (a) Security implications
   (b) Economic implications
13. *Prevention of the proliferation of nuclear weapons through co-operation among non-nuclear-weapon States

(a) The question of the renunciation of the production, acquisition and/or use of nuclear weapons by non-nuclear-weapon States in the context of non-proliferation

(b) Co-operation among non-nuclear-weapon States in avoiding the presence of nuclear weapons on their territory, including the establishment of nuclear-free zones

(c) Consideration of an international convention by non-nuclear-weapon States to undertake the prevention of the production, acquisition and use of nuclear weapons

(d) Reciprocal inspections on a bilateral basis and multilateral inspections by an international agency, of nuclear establishments for peaceful purposes, in the territory of non-nuclear-weapon States and safeguards against industrial espionage through such inspections

(e) The question of nuclear explosions for peaceful purposes by non-nuclear-weapon States and the possibility of misuse of such technology for the production of nuclear weapons

(f) Submission of periodic reports by countries, to an international agency, on the nature and the extent of nuclear technical assistance and fissionable material supplied by them to non-nuclear-weapon States for peaceful purposes

14. *Programmes for the peaceful uses of nuclear energy

(a) Access for non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons to technology for peaceful uses of nuclear energy

(b) Assistance to non-nuclear weapon States which have renounced the production, acquisition and use of nuclear weapons in the implementation of programmes of peaceful uses of nuclear energy

(c) The question of peaceful explosions for the benefit of non-nuclear-weapon States

15. *Implementation of Conference decisions

16. Adoption of the Final Act of the Conference

* Item recommended by the Preparatory Committee for the Conference of Non-Nuclear-Weapon States (A/6817, annex I) and approved by the General Assembly (resolution 2346 B (XXII)).
AGENDA

1. Opening of the Conference
2. Election of the President
3. Adoption of the rules of procedure (A/CONF.35/1)
4. Appointment of Credentials Committee
5. Election of Chairmen of Main Committees
6. Election of Vice-Presidents
7. Election of other Conference Officers
8. Adoption of the agenda
9. Programme of work
10. General debate
11. Measures to assure the security of non-nuclear-weapon States
12. Establishment of nuclear-weapon free zones
13. Effective measures for the prevention of further proliferation of nuclear weapons, the cessation of the nuclear arms race at an early date and nuclear disarmament:
   (a) Safeguards against the diversion of source or special fissionable material from peaceful to military uses, and safeguards against industrial espionage
   (b) Submission of periodic reports by countries, to an international agency, on the nature of nuclear technical assistance and the nature and extent of special fissionable material supplied by them to non-nuclear-weapon States for peaceful purposes
   (c) Conclusion of a comprehensive test ban treaty
   (d) Freeze on production of fissile materials for weapon purposes and the cessation of the manufacture of nuclear weapons
14. Programmes for co-operation in the field of peaceful uses of nuclear energy:
   (a) Access to and exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy among non-nuclear-weapon States and nuclear-weapon States
(b) Assistance and co-operation in development of the application of nuclear energy for peaceful purposes, in the territories of the non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world

c) The question of nuclear explosions for peaceful uses

d) Benefits from peaceful applications of nuclear explosions to non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons pursuant to special international agreement or agreements through an appropriate international body or through bilateral arrangements

15. Adoption of Final Document and implementation of Conference decisions.
Report of Committee 1

Rapporteur: Mr. Abdul Samed GAUS (Afghanistan)

1. At its third plenary meeting, on 3 September 1968, the Conference of Non-Nuclear-Weapon States, on the recommendation of the General Committee (A/CONF.35/GC.1), decided that the following items of its agenda (A/CONF.35/2) be allocated to Committee 1 for consideration and report:

11. Measures to assure the security of non-nuclear-weapon States
12. Establishment of nuclear-weapon-free zones
13. Effective measures for the prevention of further proliferation of nuclear weapons, the cessation of the nuclear arms race at an early date and nuclear disarmament:
   (a) Safeguards against the diversion of source or special fissionable material from peaceful to military uses, and safeguards against industrial espionage
   (b) Submission of periodic reports by countries, to an international agency, on the nature of nuclear technical assistance and the nature and extent of special fissionable material supplied by them to non-nuclear-weapon States for peaceful purposes
   (c) Conclusion of a comprehensive test ban treaty
   (d) Freeze on production of fissile materials for weapon purposes and the cessation of the manufacture of nuclear weapons.

2. These items were considered by Committee 1 at 22 meetings from 4 to 26 September 1968.

3. The following draft resolutions were submitted under item 11 of the agenda:
   (a) A draft resolution submitted on 13 September by Brazil (A/CONF.35/C.1/L.3) by which the Conference would invite all States to enter into negotiations, at an appropriate forum, not later than 1 May 1969, for the conclusion of a general convention through which the nuclear-weapon States should undertake to give positive and negative guarantees to all non-nuclear-weapon States. Subsequently Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela submitted revised texts (A/CONF.35/C.1/L.3/Rev.1 and 2). By the latter draft resolution the Conference would: (1) recommend that the General Assembly of the United Nations, at its twenty-third session, in order to achieve a solution to the problem of the security of non-nuclear-weapon States, convene as soon as possible a conference with the participation of all States Members of the United Nations, members of its specialized agencies and of the International Atomic Energy Agency, and all nuclear-weapon States, for the purpose of concluding a multilateral instrument whereby the nuclear-weapon States would undertake to adopt the
appropriate measures to assure the security of all non-nuclear-weapon States;
(2) request the Executive Secretary of the Conference to transmit the text of the resolution and all other documents concerning item 11 of the agenda of the Conference to the Secretary-General of the United Nations. On 26 September, Pakistan submitted two oral amendments to draft resolution A/CONF.35/C.1/L.3/Rev.2. First, the words "with the participation" should be eliminated from paragraph 1 of the draft resolution. Second, at the end of paragraph 1 the following words should be added: "bearing in mind the need to reflect an acceptable balance of mutual responsibilities and obligations between the nuclear and non-nuclear-weapon States". The first of these two amendments was accepted by the co-sponsors of the draft resolution and incorporated therein.

(b) A draft resolution submitted on 17 September by Uganda, the United Republic of Tanzania and Zambia (A/CONF.35/C.1/L.4) recommending the establishment of a preparatory committee for the convening of a conference to be held not later than 31 August 1969 for the conclusion of a convention or protocol to the Treaty on the Non-Proliferation of Nuclear Weapons through which the nuclear-weapon States would undertake not to attack non-nuclear-weapon States or one another and that States parties to the convention would also undertake to come to the aid of any State, nuclear or non-nuclear, attacked by nuclear or conventional weapons.

(c) A draft resolution submitted on 21 September by Pakistan (A/CONF.35/C.1/L.11) by which the Conference would: (1) urge the nuclear-weapon States to undertake to refrain from the use or threat of use of nuclear weapons against any non-nuclear-weapon State which had renounced the manufacture or acquisition otherwise of nuclear weapons; (2) recommend to the permanent Members of the Security Council who had expressed their intention "to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act of aggression or an object of threat of aggression in which nuclear weapons are used", to undertake to provide such immediate assistance in accordance with the United Nations Charter, to any non-nuclear-weapon State which had renounced the manufacture or acquisition otherwise of nuclear weapons and was the object of the use or threat of use of nuclear weapons; (3) recommend further to the nuclear-weapon States that they effectively respond, jointly or severally, to a request for immediate assistance, in the exercise of its inherent right of individual and collective self-defence, by a State which had renounced the manufacture or acquisition otherwise of nuclear weapons if a nuclear attack occurred against that State or if it was subjected to a threat of use of nuclear weapons, until the Security Council had taken measures necessary to maintain international peace and security.
(d) A draft resolution submitted on 21 September by the Federal Republic of Germany (A/CONF.35/C.1/L.13) and which was later revised (A/CONF.35/C.1/L.13/Rev.1). By the revised draft resolution the Conference would: (1) reaffirm (i) the principle, indivisible in its application, of the non-use of force and the prohibition of the threat of force in relations between States by employing nuclear or non-nuclear weapons, and the belief that all States without exception had an equal and inalienable right to enjoy the protection afforded by this principle, recognized under Article 2 of the United Nations Charter; (ii) the right to equality, sovereignty, territorial integrity, non-intervention in internal affairs and self-determination of every State, (iii) the inherent right, recognized under Article 51 of the United Nations Charter, of individual or collective self-defence which, apart from measures taken or authorized by the Security Council of the United Nations, was the only legitimate exception to the overriding principle of the non-use of force in relations between States; (2) request the nuclear-weapon States to reaffirm these principles on their behalf.

4. On item 12 of the agenda one single draft resolution was submitted on 18 September by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.1/L.5) and it was subsequently revised (A/CONF.35/C.1/L.5/Rev.1). By part A of the revised draft resolution the Conference would: recommend all non-nuclear-weapon States not comprised in the zone established in the Treaty of Tlatelolco to initiate or continue such studies as they might deem opportune concerning the possibility and desirability of establishing by treaty the military neutralization of their respective zones, provided that political and security conditions permitted. By part B of the same draft resolution the Conference would: (1) regret the fact that not all the nuclear-weapon States had yet signed Additional Protocol II of the Treaty of Tlatelolco and (2) urge the nuclear-weapon Powers to comply in full with paragraph 4 of resolution 2286 (XXII) adopted by the United Nations General Assembly on 5 December 1967.

5. The following draft resolutions were submitted under item 13 of the agenda:

(a) A draft resolution submitted on 18 September by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.1/L.7) by which the Conference would request the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation
Committee on Disarmament should begin, not later than March 1969, negotiations of conventions for the cessation of the nuclear arms race and nuclear disarmament under effective international control by means of the following measures: (a) the prevention of the further development and improvement of nuclear weapons and their delivery vehicles; (b) the complete cessation of nuclear weapon tests; (c) the cessation of production of fissionable material for military purposes and manufacture of nuclear weapons; (d) the reduction and subsequent elimination of nuclear stockpiles.

(b) A draft resolution submitted on 21 September by Ghana, India, Pakistan and Yugoslavia (A/CONF.35/C.1/L.10) requesting the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, to undertake negotiations for (a) the conclusion of a comprehensive test ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority; (b) reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons; (c) the reduction and eventual elimination of all stockpiles of nuclear weapons and their delivery systems.

(c) A joint draft resolution submitted on 24 September by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Ghana, Guatemala, India, Jamaica, Mexico, Pakistan, Paraguay, Peru, Trinidad and Tobago, Uruguay, Venezuela and Yugoslavia (A/CONF.35/C.1/L.7/Rev.1), which was later co-sponsored by Afghanistan (A/CONF.35/C.1/L.7/Rev.1/Add.1), to replace draft resolutions A/CONF.35/C.1/L.7 and A/CONF.35/C.1/C.1/Rev.1 above. By the new draft resolution the Conference would request the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, to undertake negotiation for: (a) the prevention of the further development and improvement of nuclear weapons and their delivery vehicles; (b) the conclusion of a comprehensive test ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority; (c) reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons; (d) the reduction and subsequent elimination of all stockpiles of nuclear weapons and their delivery systems.
(d) A draft resolution submitted on 18 September by Pakistan (A/CONF.35/C.1/L.8) which was later revised (A/CONF.35/C.1/L.8/Rev.1). By the revised draft resolution the Conference would urge the Governments of the Union of Soviet Socialist Republics and the United States of America to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles.

6. The following draft resolutions were submitted under sub-item 13(a) of the agenda:
   (a) A draft resolution submitted on 12 September by Spain (A/CONF.35/C.1/L.1) recommending the establishment within the International Atomic Energy Agency of a special committee on safeguards of which countries possessing nuclear facilities or supplying nuclear materials might be members if they so desired. The special committee on safeguards should be responsible for setting up and, if necessary, modifying the Agency's system of safeguards and for supervising the strict observance of that system.
   (b) A draft resolution submitted on 13 September by Switzerland (A/CONF.35/C.1/L.2). By it the Conference would: (1) recommend that the agreements provided for in article III, paragraph 4, of the Treaty on the Non-Proliferation of Nuclear Weapons should be drawn up with due regard for the principle of the sovereign equality of States, so as to impose equivalent political or economic responsibilities upon all; (2) recommend for this purpose that inter alia the following principles, which supplemented and rendered more specific the Statute of IAEA, should be observed: (a) the safeguard procedures should be simplified by limiting them to the flow of highly enriched uranium and plutonium, the only materials which could be used for military purposes; (b) instruments and other technical devices should be brought into use at certain strategic points as soon as possible; (c) fissionable materials in small quantities for use in scientific research should be exempt from the safeguards; (d) the rules laid down against industrial risks, including industrial espionage, by the Statute of IAEA, the decisions of the Board of Governors and directives of the Director-General, particularly with regard to the possibility of challenging inspectors, should be strengthened in the agreements; (e) the cost of the safeguard procedures should be charged to the IAEA budget; (3) urge the nuclear-weapon Powers to conclude with IAEA safeguard agreements consistent with the foregoing principles and applicable to their nuclear activities for peaceful purposes; (4) consider it essential that rules should
be drawn up to avoid duplication of safeguard procedures and consequent commercial
discrimination, particularly during the period when the Treaty on the Non-Proliferation
of Nuclear Weapons was in force only as between a relatively small number of States;
(5) invite the Secretary-General of the United Nations to communicate this resolution
to the International Atomic Energy Agency.

(c) A joint draft resolution submitted on 21 September by Spain and Switzerland
(A/CONF.35/C.1/L.9) to replace draft resolutions A/CONF.35/C.1/L.1 and A/CONF.35/C.1/L.2
above. The joint draft resolution was subsequently revised (A/CONF.35/C.1/L.9/Rev.1).
By it the Conference would: (1) recommend the establishment within the International
Atomic Energy Agency of a special committee on safeguards, to which member countries
possessing nuclear facilities or supplying nuclear materials should belong if they so
wished, to be responsible for setting up and, if necessary, modifying the Agency's
system of safeguards as well as for supervising the agreements concluded with the
Agency; (2) recommend that, inter alia, the following principles, which supplemented
and rendered more specific the Statute of IAEA, should be observed: (a) the safeguard
procedures should be simplified, in particular with a view to limiting them to the
flow of highly enriched uranium and plutonium, the only materials which could be used
for military purposes; (b) instruments and other technical devices should be brought
into use at certain strategic points as soon as possible; (c) fissionable materials
in small quantities for use in scientific research should be exempt from the
safeguards; (d) the rules laid down against industrial risks, including industrial
espionage, by the Statute of IAEA, the decisions of the Board of Governors and
directives of the Director-General, particularly with regard to the possibility of
challenging inspectors, should be strengthened in the agreements; (e) the access of
inspectors to certain strategic points should be restricted; (f) the cost of the
safeguard procedures should be charged to the IAEA budget; (3) urge the nuclear-weapon
Powers to conclude with IAEA safeguard agreements consistent with the foregoing
principles and applicable to their nuclear activities for peaceful purposes; (4) consider
it essential that rules should be drawn up to avoid duplication of safeguard procedures
and consequent commercial discrimination; (5) invite the Secretary-General of the
United Nations to communicate this resolution to the International Atomic Energy
Agency.

(d) A draft resolution submitted on 21 September by Chile (A/CONF.35/C.1/L.12).
By it the Conference would: (1) express the hope that the IAEA would take into account
the views expressed at the Conference on the application of the safeguards envisaged
in the Treaty on the Non-Proliferation of Nuclear Weapons; (2) request the Secretary-General, to that end, to transmit to IAEA the records and other documents of the Conference relating to the subject, including the proposals and suggestions submitted; (3) request those States members of IAEA which were in a position to do so to grant the Agency such assistance as might be considered necessary in improving the system of safeguards in accordance with the relevant provision of the Treaty on the Non-Proliferation of Nuclear Weapons.

(e) A draft resolution submitted on 24 September by Argentina, Brazil, Colombia, Chile, Ecuador, Spain and Switzerland (A/CONF.35/C.1/L.14) to replace draft resolutions A/CONF.35/C.1/L.9/Rev.1 and A/CONF.35/C.1/L.12 above. By the new draft resolution the Conference would: (1) recommend the establishment, within the International Atomic Energy Agency and under its Board of Governors, of institutional machinery on safeguards of which both member countries possessing nuclear facilities and those supplying nuclear materials should form part; (2) recommend to IAEA that, in the process of improving and simplifying the safeguards systems, consideration should be given to the desirability of attaining the following objectives: (a) simplification of the safeguard procedures, in particular with a view to limiting them to the flow of highly enriched uranium and plutonium, the only materials which could be used for military purposes; (b) use of instruments and other technical devices at certain strategic points as soon as possible; (c) simplification of safeguards in respect of fissionable materials in small quantities for use in scientific research; (d) incorporation in the agreements of the rules laid down against industrial risks, including industrial espionage, by the Statute of IAEA, the decisions of the Board of Governors and directives of the Director-General, particularly with regard to the possibility of challenging inspectors; (e) regulation of access by inspectors to certain strategic points; (3) urge the nuclear-weapon Powers to conclude with IAEA safeguard agreements consistent with the relevant rules; (4) consider it essential that rules should be drawn up to avoid duplication of safeguard procedures and consequent commercial discrimination; (5) invite the Secretary-General of the United Nations to communicate this resolution to the International Atomic Energy Agency.

On 25 September, amendments were submitted to this draft resolution by Japan (A/CONF.35/C.1/L.15), Mauritius (A/CONF.35/C.1/L.16), the Federal Republic of Germany (A/CONF.35/C.1/L.17) and the Philippines (A/CONF.35/C.1/L.18). The amendments by Japan were as follows: (1) in paragraph 2 of the draft resolution the words "inter alia" should be inserted before the words "the following objectives";
(2) sub-paragraphs (a) and (b) of paragraph 2 should be replaced by the following: "(a) The safeguards procedures should be simplified by the use of instruments and other technical devices at certain strategic points of the flow of nuclear materials, with a view to restricting the safeguarding operations to the necessary minimum"; 

(3) sub-paragraphs (c), (d) and (e) should be changed to (b), (c) and (d).

Mauritius submitted an amendment by which operative paragraph 1 of the draft resolution should be amended to read as follows: "1. Recommends the establishment, within the International Atomic Energy Agency and under its Board of Governors, of institutional machinery on safeguards of which member countries supplying nuclear materials, as well as member countries whether possessing nuclear facilities or not, shall form part;". The Federal Republic of Germany submitted an amendment to the effect that in operative paragraph 2, sub-paragraph (a), the words "limiting them to" should be replaced by the words "concentrating on". The amendments by the Philippines were as follows: (1) in operative paragraph 2, the words "consideration should be given to the desirability of attaining" should be deleted and the words "be given appropriate consideration:" should be inserted after the word "objectives"; and (2) in operative paragraph 5 the following words should be added at the end of the paragraph: "together with the records of the discussions thereon and other relevant documents." The amendments by Mauritius, the Federal Republic of Germany and the Philippines were accepted by the co-sponsors of draft resolution A/CONF.35/C.1/L.14 and incorporated into it.

(f) A draft resolution submitted on 18 September by Pakistan (A/CONF.35/C.1/L.6) and subsequently revised (A/CONF.35/C.1/L.6/Rev.1). By the revised draft resolution the Conference would recommend the acceptance of the IAEA system of safeguards, as might be evolved from time to time, by all the non-nuclear-weapon States, as set forth in an agreement to be negotiated and concluded with the IAEA in accordance with its safeguards system which would provide against diversion of source or fissile material produced, processed or used in any principal nuclear facility established with or without the assistance of the IAEA, including those principal nuclear facilities which might have been established in pursuance of any bilateral or multilateral arrangements, as a step towards the non-proliferation of nuclear weapons. On 25 September the Philippines submitted amendments (A/CONF.35/C.1/L.15) to the draft resolution by which the words "whether it is" would be inserted after the words "or fissile material" and the words "or is outside any such facility" would be inserted after the words "in any principal nuclear facility." Pakistan accepted these amendments and incorporated them into its draft resolutions.
7. At its 19th meeting, on 24 September, the Committee proceeded to vote on the draft resolutions before it and decided to take up first draft resolution A/CONF.35/C.1/L.5/Rev.1 submitted by 16 Latin American countries. Ghana proposed the deletion of the words "provided that political and security conditions permit" in operative part A of the draft resolution. A separate vote was requested on parts A, B1, and B2. of the resolution. It was also requested that the voting be by roll call. The amendment proposed by Ghana, which was put to the vote first, was rejected by 56 votes to 12, with 8 abstentions. The vote was as follows:

**In favour:** Bulgaria, Czechoslovakia, Ghana, Hungary, Kenya, Kuwait, Mongolia, Nigeria, Pakistan, Poland, Romania, Somalia.

**Against:** Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, Ethiopia, Federal Republic of Germany, Finland, Greece, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Libya, Liechtenstein, Luxembourg, Malta, Mauritius, Mexico, Netherlands, New Zealand, Norway, Paraguay, Peru, Philippines, Republic of Korea, Republic of Viet Nam, South Africa, Southern Yemen, Spain, Sweden, Switzerland, Syria, Trinidad and Tobago, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Zambia.

**Abstaining:** Afghanistan, Iran, Madagascar, Morocco, Portugal, Thailand, Tunisia, Yugoslavia.

Operative part A of the draft resolution was adopted by 64 votes to none, with 12 abstentions, as follows:

**In favour:** Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, Ethiopia, Federal Republic of Germany, Finland, Greece, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Libya, Liechtenstein, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Korea,
Republic of Viet Nam, Somalia, South Africa, Southern Yemen, Spain, Sweden, Switzerland, Syria, Trinidad and Tobago, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

**Against:** None

**Abstaining:** Bulgaria, Czechoslovakia, Ghana, Hungary, Kenya, Kuwait, Mongolia, Morocco, Poland, Romania, Thailand, Tunisia.

Operative part B, paragraph 1, was adopted by 41 votes to 1, with 34 abstentions, as follows:

**In favour:** Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, Federal Republic of Germany, Greece, Iran, Ireland, Italy, Jamaica, Japan, Kenya, Libya, Liechtenstein, Luxembourg, Malta, Mauritius, Mexico, Netherlands, New Zealand, Paraguay, Peru, Philippines, Portugal, Republic of Viet Nam, South Africa, Spain, Switzerland, Trinidad and Tobago, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Zambia.

**Against:** Nigeria

**Abstaining:** Afghanistan, Algeria, Bulgaria, Burma, Ceylon, China, Czechoslovakia, Denmark, Ethiopia, Finland, Ghana, Hungary, India, Indonesia, Iraq, Jordan, Kuwait, Madagascar, Mongolia, Morocco, Norway, Pakistan, Poland, Republic of Korea, Romania, Somalia, Southern Yemen, Sweden, Syria, Thailand, Tunisia, United Arab Republic, Yemen, Yugoslavia.

Operative part B, paragraph 2, was adopted by 61 votes to none, with 15 abstentions, as follows:

**In favour:** Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Ecuador, Ethiopia, Federal Republic of Germany, Ghana, Greece, India, Indonesia,
Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Libya, Liechtenstein, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Netherlands, New Zealand, Nigeria, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Viet Nam, Somalia, South Africa, Southern Yemen, Spain, Switzerland, Syria, Trinidad and Tobago, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against:

None

Abstaining:

Bulgaria, Czechoslovakia, Denmark, Finland, Hungary, Mongolia, Morocco, Norway, Poland, Republic of Korea, Romania, Sweden, Thailand, Tunisia, United Arab Republic.

Draft resolution A/CONF.35/C.1/L.5/Rev.1 as a whole was then adopted by 63 votes to none, with 13 abstentions (see paragraph 15 below, draft resolution C). The voting was as follows:

In favour:

Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, Ethiopia, Federal Republic of Germany, Finland, Greece, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Libya, Liechtenstein, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Netherlands, New Zealand, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Viet Nam, Somalia, South Africa, Southern Yemen, Spain, Sweden, Switzerland, Syria, Trinidad and Tobago, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against:

None

Abstaining:

Bulgaria, Czechoslovakia, Ghana, Hungary, Kenya, Kuwait, Mongolia, Morocco, Nigeria, Poland, Romania, Thailand, Tunisia.
8. At the same meeting, the Committee adopted draft resolution A/CONF.35/C.1/L.8/Rev.1 by Pakistan. The vote was 62 to none, with 5 abstentions (see paragraph 15 below, draft resolution E).

9. At its 20th meeting, on 25 September, the Committee adopted the 20-Power draft resolution A/CONF.35/C.1/L.7/Rev.1/Add.1 by 75 votes to none, with 5 abstentions (see paragraph 15 below, draft resolution D).

10. At its 21st meeting, on 25 September, the Committee adopted draft resolution A/CONF.35/C.1/L.6/Rev.1 by Pakistan, as amended by the Philippines (see paragraph 6 (f) above), by 38 votes to 3, with 35 abstentions (see paragraph 15 below, draft resolution F).

11. At its 22nd meeting, on 26 September, the Committee proceeded to vote on draft resolution A/CONF.35/C.1/L.3/Rev.2 by 14 Latin American countries and amended by Pakistan. The amendment proposed by Pakistan and not incorporated in the resolution (see paragraph 3 (a) above) was voted upon first and was adopted by 12 votes to 1, with 68 abstentions. The draft resolution A/CONF.35/C.1/L.3/Rev.2, as amended, was then adopted by a roll call vote of 40 to 17, with 25 abstentions (see paragraph 15 below, draft resolution A). The voting was as follows:

**In favour:** Afghanistan, Algeria, Argentina, Bolivia, Brazil, Cameroon, Chile, Colombia, Costa Rica, Dahomey, Dominican Republic, Ecuador, Federal Republic of Germany, Ghana, Guatemala, India, Indonesia, Iran, Israel, Ivory Coast, Jamaica, Japan, Kenya, Madagascar, Mauritius, Nigeria, Pakistan, Paraguay, Peru, Republic of Viet Nam, Romania, Spain, Switzerland, Trinidad and Tobago, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zambia

**Against:** Australia, Belgium, Bulgaria, Canada, China, Czechoslovakia, Denmark, Finland, Greece, Hungary, Mongolia, Netherlands, New Zealand, Norway, Poland, Republic of Korea, Sweden

**Abstaining:** Austria, Ceylon, Ethiopia, Iraq, Ireland, Italy, Jordan, Kuwait, Lebanon, Libya, Liechtenstein, Luxembourg, Malta, Mexico, Panama, Philippines, Portugal, Saudi Arabia, South Africa, Southern Yemen, Syria, Tunisia, Turkey, United Arab Republic, Yemen
12. At the same meeting, following the adoption of draft resolution A/CONF.35/C.1/L.3/Rev.2 as amended, Uganda, the United Republic of Tanzania and Zambia, co-sponsors of draft resolution A/CONF.35/C.1/L.4, withdrew it, with the understanding that the document would be transmitted to the Secretary-General of the United Nations in conformity with paragraph 2 of the adopted draft resolution. With the same understanding, Pakistan did not press to a vote its draft resolution A/CONF.35/C.1/L.11.

13. Subsequently the Committee took up draft resolution A/CONF.35/C.1/L.13/Rev.1 submitted by the Federal Republic of Germany. Bolivia submitted an oral amendment by which the words "especially for non-nuclear-weapon States" would be eliminated in the sixth preambular paragraph. This amendment was accepted by the Federal Republic of Germany. A separate vote was then taken on sub-paragraphs 1(i), 1(ii) and 1(iii) of the draft resolution. Sub-paragraph 1(i) was adopted by 60 votes to none, with 18 abstentions. Sub-paragraph 1(ii) was adopted by 60 votes to none, with 21 abstentions. Sub-paragraph 1(iii) was adopted by 47 votes to none, with 33 abstentions. The draft resolution as a whole was adopted by 50 votes to 5, with 25 abstentions (see paragraph 15 below, draft resolution B).

14. The Committee then proceeded to vote on draft resolution A/CONF.35/C.1/L.14 by Argentina, Brazil, Chile, Colombia, Ecuador, Spain, and Switzerland as amended by Mauritius, the Federal Republic of Germany and the Philippines (see paragraph 6(e) above). The amendments by Japan contained in document A/CONF.35/C.1/L.16 (see paragraph 6(e) above) were taken up first. No vote was taken on the first amendment, as the words "inter alia" appeared in the original (Spanish) text of draft resolution A/CONF.35/C.1/L.14. The remaining amendments by Japan were adopted by 57 votes to none, with 29 abstentions. Australia requested a separate vote on sub-paragraph (d) of paragraph 2 of the draft resolution as amended by Japan. The sub-paragraph was rejected by a vote of 29 to 20 with 30 abstentions and therefore deleted. The draft resolution, as amended, was then adopted by a roll call vote of 35 to 5, with 43 abstentions (see paragraph 15 below, draft resolution G). The vote was as follows:

In favour: Argentina, Austria, Bolivia, Brazil, Burma, Ceylon, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Ethiopia, Federal Republic of Germany, Ghana, Guatemala, India, Indonesia, Iran, Italy, Japan, Kenya, Liechtenstein, Mauritius, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Spain, Switzerland, Trinidad and Tobago, Uruguay, Venezuela, Yugoslavia.
Against: Bulgaria, Czechoslovakia, Hungary, Mongolia, Poland.

Abstaining: Afghanistan, Algeria, Australia, Belgium, Cameroon, Canada, China, Dahomey, Denmark, Finland, Greece, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kuwait, Lebanon, Libya, Luxembourg, Madagascar, Malta, Mexico, Morocco, Netherlands, New Zealand, Norway, Portugal, Republic of Korea, Republic of Viet Nam, Romania, South Africa, Southern Yemen, Sweden, Syria, Tunisia, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Yemen, Zambia.

RECOMMENDATIONS OF COMMITTEE 1

15. Committee 1 therefore recommends to the Conference the adoption of the following draft resolutions:

**Item 11**

**A**

The Conference of Non-Nuclear-Weapon States,

Having discussed the question of measures to assure the security of non-nuclear-weapon States,

Recognizing the need that, until such time as the production of nuclear weapons has ceased and all stockpiles of such weapons have been destroyed, the security of non-nuclear-weapon States should be adequately assured,

Recalling resolutions 2028 (XX) and 2153 (XXI) of the General Assembly of the United Nations,

Having in mind resolution 255 (1968) of the Security Council of the United Nations,

Noting also the concern expressed by delegations participating in the Conference about the question of their security,

1. Recommends that the General Assembly of the United Nations, at its twenty-third session, in order to achieve a solution to this problem, convene as soon as possible a conference of all the States Members of the United Nations, members of its specialized agencies and of the International Atomic Energy Agency and all nuclear-weapon States, for the purpose of concluding a multilateral instrument whereby the nuclear-weapon States undertake to adopt the appropriate measures to assure the security of all non-nuclear-weapon States, bearing in mind the need to reflect an acceptable balance of mutual responsibilities and obligations between the nuclear and non-nuclear-weapon States;
2. Requests the Executive Secretary of the Conference to transmit the text of the present resolution and all other documents concerning item II of the agenda of the Conference to the Secretary-General of the United Nations.

B

The Conference of Non-Nuclear-Weapon States,

Aware that mankind will continue to be exposed to the danger of nuclear war and destruction as long as there exist nuclear weapons,

Considering the perspectives opened up by the Treaty on the Non-Proliferation of Nuclear Weapons which has been recommended by Resolution 2373 (XXII) of the United Nations General Assembly for the widest possible adherence by both nuclear-weapon and non-nuclear-weapon States,

Conscious that all States, and in particular the non-nuclear-weapon States, will find lasting security only through general and complete disarmament by which all weapons, both nuclear and non-nuclear, will eventually be abolished, and that to this end a first condition is that the nuclear arms race be stopped,

Concerned that the basically unequal defensive capabilities of nuclear-weapon States and non-nuclear-weapon States must not jeopardize the inalienable right of every State to choose its political, economic, social and cultural system without interference in any form by other States,

Convinced that, therefore, the overriding principle of the non-use of force and the prohibition of the threat of force in relations between States, as expressed in Article 2 of the United Nations Charter, should be reaffirmed, and that this principle is indivisible and cannot be applied selectively, that every State has an equal and inalienable right to enjoy the protection afforded by this principle,

Convinced of the importance of the inherent right, recognized under Article 51 of the United Nations Charter, of individual or collective self-defence,

1. Reaffirms

(i) the principle, indivisible in its application, of the non-use of force and the prohibition of the threat of force in relations between States by employing nuclear or non-nuclear weapons, and the belief that all States without exception have an equal and inalienable right to enjoy the protection afforded by this principle, recognized under Article 2 of the United Nations Charter;
2. **Requests** the nuclear-weapon States to reaffirm these principles on their behalf.

### Item 12

C

The Conference of Non-Nuclear-Weapon States,

Considering that the establishment of nuclear-weapon-free zones, on the initiative of the States situated within each zone concerned, is one of the measures which can contribute most effectively to halting the proliferation of those instruments of mass destruction and to promoting progress towards nuclear disarmament,

Noting that a nuclear-weapon-free zone is of benefit to the security and economic development of the States within the zone, since it frees their territories from the danger of nuclear attacks and avoids the squandering of their resources on the production of nuclear armaments,

Taking into account the conclusions which follow from resolutions 1911 (XVIII) and 2033 (XX) of the United Nations General Assembly,

Recalling that General Assembly resolution 2028 (XX) established the principle of an acceptable balance of mutual responsibilities and obligations of the nuclear-weapon and non-nuclear-weapon States,

Recalling further that in resolution 2153 A (XXI) the General Assembly expressly called upon all nuclear-weapon Powers to refrain from the use, or the threat of use, of nuclear weapons against States which might conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories,

Convinced that, for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, the co-operation of the nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol,
Observing that the Treaty for the Prohibition of Nuclear Weapons in Latin America, or Treaty of Tlatelolco, has already established a nuclear-weapon-free zone comprising territories densely populated by man,

Noting that Additional Protocol II of that Treaty defines the following obligations to be assumed by the nuclear-weapon States:

(a) To respect "in all its express aims and provisions" the "status of demilitarization of Latin America in respect of warlike purposes, as defined, delimited and set forth" in the Treaty of Tlatelolco;

(b) "not to contribute in any way to the performance of acts involving a violation of the obligations of article I of the Treaty in the territories to which the Treaty applies", and

(c) "not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty",

Recalling that in resolution 2286 (XXII) the General Assembly invited powers possessing nuclear weapons "to sign and ratify Additional Protocol II of the Treaty as soon as possible",

- A -

Recommends all non-nuclear-weapon States not comprised in the zone established by the Treaty of Tlatelolco to initiate or continue such studies as they may deem opportune concerning the possibility and desirability of establishing by treaty the military demilitarization of their respective zones, provided that political and security conditions permit.

- B -

1. Regret the fact that not all the nuclear-weapon States have yet signed Additional Protocol II of the Treaty of Tlatelolco;

2. Urges the nuclear-weapon Powers to comply in full with paragraph 4 of resolution 2286 (XXII) adopted by the United Nations General Assembly on 5 December 1967.

Item 13

D

The Conference of Non-Nuclear-Weapon States,

Having discussed the question of "Effective measures for the prevention of further proliferation of nuclear weapons, the cessation of the nuclear arms race at an early date and nuclear disarmament",

Bearing in mind that the achievement of the goal of nuclear non-proliferation necessitates the adoption of measures to prevent both horizontal and vertical proliferation.
Recognizing the growing concern of world opinion at the continuous expansion of research and development relating to new nuclear weapons,

Mindful of the report of the Eighteen-Nation Committee on Disarmament to the United Nations General Assembly of 28 August 1968 (ENDC/236),

Convinced that an agreement on nuclear disarmament would be facilitated by the adoption of various collateral measures,

Considering that such collateral measures should promote general and complete disarmament under international control,

Requests the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, to undertake negotiation for:

(a) the prevention of the further development and improvement of nuclear weapons and their delivery vehicles;
(b) the conclusion of a comprehensive test ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority;
(c) reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons;
(d) the reduction and subsequent elimination of all stockpiles of nuclear weapons and their delivery systems.

The Conference of Non-Nuclear-Weapon States,

Noting the agreement reached between the Governments of the USSR and the United States in July 1968 to enter in the nearest future into bilateral discussion on the limitation of both offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles,

Observing that such discussions have not yet taken place,

Recalling that Article VI of the Treaty on Non-Proliferation of Nuclear Weapons embodies an undertaking of the Parties to the Treaty to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Convinced that negotiations between the two nuclear-weapon powers should aim at, and lead to, negotiations among all such powers with a view to the cessation of the nuclear arms race and to the achievement of nuclear disarmament and relaxation of tensions.
Deeply concerned at the imminent danger of a renewal of the strategic nuclear arms race and its escalation to new levels which would become uncontrollable and of the consequent grave threat to the security of all States,

Emphasizing the special responsibility of the United States and the USSR to avert that danger,

Conscious of the vital need of mankind for a diversion to peaceful purposes of the resources at present consumed by the maintenance and augmentation of nuclear destructive power,

Urges the Governments of the USSR and the United States to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles.

Item 13 (a)

The Conference of Non-Nuclear-Weapon States,

Convinced that the proliferation of nuclear weapons would endanger the security of all States,

Recognizing the urgency and great importance of preventing the proliferation of nuclear weapons,

Recognizing further that the danger continues to exist that an increase in the number of States possessing nuclear weapons may occur, aggravating international tension and the difficulty of maintaining regional and world peace and security,

Mindful that the International Atomic Energy Agency is most suited to administer safeguards designed to prevent the diversion of source or special fissionable material from peaceful uses to the production of nuclear weapons or other nuclear explosive devices,

Recommends the acceptance of the IAEA system of safeguards, as may be evolved from time to time, by all the non-nuclear-weapon States, as set forth in an agreement to be negotiated and concluded with the IAEA in accordance with its safeguards system which would provide against diversion of source or fissionable material whether it is produced, processed or used in any principal nuclear facility or is outside any such facility established with or without the assistance of the IAEA, including those principle nuclear facilities which may have been established in pursuance of any bilateral or multilateral arrangements, as a step towards the non-proliferation of nuclear weapons.
The Conference,

Considering that the non-proliferation of nuclear weapons is regarded as a step towards effective nuclear disarmament and a contribution to international co-operation in the peaceful uses of nuclear energy,

Recalling that both nuclear-weapon and non-nuclear-weapon States carry the responsibility of acting in accordance with the principles of the Charter, including the principle that the sovereign equality of all States should be respected,

Considering that, because of the present structure of the International Atomic Energy Agency, many countries are not adequately represented in the Board of Governors, which is the organ responsible for safeguards in that Agency,

Considering that any system of collective inspection must be based on the principle that every country inspected must be adequately represented in the body responsible for carrying out the inspections,

Considering also that it is necessary to improve and simplify the safeguards system at present being applied by IAEA so that it can better discharge its new responsibilities,

Emphasizing the desirability of promoting activities for the establishment of a modern and efficient safeguards system based on supervision of the flow of fissile materials by means of instruments and other techniques at certain strategic points,

1. Recommends the establishment, within the International Atomic Energy Agency and under its Board of Governors, of institutional machinery on safeguards of which member countries supplying nuclear materials, as well as member countries whether possessing nuclear facilities or not, shall form part;

2. Recommends to IAEA that, in the process of improving and simplifying the safeguards system, inter alia, the following objectives be given appropriate consideration:

   (a) The safeguard procedures should be simplified by the use of instruments and other technical devices at certain strategic points of the flow of nuclear materials, with a view to restricting the safeguarding operations to the necessary minimum;

   (b) Simplification of safeguards in respect of fissile materials in small quantities for use in scientific research;
(c) Incorporation in the agreements of the rules laid down against industrial
risks, including industrial espionage, by the Statute of IAEA, the decisions
of the Board of Governors and directives of the Director-General,
particularly with regard to the possibility of challenging inspectors;
3. Urges the nuclear-weapon Powers to conclude with IAEA safeguard agreements
consistent with the relevant rules;
4. Considers it essential that rules should be drawn up to avoid duplication of
safeguard procedures and consequent commercial discrimination;
5. Invites the Secretary-General of the United Nations, Secretary-General of the
Conference, to communicate this resolution to the International Atomic Energy Agency,
together with the records of the discussions thereon and other relevant documents.
Report of Committee 2

RAPPORTEUR: Mr. Alfonso SANTA CRUZ (Chile)

1. At its third plenary meeting on 2 September 1968, the Conference of Non-Nuclear-Weapon States, on the recommendation of the General Committee (A/CONF.35/GC.1) decided that item 14 (a) - (d) be allocated to Committee 2 for consideration and report.

2. The item was considered by Committee 2 at 17 meetings held between 4 - 25 September 1968.

3. The following working paper and draft resolutions were submitted under sub-item (a) "Access to and exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy among non-nuclear-weapon States and nuclear-weapon States":

   (a) A working paper submitted on 12 September by Italy (A/CONF.35/C.2/3) concerning the proposal for the reduction of military stocks of nuclear materials through the transfer of fissionable materials to the peaceful uses of non-nuclear countries.

   (b) A draft resolution submitted on 12 September by Switzerland (A/CONF.35/C.2/L.1), the operative part of which read as follows:

   "1. Emphasizes the importance, in the context of the Treaty on the Non-Proliferation of Nuclear Weapons, of a balance between the obligations of nuclear-weapon Powers and of non-nuclear-weapon Powers, in particular in the matter of access to nuclear technology and to fissionable materials;

   2. Considers that this balance must be achieved by precise undertakings entered into by the nuclear-weapon Powers with regard to the following matters:

   (a) Effective access to advanced nuclear technology, including that hitherto kept secret, and in particular that relating to uranium enrichment;

   (b) Guaranteed access to fissionable materials, in particular to enriched uranium and plutonium, with a view to their use for peaceful purposes;

   (c) Non-discrimination in the grant of facilities, whether to nuclear-weapon States or to non-nuclear-weapon States."

"
(c) A draft resolution submitted on 18 September by Japan (A/CONF.35/C.2/L.4),
the operative part of which read as follows:

I

"Calls upon the Agency to continue its utmost efforts for compilation
and dissemination of public information concerning the peaceful uses of
nuclear energy, including those related to the peaceful application of
nuclear explosions;"

Recommends that the Agency study appropriate international arrangements
to facilitate exchange of scientific and technical information which have
commercial or industrial value and are not publicly available, so as to make
it possible for the countries with interest to know of the existence and
outline of such information and to enable the interested parties to enter
into negotiations about the purchase of such information with the owners
thereof;

Recommends that the Agency initiate a study of what function it may perform
for the prevention of undue restrictions placed on free international exchange
of scientific and technical information for the reason of national security.

II

Recommends that the Agency study further the ways and means of making
efficient use of the funds available for technical assistance, taking into
full consideration the views of the interested countries, particularly those
of the developing countries, expressed in this Conference.

III

Recommends that the International Atomic Energy Agency study the most
effective means of ensuring access to special fissionable materials on
commercial basis.

IV

Recommends that the Agency, in relation to the implementation of Article V
of the Treaty, initiate necessary studies to ascertain its role in:

(a) providing necessary services through international procedures,
(b) acting as an intermediary for international transmittal of
related technical information, and
(c) contributing to the conclusion of the agreements provided for
in the said Article.

V

Requests the Secretary-General of the United Nations to bring this
resolution to the attention of the Agency, together with the relevant
records of the proceedings of the Conference of the Non-Nuclear-Weapon
States and the relevant proposals submitted thereto."
(d) A draft resolution submitted on 19 September by Denmark, Finland, Norway and Sweden, subsequently co-sponsored by Austria (A/CONF.35/C.2/L.7/Add.1), the operative part of which read as follows:

I

1. Invites the International Atomic Energy Agency to orient its programmes and the allocation of its resources in accordance with Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons and in a manner designed to emphasize assistance to the non-nuclear countries, giving particular attention to the need of the developing countries; and

2. Invites States Members of the Agency to make every effort to provide additional resources to permit the Agency to provide such assistance.

II

Noting that Article V of the Treaty on the Non-Proliferation of Nuclear Weapons contemplates that the potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States. Party to the Treaty through an appropriate international body with adequate representation of non-nuclear-weapon States or pursuant to bilateral agreements,

Expresses the hope that the Agency will pursue its studies on this subject without delay, with a view to facilitating the establishment of arrangements relative to States obtaining the benefits of peaceful nuclear explosives in accordance with Article V of the Treaty on the Non-Proliferation of Nuclear Weapons.

III

1. Expresses its assumption that the Agency will examine at an appropriate time its procedures and arrangements, including the question of the composition of the Board of Governors, with a view to adapting them as necessary in the light of its responsibility under the Treaty on the Non-Proliferation of Nuclear Weapons;

2. Requests the Secretary-General of the United Nations to bring this resolution to the attention of the Agency, together with the relevant records of the proceedings of the Conference of the Non-Nuclear-Weapon States and the proposals submitted thereto;

3. Invites the Agency to bear the present resolution in mind in preparing its annual reports for the General Assembly.

(e) A draft resolution submitted on 23 September by Austria, Denmark, Finland, Japan, Norway, Sweden and Switzerland (A/CONF.35/C.2/L.4/Rev.1) which replaced those contained in documents A/CONF.35/C.2/L.1, A/CONF.35/C.2/L.4 and A/CONF.35/C.2/L.7. A revised text of this draft resolution was submitted on 24 September by Austria, Denmark, Finland, Japan, Norway, Sweden and Switzerland, the operative part of which read as follows:
I

"Calls upon the Agency to continue its utmost efforts for compilation and dissemination of public information concerning the peaceful uses of nuclear energy, including those related to the peaceful application of nuclear explosions;

Recommends that the Agency study appropriate international arrangements, to facilitate exchange of scientific and technical information which have commercial or industrial value and are not publicly available, so as to make it possible for the countries with interest to know of the existence and outline of such information and, to enable the interested parties to enter into negotiations about the acquisition of such information with the owners thereof;

Invites the nuclear-weapon States to advise the Agency at regular intervals as to the possibility of their declassifying scientific and technical information which has become essential for the development of the peaceful uses of nuclear energy, as soon as there is no longer any reason for its classification on national security grounds, bearing in mind all the benefits to be derived from the dissemination of scientific knowledge.

II

Recommends that the Agency study further the ways and means of increasing the funds available for technical assistance, taking into full consideration the views of the interested countries, particularly those of the developing countries, expressed in this Conference.

III

Recommends that the Agency study the most effective means of ensuring access to special fissionable materials on commercial basis;

Urges the nuclear-weapon States to facilitate, to the fullest extent possible, the availability of fissionable materials for the peaceful nuclear programmes of the non-nuclear-weapon States accepting the application of safeguards as envisaged in Article III of the Treaty.

IV

Recommends that the Agency, in relation to the question of nuclear explosions for peaceful purposes, initiate necessary studies that are deemed advisable on its possible functions in this field.

V

Expresses its assumption that the Agency will examine at an appropriate time its procedures and arrangements, as well as the question of the composition of the Board of Governors, with a view to adapting them as necessary in the light of its new responsibilities.
"Requests the Secretary-General of the United Nations to bring this resolution to the attention of the Agency, together with the relevant records of the proceedings of the Conference of Non-Nuclear-Weapon States and the relevant proposals submitted thereto;

Invites the Agency to bear the present resolution in mind in preparing its annual reports for the General Assembly."

(f) A draft resolution submitted on 17 September by Pakistan (A/CONF.35/C.2/L.3), a revised text of which was submitted on 23 September (A/CONF.35/C.2/L.3/Rev.1), a second revised text (A/CONF.35/C.2/L.3/Rev.2) on 24 September, and a third revised text (A/CONF.35/C.2/L.3/Rev.3) on 25 September. The operative part of the third revised text read as follows:

"Requests all nuclear-weapon States and those non-nuclear-weapon States which are in a position to do so, to provide access for students and scientists for purposes of training and acquisition of knowledge on a non-discriminatory basis to their scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy;

Urges all nuclear-weapon States and those non-nuclear-weapon States which are in a position to do so, not to provide (a) source or fissionable material, or (b) equipment and material especially designed or prepared for the processing, use or production of special fissionable material, to any recipient non-nuclear-weapon State, unless such recipient State has accepted safeguards as set forth in an agreement to be negotiated and concluded in accordance with the Statute of IAEA and the Agency's safeguards system;

Urges further that in cases where nuclear-weapon States and non-nuclear-weapon States are parties to a multilateral treaty within a particular region which provides for co-operation in the peaceful uses of nuclear energy, including mutual exchange of (a) source and fissionable material or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, the safeguards provision of such treaty should continue to apply till such time as negotiations relating to safeguards, between the parties to such a treaty and the IAEA on an individual or collective basis, are considered conducive to the conclusion of an agreement."

(g) A draft resolution submitted on 18 September by Pakistan (A/CONF.35/C.2/L.5), a revised text of which was submitted on 23 September (A/CONF.35/C.2/L.5/Rev.1) and a second revised text on 23 September (A/CONF.35/C.2/L.5/Rev.2). The operative part of the second revised text read as follows:
"Recommends that the IAEA should undertake to examine the basis on which arrangements can be made by the Agency to secure finances from international sources for the creation of a Special Nuclear Fund (SNF) to be made available in the form of (a) grants and (b) low-interest bearing loans, repayable over long periods of time, for financing the nuclear projects which have been found by the Agency to be technically feasible and economically viable in the territories of non-nuclear-weapon States which are members of the Agency, particularly those in the developing areas of the world, and which may make request to the Agency under the provisions of Article XI, B of the Agency's Statute."

4. The following working paper and draft resolutions were submitted under sub-item (b) "Assistance and co-operation in development of the application of nuclear energy for peaceful purposes, in the territories of the non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world":

(a) A working paper submitted on 9 September by Italy (A/CONF.35/C.2/1) on the establishment of machinery responsible for the implementation of the conclusions of the Conference.

(b) A draft resolution submitted on 13 September by Brazil (A/CONF.35/C.2/L.2), a revised text of which was submitted on 18 September by Argentina, Bolivia, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.2/L.2/Rev.1), subsequently co-sponsored by Costa Rica and Guatemala (A/CONF.35/C.2/L.2/Rev.1/Add.1). A second revised text of this draft resolution was submitted on 23 September by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.2/L.2/Rev.2), the operative part of which read as follows:

"1. Requests the Secretary-General of the United Nations to appoint a group of experts, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries;

2. Recommends the Secretary-General to draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report;

3. Requests the Secretary-General to transmit the report to the Governments of States Members of the United Nations, its specialized agencies and IAEA in time to permit its consideration at the twenty-fourth regular session of the General Assembly."
A/CONF.35/10
Annex V
page 7

(c) A draft resolution submitted on 18 September by Argentina, Bolivia, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.2/L.6), which was subsequently co-sponsored by Jamaica (A/CONF.35/C.2/L.6/Add.1) and Costa Rica and Guatemala (A/CONF.35/C.2/L.6/Add.2), the operative part of which read as follows:

A

1. Requests the United Nations General Assembly to consider at its twenty-third regular session the establishment, within the United Nations Development Programme, of a "Nuclear Technology Research and Development Programme" to be executed as a matter of priority with the co-operation of the International Atomic Energy Agency for the benefit of the developing countries;

2. Requests the International Bank for Reconstruction and Development to consider, at the next meeting of its Board of Governors, the establishment for the benefit of the developing countries of a "Programme for the Use of Nuclear Energy in Economic Development Projects" which would be a matter of priority and under which finance would be granted on the most favourable terms as regards interest and repayment periods;

3. Invites the nuclear-weapon States to assume the main responsibility for financing the two programmes;

B

1. Requests the General Conference of the International Atomic Energy Agency to consider at its next meeting the establishment of a "Fund of Special Fissionable Materials" for the benefit of non-nuclear-weapon States and in particular of developing countries;

2. Invites the nuclear-weapon States to give a firm undertaking regarding the supply of such materials to the "Fund" at reasonable prices and in adequate quantities at the request of non-nuclear-weapon States;

C

Also recommends the nuclear-weapon States, independently of the contributions provided for in paragraph A 3 and B 2, to channel into the Programmes and Fund proposed above a substantial share of such financial resources and special fissionable materials as may be released in the future as a result of the adoption of nuclear disarmament measures."
(d) A draft resolution submitted on 19 September by Kenya, Uganda, United Republic of Tanzania and Zambia (A/CONF.35/C.2/L.8), subsequently co-sponsored by Cameroon (A/CONF.35/C.2/L.8/Add.1) and Dahomey and Ivory Coast (A/CONF.35/C.2/L.8/Add.2), the operative paragraph of which (A/CONF.35/C.2/L.8/Corr.1) read as follows:

"Recommends to the Agency that representation on its Board of Governors be broadened so as to reflect equitable geographical distribution and the views of a broad spectrum of the developing countries."

(e) A draft resolution submitted on 20 September by Italy (A/CONF.35/C.2/L.11) which was originally contained in the annex to the Working Paper (A/CONF.35/C.2/2) mentioned in (a) above, the operative part of which read:

"Recommends the General Assembly of the United Nations at its twenty-third session to:
(1) Convene, every ... years, the Conference of Non-Nuclear-Weapon States;
(2) Set up a Special Committee for the peaceful uses of nuclear energy, with its headquarters at Geneva and composed of the following countries ..............;
(3) Entrust the Special Committee for the peaceful uses of nuclear energy with the following terms of reference:
   (a) To study how best to ensure the implementation of the conclusions of the Conference of Non-Nuclear-Weapon States;
   (b) To promote and to recommend to the Secretary-General of the United Nations and to the specialized agencies concerned, through the General Assembly and with its approval, the necessary steps to ensure such implementation;
   (c) To prepare the work and recommend the agenda of future conferences;
   (d) To report to the General Assembly on its activities;
(4) Requests the Secretary-General to make the necessary arrangements for the first session of the Committee to be held at Geneva before .... 1969."

On 25 September the representative of Italy stated that he would not press to a vote draft resolution A/CONF.35/C.2/L.11.
5. the following Working Paper and draft resolutions were submitted under sub-item (c) "The question of nuclear explosions for peaceful uses":

(a) A working paper submitted on 8 September by Italy (A/CONF.35/C.2/2) on the establishment of an international body for co-operation in nuclear explosions for peaceful uses.

(b) A draft resolution submitted on 19 September by Sweden (A/CONF.35/C.2/L.10), which was revised on 24 September (L.10/Rev.1) and co-sponsored by Nigeria (L.10/Rev.1/Add.1), the operative part of which read as follows:

"Noting the Joint Memorandum on a comprehensive test ban treaty presented on 26 August 1968 to the Conference of the Eighteen-Nation Committee on Disarmament by the delegations of Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden and the United Arab Republic,

Endorses the opinion expressed in that document that the question of nuclear explosions for peaceful purposes is also closely linked with a comprehensive test ban, this aspect of the matter underlining the urgency of a universal and comprehensive solution of the problem of nuclear explosions for peaceful purposes compatible with a comprehensive test ban treaty."

6. The following draft resolutions were submitted under sub-item (d) "Benefits from peaceful applications of nuclear explosions to non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons pursuant to special international agreement or agreements through an appropriate international body or through bilateral arrangements."

(a) A draft resolution submitted on 19 September by Argentina, Brazil and Peru (A/CONF.35/C.2/L.9), the operative part of which read as follows:

"Requests the United Nations General Assembly at its twenty-third session to recommend the convening of a special General Conference of IAEA to be held during the year 1969 for the purpose of considering the establishment, within IAEA, of a department for the peaceful application of nuclear explosives, to be provided for in a Protocol to the Statute of the Agency whereby:

(a) The nuclear-weapon States would assume responsibility for supplying IAEA with nuclear explosives for peaceful purposes and for specific projects submitted to it by non-nuclear-weapon States, and
(b) the non-nuclear-weapon States would be guaranteed the right to receive from IAEA, under adequate safeguards, supplies of those nuclear explosives for peaceful purposes, in a non-discriminatory manner and at the lowest possible prices, which would not include research and development costs."

(b) A draft resolution submitted on 20 September by Bolivia, Costa Rica, Guatemala, Jamaica, Mexico, Nicaragua, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.2/L.12), the operative part of which read as follows:

"1. Requests the Secretary-General of the United Nations to include in the agenda of the twenty-third regular session of the General Assembly an item entitled 'Convening of a special conference to consider the establishment within the framework of the International Atomic Energy Agency of an International Programme for Nuclear Explosions for Peaceful Purposes for the benefit of States which have renounced nuclear weapons, taking adequate account of the needs of the developing regions of the world';

2. Requests the Executive Secretary of the Conference to transmit to the Secretary-General of the United Nations the text of this resolution, the working papers submitted by the delegations of Mexico and Italy (A/CONF.35/15 and A/CONF.35/C.2/3), and all the other documents and records concerning item 14(d) of the agenda of the Conference."

(c) A draft resolution submitted on 21 September by Argentina, Brazil, Chile, Colombia, Dominican Republic, Guatemala, Jamaica, Mexico, Nicaragua, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.2/L.13) replacing the draft resolutions contained in documents A/CONF.35/C.2/L.9 and A/CONF.35/C.2/L.12, the operative part of which read as follows:

"1. Declares that it is highly important that a special draft international agreement should be drafted as soon as possible for the establishment in due course within the framework of the International Atomic Energy Agency, of an "International Department for Nuclear Explosions for Peaceful Purposes", whereby the nuclear-weapon States will undertake to provide states which have renounced nuclear weapons with such services for conducting nuclear explosions for peaceful purposes as may be required for specific projects submitted to the Department by these States;
2. Likewise declares that the services referred to in the preceding paragraph should be provided on a non-discriminatory basis and in such a way that there will be an adequate participation of the States which have renounced nuclear weapons in the International Department to ensure that the charge to them for services they receive is as low and as fair as possible and, in particular, excludes any charge for research and development in respect of the nuclear devices employed;

3. Requests the Secretary-General of the United Nations to include in the agenda of the twenty-third regular session of the General Assembly an item entitled "Convening of a special conference to consider the establishment within the framework of the International Atomic Energy Agency of an International Department for Nuclear Explosions for Peaceful Purposes for the benefit of States which have renounced nuclear weapons, with due consideration for the needs of the developing areas of the world;

4. Requests the Executive Secretary of the Conference to transmit to the Secretary-General of the United Nations the text of this resolution;

5. Also asks the Executive Secretary to transmit to the Secretary-General the papers submitted by the delegations of Mexico and Italy (documents A/CONF.35/DOC.15 and A/CONF.35/C.2/3), and all the other documents and records concerning item 14 (d) of the agenda of the Conference."

The original Spanish text of draft resolution A/CONF.35/C.2/L.13, as well as the French translation, referred to an "International Service for Nuclear Explosions for Peaceful Purposes", rather than the term used in the English and Russian translations: "International Department for Nuclear Explosions for Peaceful Purposes". The sponsors of the draft resolution would prefer the resolution to be considered in plenary on the basis of the formulation "International Service for Nuclear Explosions for Peaceful Purposes".
7. At the 16th meeting on 25 September, draft resolution A/CONF.35/C.2/L.2/Rev.2 was adopted by 75 votes to none with three abstentions (see paragraph 15, draft resolution A).

8. At the same meeting, draft resolution A/CONF.35/C.2/L.4/Rev.2 was voted on as follows (see paragraph 15 below, draft resolution B):
   (a) A separate vote was requested on Part I, paragraph 3, which was adopted by 62 votes in favour to none against, with 11 abstentions;
   (b) A separate vote was also requested on Part III, paragraph 2, which was adopted by 60 votes in favour to one against, with 16 abstentions;
   (c) A separate vote was requested on Part III as a whole, which was adopted by 63 votes in favour to one against, with 14 abstentions;
   (d) A separate vote was requested on Part V, which was adopted by 59 votes in favour to none against, with 20 abstentions;
   (e) The draft resolution as a whole was adopted by 70 votes in favour to 2 against, with 8 abstentions.

9. At the same meeting the Committee voted on draft resolution A/CONF.35/C.2/L.5/Rev.2 which was adopted by a vote of 76 in favour to 1 against, with 4 abstentions (see paragraph 15 below, draft resolution C).

10. At the same meeting, draft resolution A/CONF.35/C.2/L.6 was voted on as follows (see paragraph 15 below, draft resolution D):
   (a) A separate vote was requested on Part A, paragraph 3, which was adopted by 52 votes in favour to 4 against, with 23 abstentions;
   (b) A separate vote was requested on Part B, paragraph 2, which was adopted by 59 votes in favour to 4 against, with 20 abstentions;
   (c) The draft resolution as a whole was adopted by 57 votes in favour to 5 against, with 17 abstentions.

11. At the same meeting, draft resolution A/CONF.35/C.2/L.8 and Corr.1 were adopted by 51 votes in favour to four against, with 23 abstentions (see paragraph 15 below, draft resolution E).

12. At the same meeting, draft resolution A/CONF.35/C.2/L.10/Rev.1 was voted on as follows (see paragraph 15 below, draft resolution F):
   (a) A separate vote was requested on preambular paragraph (d) which was adopted by 39 votes in favour to one against, with 35 abstentions;
   (b) The draft resolution as a whole was adopted by 70 votes in favour to none against, with 8 abstentions.
13. At the same meeting on the same date, draft resolution A/CONF.35/C.2/L.13 was voted on as follows (see paragraph 15 below, draft resolution G):

(a) A separate vote was requested on operative paragraph 1, which was adopted by 34 votes in favour to 15 against, with 32 abstentions;

(b) A separate vote was requested on operative paragraph 3, which was adopted by 31 votes in favour to 19 against, with 30 abstentions;

(c) A separate vote was requested on operative paragraph 5, which was adopted by 32 votes in favour to 6 against, with 40 abstentions;

(d) The draft resolution as a whole was adopted by a roll-call vote of 28 votes to 13, with 40 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Austria, Brazil, Burma, Cameroon, Chile, Colombia, Dahomey, Dominican Republic, Ghana, Guatemala, Italy, Ivory Coast, Jamaica, Kenya, Mexico, Nigeria, Paraguay, Peru, Spain, Trinidad and Tobago, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia and Zambia.

Against: Australia, Bulgaria, Canada, Czechoslovakia, Hungary, Iraq, Ireland, Libya, Mongolia, Poland, South Africa, United Arab Republic, and Yemen.

Abstaining: Algeria, Belgium, Bolivia, Ceylon, China, Costa Rica, Denmark, Ecuador, Ethiopia, Federal Republic of Germany, Finland, Greece, India, Indonesia, Iran, Israel, Japan, Jordan, Kuwait, Lebanon, Liechtenstein, Malta, Mauritius, Netherlands, New Zealand, Norway, Pakistan, Philippines, Portugal, Republic of Korea, Republic of Viet-Nam, Romania, Somalia, Southern Yemen, Sweden, Switzerland, Syria, Thailand, Tunisia and Turkey.

14. At the 17th meeting on 25 September, draft resolution A/CONF.35/C.2/L.3/Rev.3 was voted on as follows (see paragraph 15 below, draft resolution H):

(a) A separate vote was requested on operative paragraph 1, which was adopted by 33 votes in favour to one against, with 27 abstentions;

(b) A separate vote was requested on operative paragraph 2, which was rejected by 15 votes in favour to 19 against, with 30 abstentions;

(c) A separate vote was requested on operative paragraph 3, which was rejected by 3 votes in favour to 29 against, with 30 abstentions;

(d) The draft resolution, without operative paragraphs 2 and 3 was adopted by 18 votes in favour to 3 against, with 43 abstentions.
15. Committee 2 therefore recommends to the Conference the adoption of the following draft resolutions:

RECOMMENDATIONS OF COMMITTEE TWO

A

The Conference,

Considering that nuclear energy has opened up new perspectives for the progress of mankind, and especially for the economic and scientific advancement of developing countries,

Having in mind the conclusions of the Board of Governors of the IAEA, contained in the latest Report of the Agency (doc.GC(XI)/362), in which it is observed that many developing countries are not sufficiently aware of the contribution which atomic energy can bring to the development of their economies,

Believing that the peoples of the world, and especially the peoples of the developing countries, should be made fully aware of the present and potential opportunities,

Noting the interest in acquiring a thorough knowledge of the various aspects of the question of peaceful applications of nuclear energy, as reflected in the deliberations of the Conference of Non-Nuclear-Weapon States,

1. Requests the Secretary-General of the United Nations to appoint a group of experts, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries;

2. Recommends the Secretary-General to draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report;

3. Requests the Secretary-General to transmit the report to the Governments of States members of the United Nations, its specialized agencies and IAEA in time to permit its consideration at the twenty-fourth regular session of the General Assembly.

B

The Conference of Non-Nuclear-Weapon States,

Recalling resolutions 2028 (XX), 2153 B (XXI), 2346 B (XXII), and 2373 (XXII) of the United Nations General Assembly.

Mindful of the relevant articles of the Statute of the International Atomic Energy Agency,
Recognizing that many speakers have emphasized their Government's increasing interest in the peaceful uses of nuclear energy for economic and social development, an interest further stimulated by Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons and compatible with recent advances in the technology of nuclear power,

Recalling also that Article V of the Treaty calls for appropriate international procedures in order for non-nuclear-weapon States to receive the potential benefits arising from any peaceful applications of nuclear explosions,

Noting the International Atomic Energy Agency's activities to carry out the function of stimulating international exchange of scientific and technological information and its efforts to assist developing countries in their efforts to acquire technical capabilities in the field of peaceful uses of nuclear power,

Noting that the Agency during the decade of its existence has gained valuable experience in carrying out these functions and has therefore already enlarged the contribution of atomic energy for peace, health and prosperity throughout the world,

Taking note of the fact that several delegations have expressed the opinion that the membership of the Board of Governors of the International Atomic Energy Agency should be enlarged so as to reflect equitable geographical distribution,

Aware that Member States of the Agency have agreed to place certain amounts of fissionable materials at the disposal of the Agency, for use in Agency projects,

I

Calls upon the Agency to continue its utmost efforts for compilation and dissemination of public information concerning the peaceful uses of nuclear energy, including those related to the peaceful application of nuclear explosions;

Recommends that the Agency study appropriate international agreements to facilitate exchange of scientific and technical information which have commercial or industrial value and are not publicly available, so as to make it possible for the countries with interest to know of the existence and outline of such information and to enable the interested parties to enter into negotiations about the acquisition of such information with the owners thereof;

Invites the nuclear-weapon States to advise the Agency at regular intervals as to the possibility of their declassifying scientific and technical information which has become essential for the development of the peaceful uses of nuclear energy, as soon as there is no longer any reason for its classification on national security grounds, bearing in mind all the benefits to be derived from the dissemination of scientific knowledge.
II

Recommends that the Agency study further the ways and means of increasing the funds available for technical assistance, taking into full consideration the views of the interested countries, particularly those of the developing countries, expressed in this Conference;

III

Recommends that the Agency study the most effective means of ensuring access to special fissionable materials on commercial basis;

Urges the nuclear-weapon States to facilitate, to the fullest extent possible, the availability of fissionable materials for the peaceful nuclear programmes of the non-nuclear-weapon States accepting the application of safeguards as envisaged in Article III of the Treaty;

IV

Recommends that the Agency, in relation to the question of nuclear explosions for peaceful purposes, initiate necessary studies that are deemed advisable on its possible functions in this field;

V

Expresses its assumption that the Agency will examine at an appropriate time its procedures and arrangements, as well as the question of the composition of the Board of Governors, with a view to adapting them as necessary in the light of its new responsibilities.

VI

Requests the Secretary-General of the United Nations to bring this resolution to the attention of the Agency, together with the relevant records of the proceedings of the Conference of Non-Nuclear-Weapon States and the relevant proposals submitted thereto;

Invites the Agency to bear the present resolution in mind in preparing its annual reports for the General Assembly.

C

The Conference of Non-Nuclear-Weapon States,

Considering that nuclear power technology and the uses of radiation sources and radioisotopes in the fields of agriculture, hydrology, medicine and industry have been developed to the extent that they can accelerate the programmes of economic development of a large number of developing countries,

Realizing that the nuclear projects are generally capital intensive and require a well-trained corps of nuclear scientists, engineers and technicians,

Noting that the technical assistance provided by the IAEA through voluntary contributions of the Member States, has fallen short of the demands made by developing Member States of the Agency, for fellowships, services of experts, equipment and materials.
Aware of the difficulties experienced by a large number of developing countries in securing financial support for the nuclear projects and training of their personnel for the operation and maintenance of those projects, even when such projects have been found to be technically feasible and economically viable,

Recommends that the IAEA should undertake to examine the basis on which arrangements can be made by the Agency to secure finances from international sources for the creation of a Special Nuclear Fund (SNF) to be made available in the form of (a) grants and (b) low-interest bearing loans, repayable over long periods of time; for financing the nuclear projects which have been found by the Agency to be technically feasible and economically viable in the territories of non-nuclear-weapon States which are members of the Agency, particularly those in the developing areas of the world, and which may make request to the Agency under the provisions of Article XI B of the Agency's Statute.

D

The Conference,

Convinced that non-nuclear-weapon States have the inalienable right to use nuclear energy for their technological and economic development,

Considering that non-nuclear-weapon States should have full access on a non-discriminatory basis to equipment, materials and scientific and technological information for the peaceful applications of nuclear energy,

Mindful that international co-operation should play a decisive role in disseminating the peaceful applications of nuclear energy,

Considering that it is urgently necessary to increase multilateral assistance and co-operation in order to promote and facilitate those applications,

Recognizing the desirability of strengthening existing activities and establishing new programmes designed to effect a rapid increase in the use of nuclear energy for peaceful purposes,

Noting that international co-operation with a view to the peaceful utilization of nuclear energy is at present limited by the shortage of financial resources at the disposal of developing non-nuclear-weapon States and by the fact that it is not given priority in the programmes of the various suppliers of international finance,

Expressing its conviction that the financial resources and fissionable materials released by the adoption of nuclear disarmament measures should also be used to serve the economic development of the developing countries, and especially their technological and scientific progress,
Considering that the existence of an adequate supply of special fissionable materials is one of the essential conditions for the peaceful utilization of nuclear energy,

Observing that although some nuclear countries, pursuant to article IX of the Statute of the International Atomic Energy Agency, have made various quantities of special fissionable materials available to the Agency, an increasing demand by non-nuclear-weapon States for such materials can be foreseen for the future, and that it is therefore necessary to keep an adequate reserve accessible to those States,

A

1. Requests the United Nations General Assembly to consider at its twenty-third regular session the establishment, within the United Nations Development Programme, of a "Nuclear Technology Research and Development Programme" to be executed as a matter of priority with the co-operation of the International Atomic Energy Agency for the benefit of the developing countries;

2. Requests the International Bank for Reconstruction and Development to consider, at the next meeting of its Board of Governors, the establishment for the benefit of the developing countries of a "Programme for the Use of Nuclear Energy in Economic Development Projects" which would be a matter of priority and under which finance would be granted on the most favourable terms as regards interest and repayment periods;

3. Invites the nuclear-weapon States to assume the main responsibility for financing the two programmes;

B

1. Requests the General Conference of the International Atomic Energy Agency to consider at its next meeting the establishment of a "Fund of Special Fissionable Materials" for the benefit of non-nuclear-weapon States and in particular of developing countries;

2. Invites the nuclear-weapon States to give a firm undertaking regarding the supply of such materials to the "Fund" at reasonable prices and in adequate quantities at the request of non-nuclear-weapon States;

C

Also recommends the nuclear-weapon States, independently of the contributions provided for in paragraphs A 3 and B 2, to channel into the Programmes and Fund proposed above a substantial share of such financial resources and special fissionable materials as may be released in the future as a result of the adoption of nuclear disarmament measures.
Recalling that Article III of the Statute of the International Atomic Energy Agency has the following aims:

1. To encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world; and, if requested to do so, to act as an intermediary for the purposes of securing the performance of services or the supply of materials, equipment, or facilities by one member of the Agency for another; and to perform any operation or service useful in research on, or development or practical application of, atomic energy for peaceful purposes;

2. To make provision, in accordance with this Statute, for materials, services, equipment, and facilities to meet the needs of research on, and development and practical application of, atomic energy for peaceful purposes; including the production of electric power, with due consideration for the needs of the under-developed areas of the world;

3. To foster the exchange of scientific and technical information on peaceful uses of atomic energy;

4. To encourage the exchange and training of scientists and experts in the field of peaceful uses of atomic energy;"

Appreciating the work already done by the Agency in this field;

Noting however the wide dissatisfaction expressed by participants in the Conference of Non-Nuclear-Weapon States with regard to the unrepresentative nature of the Agency and that the views of the developing countries are not fully given expression;

"Recommends to the Agency that representation on its Board of Governors be broadened so as to reflect equitable geographical distribution and the views of a broad spectrum of the developing countries."

The Conference of Non-Nuclear-Weapon States,

(a) Recognizing the importance and urgency of halting all nuclear-weapon tests by the rapid conclusion of a comprehensive test ban treaty,

(b) Aware that, with further technological progress, important benefits may be derived from the peaceful uses of nuclear explosives,

(c) Bearing in mind the discrimination and different treatment of States inherent in the present situation, allowing nuclear-weapon States to conduct without international interference any project in the field of nuclear explosions, the only internationally formalized limitation being the rules of the Partial Test Ban Treaty, while other States would be able to obtain the benefits from nuclear explosions for peaceful purposes only in an indirect way under the rules of Article V of the Non-Proliferation Treaty,
(d) Convinced therefore of the need on the one hand to obtain, as rapidly as possible, a comprehensive test ban treaty, prohibiting in principle all nuclear explosions, on the other hand to create, in a separate international instrument, a régime, aiming at managing and controlling, internationally, all explosions for peaceful purposes as exceptions from the general prohibition under the comprehensive test ban,

(e) Noting the Joint Memorandum on a comprehensive test ban treaty presented on 26 August 1968 to the Conference of the Eighteen-Nation Committee on Disarmament by the delegations of Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden and the United Arab Republic.

Endorses the opinion expressed in that document that the question of nuclear explosions for peaceful purposes is also closely linked with a comprehensive test ban, this aspect of the matter underlining the urgency of a universal and comprehensive solution of the problem of nuclear explosions for peaceful purposes compatible with a comprehensive test ban treaty.

G

The Conference of Non-Nuclear-Weapon States

Having discussed the question of "Benefits from peaceful applications of nuclear explosions to non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons pursuant to special international agreement or agreements through an appropriate international body or through bilateral arrangements",

Observing that the use of explosive nuclear devices for peaceful purposes is destined to be of immense benefit, especially to the developing countries, as is demonstrated by the technical documents prepared for the Conference at the request of the Secretary-General of United Nations,

Convinced that all the benefits of the peaceful applications of nuclear explosions should be accessible to all non-nuclear-weapon States which have renounced nuclear weapons,

1. Declares that it is highly important that a special draft International agreement should be drafted as soon as possible for the establishment in due course, within the framework of the International Atomic Energy Agency, of an "International Department for Nuclear Explosions for Peaceful Purposes", whereby the nuclear-weapon States will undertake to provide states which have renounced nuclear weapons with such services for conducting nuclear explosions for peaceful purposes as may be required for specific projects submitted to the Department by these States;
2. Likewise declares that the services referred to in the preceding paragraph should be provided on a non-discriminatory basis and in such a way that there will be an adequate participation of the States which have renounced nuclear weapons in the International Department to ensure that the charge to them for services they receive is as low and as fair as possible and, in particular, excludes any charge for research and development in respect of the nuclear devices employed;

3. Requests the Secretary-General of the United Nations to include in the agenda of the twenty-third regular session of the General Assembly an item entitled "Convening of a special conference to consider the establishment within the framework of the International Atomic Energy Agency of an International Department for Nuclear Explosions for Peaceful Purposes for the benefit of States which have renounced nuclear weapons, with due consideration for the needs of the developing areas of the world":

4. Requests the Executive Secretary of the Conference to transmit to the Secretary-General of the United Nations the text of this resolution;

5. Also asks the Executive Secretary to transmit to the Secretary-General the papers submitted by the delegations of Mexico and Italy (documents A/CONF.35/DOC.15 and A/CONF.35/C.2/3), and all the other documents and records concerning item 14 (d) of the agenda of the conference.

The Conference of Non-Nuclear Weapon States,

Believing that freedom of access to scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy, as well as access to scientific and technological information in the nuclear field among the non-nuclear-weapon States and between the non-nuclear-weapon States and the nuclear-weapon States, lends to the promotion of nuclear technology,

Realizing that technical assistance rendered by nuclear-weapon States and such non-nuclear-weapon States as have advanced in the field of nuclear technology through bilateral or multilateral channels, to those non-nuclear-weapon States which are less advanced, helps them to acquire the benefits of nuclear technology,

Considering the importance of strengthening all possible measures to prevent the proliferation of nuclear weapons,

Requests all nuclear-weapon States and those non-nuclear-weapon States which are in a position to do so, to provide access for students and scientists for purposes of training and acquisition of knowledge on a non-discriminatory basis to their scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy.
### CHECK-LIST OF DOCUMENTS ISSUED BY THE CONFERENCE

**(29 August - 28 September 1968)**

**Part A - Pre-Conference Documentation [A/CONF.35/DOC. - series]**

<table>
<thead>
<tr>
<th>Title of Document</th>
<th>Date</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Declaration by nuclear-weapon States, jointly or severally, to protect the non-</td>
<td>26 June 1968</td>
<td>A/CONF.35/DOC.1</td>
</tr>
<tr>
<td>nuclear-weapon States who have renounced the production, acquisition and use of nuclear weapons against threat or use of nuclear weapons by Armando Uribe</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The question of peaceful explosions for the benefit of non-nuclear-weapon States</td>
<td>3 July 1968</td>
<td>A/CONF.35/DOC.2</td>
</tr>
<tr>
<td>by Theo Ginsburg</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Question of nuclear explosions for peaceful purposes by non-nuclear-weapon</td>
<td>3 July 1968</td>
<td>A/CONF.35/DOC.3</td>
</tr>
<tr>
<td>States and the possibility of misuse of such technology for the production of nuclea</td>
<td></td>
<td></td>
</tr>
<tr>
<td>r weapons by Ulf Ericsson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submission of periodic reports by countries, to an international agency, on the</td>
<td>3 July 1968</td>
<td>A/CONF.35/DOC.4</td>
</tr>
<tr>
<td>nature and the extent of nuclear technical assistance and fissionable material</td>
<td></td>
<td></td>
</tr>
<tr>
<td>supplied by them to non-nuclear-weapon States for peaceful purposes by M.A. El-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guebsily</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistance to non-nuclear-weapon States, who have renounced the production,</td>
<td>3 July 1968</td>
<td>A/CONF.35/DOC.5</td>
</tr>
<tr>
<td>acquisition and use of nuclear weapons, in the implementation of programmes of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>peaceful uses of nuclear energy by Ryokichi Sagane</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access for non-nuclear-weapon States, who have renounced the production,</td>
<td>3 July 1968</td>
<td>A/CONF.35/DOC.6</td>
</tr>
<tr>
<td>acquisition and use of nuclear weapons, to technology for peaceful uses of nuclear energy by Achille Albonetti</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Title of Document</td>
<td>Date</td>
<td>Symbol</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------</td>
<td>---------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>Consideration of an international convention by non-nuclear-weapon States to undertake the prevention of the production, acquisition of and the use of nuclear weapons by Andrzej Skowronski</td>
<td>3 July 1968</td>
<td>A/CONF.35/DOC.7 and A/CONF.35/DOC.7* French only</td>
</tr>
<tr>
<td>Conclusion of an international convention under which nuclear-weapon States undertake not to use or threaten the use of nuclear weapons against States which have unconditionally renounced the production, acquisition and use of nuclear weapons by Jaroslav Zourek</td>
<td>9 July 1968</td>
<td>A/CONF.35/DOC.8</td>
</tr>
<tr>
<td>Establishment of nuclear-free zones by Peter Gacii</td>
<td>24 July 1968</td>
<td>A/CONF.35/DOC.9</td>
</tr>
<tr>
<td>Reciprocal inspections on a bilateral basis and multilateral inspections by an international agency, of nuclear establishments for peaceful purposes, in the territory of non-nuclear-weapon States and safeguards against industrial espionage through such inspections by I.H. Usmani</td>
<td>25 July 1968</td>
<td>A/CONF.35/DOC.10</td>
</tr>
<tr>
<td>Subject index to debates on a treaty on the non-proliferation of nuclear weapons at the 22nd session of the General Assembly (24 April-12 June 1968) and in the Security Council (17-19 June 1968) /prepared by the Secretariat/</td>
<td>29 July 1968</td>
<td>A/CONF.35/DOC.11 English only</td>
</tr>
<tr>
<td>Security assurances in the context of measures to prevent the spread of nuclear weapons /prepared by the Secretariat/</td>
<td>26 July 1968</td>
<td>A/CONF.35/DOC.12</td>
</tr>
<tr>
<td>International co-operation on peaceful uses of nuclear energy in the context of the treaty on the non-proliferation of nuclear weapons /prepared by the Secretariat/</td>
<td>15 August 1968</td>
<td>A/CONF.35/DOC.13</td>
</tr>
<tr>
<td>Measures for the cessation of the nuclear arms race and disarmament in the context of the treaty on the non-proliferation of nuclear weapons /prepared by the Secretariat/</td>
<td>26 August 1968</td>
<td>A/CONF.35/DOC.14</td>
</tr>
</tbody>
</table>
Title of Document | Date | Symbol
--- | --- | ---
International programme of nuclear explosions for peaceful purposes for the benefit of States which have renounced nuclear weapons | 22 August 1968 | A/CONF.35/DOC.15
Establishment of nuclear-free zones | 22 August 1968 | A/CONF.35/DOC.16

Part B - Summary Records of the Conference* [A/CONF.35/SR. - series]

Plenary

1st meeting to 20th meeting | 29 August to 27 September 1968 | A/CONF.35/SR.1-20

Committee 1

1st meeting to 22nd meeting | 4 September to 26 September 1968 | A/CONF.35/C.1/SR.1-22

Committee 2

1st meeting to 17th meeting | 5 September to 25 September 1968 | A/CONF.35/C.2/SR.1-17

General Committee

1st and 2nd meeting | 3 and 17 September 1968 | A/CONF.35/GC/SR.1-2

All final summary records of the Plenary and the Committees will be distributed as soon as they are processed.
### Part C - Documents of the Conference (Plenary) - A/CONF.35/Series and A/CONF.35/L. Series/

<table>
<thead>
<tr>
<th>Date</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Sept. 1968</td>
<td>A/CONF.35/1</td>
</tr>
<tr>
<td>3 Sept. 1968</td>
<td>A/CONF.35/2</td>
</tr>
<tr>
<td>4 Sept. 1968</td>
<td>A/CONF.35/2/Corr.1 English only</td>
</tr>
<tr>
<td>20 Sept. 1968</td>
<td>A/CONF.35/3</td>
</tr>
<tr>
<td>20 Sept. 1968</td>
<td>A/CONF.35/4</td>
</tr>
<tr>
<td>26 Sept. 1968</td>
<td>A/CONF.35/5</td>
</tr>
<tr>
<td>25 Sept. 1968</td>
<td>A/CONF.35/6</td>
</tr>
<tr>
<td>26 Sept. 1968</td>
<td>A/CONF.35/6/Corr.1 English, French and Spanish only</td>
</tr>
<tr>
<td>27 Sept. 1968</td>
<td>A/CONF.35/6/Corr.1 Spanish only</td>
</tr>
<tr>
<td>2 Oct. 1968</td>
<td>A/CONF.35/6/Corr.2 Russian only</td>
</tr>
<tr>
<td>27 Sept. 1968</td>
<td>A/CONF.35/7</td>
</tr>
<tr>
<td>27 Sept. 1968</td>
<td>A/CONF.35/8</td>
</tr>
<tr>
<td>27 Sept. 1968</td>
<td>A/CONF.35/9</td>
</tr>
<tr>
<td>1 Oct. 1968</td>
<td>A/CONF.35/10</td>
</tr>
<tr>
<td>1 Oct. 1968</td>
<td>A/CONF.35/11</td>
</tr>
</tbody>
</table>
Draft rules of procedure

Provisional agenda

Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela: draft resolution

India and Yugoslavia: draft Declaration of the Conference of Non-Nuclear-Weapon States

Add Ethiopia

Add Indonesia and United Arab Republic

Add Afghanistan

Afghanistan, Ethiopia, India, Indonesia, United Arab Republic and Yugoslavia: Draft Declaration of the Conference of Non-Nuclear-Weapon States

Afghanistan, Ethiopia, India, Indonesia, Mauritius, United Arab Republic and Yugoslavia: Draft Declaration of the Conference of Non-Nuclear-Weapon States

Brazil, Mexico, Nigeria and Sweden: amendment to resolution F (A/CONF.35/6) adopted by Committee 2 at its sixteenth meeting on 25 September 1968

Argentina, Australia, Brazil, Federal Republic of Germany, India: amendment to Resolution B (A/CONF.35/6) adopted by Committee 2 at its sixteenth meeting on 25 September 1968

Canada: amendments to the Draft Declaration submitted by Afghanistan, Ethiopia, India, Indonesia and Yugoslavia (A/CONF.35/L.4 and Add. 1-3)
<table>
<thead>
<tr>
<th>Title of Document</th>
<th>Date</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working paper submitted by the Delegation of the Federal Republic of Germany on Agenda item 13(a)</td>
<td>13 Sept. 1968</td>
<td>A/CONF.35/C.1/1</td>
</tr>
<tr>
<td>Spain: draft resolution</td>
<td>12 Sept. 1968</td>
<td>A/CONF.35/C.1/L.1</td>
</tr>
<tr>
<td>Switzerland: draft resolution</td>
<td>13 Sept. 1968</td>
<td>A/CONF.35/C.1/L.2</td>
</tr>
<tr>
<td>Brazil: draft resolution</td>
<td>13 Sept. 1968</td>
<td>A/CONF.35/C.1/L.3</td>
</tr>
<tr>
<td>Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela: draft resolution</td>
<td>19 Sept. 1968</td>
<td>A/CONF.35/C.1/L.3/Rev.1 English, French, Spanish only</td>
</tr>
<tr>
<td>Uganda, United Republic of Tanzania and Zambia: draft resolution</td>
<td>17 Sept. 1968</td>
<td>A/CONF.35/C.1/L.4</td>
</tr>
<tr>
<td>Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela: draft resolution</td>
<td>18 Sept. 1968</td>
<td>A/CONF.35/C.1/L.5</td>
</tr>
<tr>
<td>Pakistan: draft resolution</td>
<td>18 Sept. 1968</td>
<td>A/CONF.35/C.1/L.5/Rev.1</td>
</tr>
<tr>
<td>Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela: draft resolution</td>
<td>18 Sept. 1968</td>
<td>A/CONF.35/C.1/L.7</td>
</tr>
<tr>
<td>Pakistan: draft resolution</td>
<td>23 Sept. 1968</td>
<td>A/CONF.35/C.1/L.8</td>
</tr>
<tr>
<td>Spain and Switzerland: draft resolution</td>
<td>21 Sept. 1968</td>
<td>A/CONF.35/C.1/L.9</td>
</tr>
<tr>
<td>Ghana, India, Pakistan and Yugoslavia: draft resolution</td>
<td>21 Sept. 1968</td>
<td>A/CONF.35/C.1/L.10</td>
</tr>
</tbody>
</table>
Pakistan: draft resolution  
Chile: draft resolution  
Federal Republic of Germany: draft resolution  
Argentina, Brazil, Chile, Colombia, Ecuador, Spain and Switzerland: draft resolution  
Philippines: amendments to draft resolution A/CONF.35/C.1/L.6/Rev.1  
Japan: amendments to the draft resolution submitted by Argentina, Brazil, Chile, Colombia, Ecuador, Spain and Switzerland  
Mauritius: amendment to draft resolution A/CONF.35/C.1/L.14  
Federal Republic of Germany: amendment to draft resolution A/CONF.35/C.1/L.14  
Philippines: amendment to draft resolution A/CONF.35/C.1/L.14
A/CONF.35/10
Annex VI
page 8

Part E - Documents of Committee 2/A/CONF.35/C.2 - series and
A/CONF.35/C.2/L. - series

<table>
<thead>
<tr>
<th>Title of Document</th>
<th>Date</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>responsible for the implementation of the conclusions of the Conference</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Working paper submitted by the Italian delegation on the establishment of an international body for co-operation in nuclear explosions for peaceful uses</td>
<td>9 September 1968</td>
<td>A/CONF.35/C.2/2</td>
</tr>
<tr>
<td>Working paper of the Italian delegation concerning the proposal for the reduction of military stocks of nuclear materials through the transfer of fissionable materials to the peaceful uses of non-nuclear countries</td>
<td>12 September 1968</td>
<td>A/CONF.35/C.2/3</td>
</tr>
<tr>
<td>Draft resolution submitted by Switzerland</td>
<td>12 September 1968</td>
<td>A/CONF.35/C.2/L.1</td>
</tr>
<tr>
<td>Draft resolution submitted by Brazil</td>
<td>13 September 1968</td>
<td>A/CONF.35/C.2/L.2</td>
</tr>
<tr>
<td>Draft resolution submitted by Argentina, Bolivia, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela</td>
<td>17 September 1968</td>
<td>A/CONF.35/C.2/L.2/Rev.1</td>
</tr>
<tr>
<td>Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela: draft resolution</td>
<td>23 September 1968</td>
<td>A/CONF.35/C.2/L.2/Rev.2</td>
</tr>
<tr>
<td>Pakistan: draft resolution</td>
<td>16 September 1968</td>
<td>A/CONF.35/C.2/L.3</td>
</tr>
<tr>
<td>Pakistan: draft resolution</td>
<td>23 September 1968</td>
<td>A/CONF.35/C.2/L.1/Rev.1 and Rev.1* French only</td>
</tr>
<tr>
<td></td>
<td>24 September 1968</td>
<td>and Rev.2</td>
</tr>
<tr>
<td></td>
<td>25 September 1968</td>
<td>and Rev.3</td>
</tr>
<tr>
<td>Title of Document</td>
<td>Date</td>
<td>Symbol</td>
</tr>
<tr>
<td>-------------------</td>
<td>------</td>
<td>--------</td>
</tr>
<tr>
<td>Japan: draft resolution</td>
<td>17 September 1968</td>
<td>A/CONF.35/C.2/L.4</td>
</tr>
<tr>
<td>Austria, Denmark, Finland, Japan, Norway, Sweden and Switzerland: draft resolution</td>
<td>23 September 1968</td>
<td>A/CONF.35/C.2/L.4/Rev.1 and Rev.2</td>
</tr>
<tr>
<td>Pakistan: draft resolution</td>
<td>24 September 1968</td>
<td>A/CONF.35/C.2/L.4</td>
</tr>
<tr>
<td>Pakistan: draft resolution</td>
<td>17 September 1968</td>
<td>A/CONF.35/C.2/L.5</td>
</tr>
<tr>
<td>Argentina, Bolivia, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela: draft resolution</td>
<td>23 September 1968</td>
<td>A/CONF.35/C.2/L.5</td>
</tr>
<tr>
<td>Add Jamaica</td>
<td>17 September 1968</td>
<td>A/CONF.35/C.2/L.6</td>
</tr>
<tr>
<td>Add Costa Rica and Guatemala</td>
<td>18 September 1968</td>
<td>A/CONF.35/C.2/L.6/Add.1</td>
</tr>
<tr>
<td>Denmark, Finland, Norway and Sweden: draft resolution</td>
<td>20 September 1968</td>
<td>A/CONF.35/C.2/L.6/Add.2</td>
</tr>
<tr>
<td>Add Austria</td>
<td>19 September 1968</td>
<td>A/CONF.35/C.2/L.6/Add.1</td>
</tr>
<tr>
<td>Kenya, Uganda, United Republic of Tanzania and Zambia: draft resolution</td>
<td>18 September 1968</td>
<td>A/CONF.35/C.2/L.7</td>
</tr>
<tr>
<td>Add Cameroon</td>
<td>19 September 1968</td>
<td>A/CONF.35/C.2/L.7/Add.1</td>
</tr>
<tr>
<td>Add Dahomey and Ivory Coast</td>
<td>20 September 1968</td>
<td>A/CONF.35/C.2/L.7/Add.2</td>
</tr>
<tr>
<td>Argentina, Brazil and Peru: Draft resolution</td>
<td>18 September 1968</td>
<td>A/CONF.35/C.2/L.8</td>
</tr>
<tr>
<td>20 September 1968</td>
<td>A/CONF.35/C.2/L.8/Rev.1</td>
<td></td>
</tr>
<tr>
<td>24 September 1968</td>
<td>A/CONF.35/C.2/L.10/Rev.1/Add.1</td>
<td></td>
</tr>
<tr>
<td>Italy: draft resolution</td>
<td>19 September 1968</td>
<td>A/CONF.35/C.2/L.11</td>
</tr>
</tbody>
</table>
### Part F - Documents of General Committee

<table>
<thead>
<tr>
<th>Title of Document</th>
<th>Date</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bolivia, Costa Rica, Guatemala, Jamaica, Mexico, Nicaragua, Trinidad and Tobago, Uruguay and Venezuela: draft resolution.</td>
<td>20 September 1968</td>
<td>A/CONF.35/C.2/L.12</td>
</tr>
<tr>
<td>Argentina, Bolivia, Brazil, Colombia, Costa Rica, Chile, Jamaica, Guatemala, Mexico, Nicaragua, Paraguay, Peru, Dominican Republic, Trinidad and Tobago, Uruguay and Venezuela: draft resolution.</td>
<td>20 September 1968</td>
<td>A/CONF.35/C.2/L.13</td>
</tr>
<tr>
<td>Report adopted by the General Committee at its First Meeting held on 2 September 1968</td>
<td>2 September 1968</td>
<td>A/CONF.35/GC.1</td>
</tr>
</tbody>
</table>

### Part G - Documents of the Credentials Committee

<table>
<thead>
<tr>
<th>Title of Document</th>
<th>Date</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Report of the Credentials Committee</td>
<td>25 September 1968</td>
<td>A/CONF.35/CR.1</td>
</tr>
<tr>
<td></td>
<td>26 September 1968</td>
<td>A/CONF.35/CR.1* French only and Add.1</td>
</tr>
</tbody>
</table>

### Part H - Information Documents

<table>
<thead>
<tr>
<th>Title of Document</th>
<th>Date</th>
<th>Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information for delegations</td>
<td>2 September 1968</td>
<td>A/CONF.35/INF.1</td>
</tr>
<tr>
<td></td>
<td>18 September 1968</td>
<td>A/CONF.35/INF.1/Add.1</td>
</tr>
<tr>
<td>List of Participants</td>
<td>6 September 1968</td>
<td>A/CONF.35/INF.2</td>
</tr>
<tr>
<td>Revised List of Participants</td>
<td>11 September 1968</td>
<td>A/CONF.35/INF.2/Rev.1</td>
</tr>
</tbody>
</table>
Uganda, United Republic of Tanzania and Zambia:
draft resolution

The Conference of Non-Nuclear-Weapon States,

Having discussed the question of "Measures to assure the security of non-nuclear-weapon States",

Recalling Article II(1) of the Charter which calls upon the General Assembly of the United Nations to consider general principles governing disarmament and the regulation of armaments and that it may make recommendations with regard to the same to the Security Council,

Recalling further the obligations contained in Article II(4) of the Charter of the United Nations on all Member States to "refrain in their internal relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations",

Having in mind that resolution 255 (1968) of the Security Council does not, in the view of many States, satisfy all of their fears as to their security,

Reaffirming resolutions 2028 (XX) and 2153 (XXI) of the General Assembly of the United Nations,

Recommends the establishment of a Preparatory Committee for the convening of a Conference to be held not later than 31 August 1969 for the conclusion of a Convention or Protocol to the Non-Proliferation Treaty through which the Nuclear Weapon States would undertake not to attack non-nuclear-weapon States or one another and that States Parties to the Convention would also undertake to come to the aid of any State, nuclear or non-nuclear, attacked by nuclear or conventional weapons.

Pakistan: draft resolution

The Conference of Non-Nuclear-Weapon States,

Conscious that one of its purposes, as provided in United Nations General Assembly resolutions 2153B(XXI) and 2346B(XXII) convening this Conference, is to consider how the security of non-nuclear-weapon States can best be assured;

Deeply concerned at the continuation of the arms race, in particular the nuclear arms race and the threat to mankind due to the constant danger of the use of nuclear weapons;

Convinced that only nuclear disarmament resulting in the complete elimination of nuclear weapons will assure perfect security from the use or threat of use of nuclear weapons;

Considering that until nuclear disarmament is achieved on a universal basis, it is necessary to assure effectively the security of non-nuclear-weapon States which
have renounced the manufacture or acquisition otherwise of nuclear weapons against the use or threat of use of nuclear weapons from any quarter;

Bearing in mind Article 2 paragraph 4 of the United Nations Charter that all Members shall refrain in their international relations from the threat or use of force;

Recalling General Assembly Declaration on the prohibition of the use of nuclear and thermo-nuclear weapons contained in Resolution 1653(XVI);

Recalling Resolution 2153A(XXI) of the General Assembly inter alia calling upon all nuclear weapon powers to refrain from the use or threat of use of nuclear weapons against States which may conclude treaties of the nature defined in paragraph 2(e) of the General Assembly Resolution 2028(XX);

Noting that a Treaty on the Non-Proliferation of Nuclear Weapons has been commended by the General Assembly in Resolution 2373(XXII) and noting, however, the need for more effective security measures;


Noting also the declarations of the People's Republic of China that it will not be the first to use nuclear weapons and of France that its nuclear armaments are manufactured for strictly defensive purposes;

Convinced that it is necessary to take further steps towards non-proliferation by inter alia reinforcing the assurances of security to non-nuclear-weapon States which have renounced the manufacture or acquisition otherwise of nuclear weapons against the use or threat of use of nuclear weapons from any quarter, pending the achievement of nuclear disarmament;

1. Urges the nuclear weapon States to undertake to refrain from the use or threat of use of nuclear weapons against any non-nuclear-weapon State which has renounced the manufacture or acquisition otherwise of nuclear weapons;

2. Recommends to the permanent members of the Security Council who have expressed their intention "to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any Non-Nuclear-Weapon State Party
to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act of aggression or an object of threat of aggression in which nuclear weapons are used," to undertake to provide such immediate assistance, in accordance with the United Nations Charter, to any Non-Nuclear-Weapon State which has renounced the manufacture or acquisition otherwise of nuclear weapons and is the object of the use or threat of use of nuclear weapons;

3. **Recommends further** to the nuclear weapon States that they effectively respond, jointly and severally, to a request for immediate assistance, in the exercise of its inherent right of individual and collective self-defence, by a State which has renounced the manufacture or acquisition otherwise of nuclear weapons if a nuclear attack occurs against that State or if it is subjected to a threat of use of nuclear weapons, until the Security Council has taken measures necessary to maintain international peace and security.
Attached herewith are the texts of two cables addressed to you by Mr. Arshad Husain, President of the Conference of Non-Nuclear-Weapon States. The originals of the two letters have been posted from Geneva and should be reaching you in a day or two, if not already received. Since the matter is urgent, I am conveying to you my views concerning the action to be taken on the two letters. I shall deal with them separately:

1. **Cable No. UNGVA 3805**

   By this letter the President of the Conference is transmitting to you, as authorized by the Conference, the final documents of the Conference. He is, in particular, drawing your attention to paragraph 17 of the final document which sets forth the resolutions and declaration adopted. I gave you this morning copies of the final document and the enclosures.

   While the letter from the President of the Conference does not specifically ask you to bring this to the attention of the General Assembly, the operative paragraph of the resolution adopted by the Conference at its 19th Plenary Meeting reads as follows:

   "Invites the General Assembly at its present session to consider the best ways and means for the implementation of the decisions taken by the Conference and the continuity of the work undertaken and at a subsequent session to consider the question of the convening of a second conference of the Non-Nuclear-Weapon States."

   It is obvious therefore that the final document of the Conference must be brought to the attention of the current twenty-third session of the General Assembly. However, neither the resolution nor the letter of the President requests the Secretary-General to inscribe the matter in the
agenda of the XXIII Session of the General Assembly. Therefore I would suggest that the question of the inscription of the appropriate item, if there is no formal request from some delegations, should be decided upon in consultation with the President of the Conference. It may be entitled "Conference of Non-Nuclear -Weapon States: Letter dated .... from the President of the Conference addressed to the Secretary-General of the United Nations".

2. Cable No. UNGVA 3806

This cable relates to the proceedings in the final Plenary Meeting of the Conference at which time several members criticized, some in very strong terms, the statement made by Mr. Eklund, Director-General of the IAEA, concerning the Conference of Non-Nuclear-Weapon States. Several delegations at the Conference expressed the view that the feelings of the Conference in this matter should be made known to the President of the IAEA General Conference. Mr. Arshad Husain informed the Conference that he did not consider it appropriate for him to convey the views directly to the IAEA, but that statements of the delegations would be contained in the records and that the attention of the Secretary-General would be drawn to this. The letter from Mr. Arshad Husain contained in Cable 3806 is pursuant to this decision. The question for decision is how this matter can be handled. I would propose that the Secretary-General transmit to the Director-General of the IAEA a copy of Mr. Arshad Husain's letter contained in Cable No. UNGVA 3806, together with the official Summary Record of the 20th Plenary Meeting of the Non-Nuclear-Weapon States Conference at which this matter came up. Although the suggestion made in the Conference was that the views expressed should be brought to the attention of the President of the General Conference of the IAEA, I feel that this would not be appropriate and the Secretary-General can communicate only to the Director-General of the IAEA. I attach a draft for your consideration.
10 October 1968

Dear Dr. Eklund,

I have been asked to transmit the text of a letter dated 28 September 1968 which I have received from the President of the Conference of Non-Nuclear-Weapon States which was held in Geneva from 29 August to 28 September 1968. I also enclose the record of the 20th Plenary Meeting of that Conference to which the letter of the President of the Conference has made reference.

Kindest regards,

Yours sincerely,

U Thant

Dr. Sigvard Eklund
Director-General
International Atomic Energy Agency
c/o United Nations
Room 2265
New York, N.Y. 10017
Dear Sir,

The 20th plenary meeting of the Conference of Non-Nuclear-Weapon States decided that your attention be drawn to the views expressed by members of the Conference on that part of the statement made by the Director-General of the International Atomic Energy Agency at the Twelfth General Conference of the Agency (Vienna, 27 September 1968), which refers to the proceedings of the Conference of Non-Nuclear-Weapon States.

Accept, Sir, the assurances of my highest consideration.

[Signature]

Arshad Husain
President
Conference of Non-Nuclear-Weapon States

His Excellency
U Thant
Secretary-General
United Nations
New York, New York
I forward herewith a first paper on the above subject, entitled: "The Role of the United Nations in the Implementation of the Decisions of the Conference of Non-Nuclear-Weapon States" (PSCA/DAD/66). Annexed to the paper is a compilation, "Decisions of the Conference of Non-Nuclear-Weapon States, Classified according to Organization, Bodies or States to Whom Substantive Recommendations or Requests are Addressed".

The paper tries to put the question of implementation into perspective from the point of view of the United Nations, on the eve of the opening of the debate in the First Committee on the disarmament items.

I shall send further notes to you on the subject as matters develop.
THE ROLE OF THE UNITED NATIONS IN THE IMPLEMENTATION OF THE DECISIONS OF THE
CONFERENCE OF NON-NUCLEAR-WEAPON STATES

1. The only decision taken by the Non-Nuclear Conference concerning the implementation of its resolutions is that contained in Resolution 1, the operative paragraph of which reads:

"Invites the General Assembly, at its present session, to consider the best ways and means for the implementation of the decisions taken by the Conference, and the continuity of the work undertaken and at a subsequent session, to consider the question of the convening of a second conference of non-nuclear-weapon States."

2. The Non-Nuclear Conference adopted a declaration and 16 resolutions all of which are contained in the Final Document. The resolutions make specific recommendations or requests to the following: the United Nations General Assembly; the Secretary-General of the United Nations; the UNDP; the IAEA; the IBRD; the UNDC; the nuclear-weapon States; the USSR and the USA; and the non-nuclear-weapon States. The respective recommendations and requests to each of the above are tabulated and classified according to the organ or body concerned in the Annex attached hereto.

3. All of the questions discussed by the Non-Nuclear Conference arose out of or were directly related to the Non-Proliferation Treaty. While the Conference discussed the respective problems under various headings such as security, nuclear-free zones, non-proliferation and disarmament, co-operation in the field of peaceful uses of nuclear energy (including nuclear explosions for peaceful purposes), all of these questions were discussed as an integral part of the larger question of non-proliferation, which is of course a political matter. The same questions were dealt with either in the NPT or in Security Council Resolution 235 (which was in itself an offshoot of the NPT). Article III of the NPT deals with IAEA safeguards, Article IV with peaceful uses and Article V with peaceful nuclear explosions. Thus, it seems clear that even the economic aspects are essentially political and security questions of the problem of non-proliferation. This is also evident from the text of the...
declaration adopted by the Conference (pages 17-19 of the Final Document) which makes it clear that all these aspects are integral parts of the indivisible question of peace and security.

4. Some division of responsibilities in the execution of the various tasks may be unavoidable, especially in the field of peaceful uses. While the IAEA was given very broad responsibilities in this field by resolutions E, I, J, and K (see the Annex hereto), the Secretary-General was requested by resolution G to prepare a report on all possible contributions of nuclear technology to the economic and technological advancement of the developing countries; the General Assembly was also requested in resolution J to consider at its 23rd session the establishment within the UNDP of a nuclear technology research and development programme; the IBRD was requested to consider the establishment of a programme for the use of nuclear energy in economic development projects.

The responsibilities thus recommended for the United Nations and the IBRD, when viewed together with those recommended for the IAEA, will require a high degree of co-operation and co-ordination between the three organizations. Such co-ordination is clearly provided for by the Agreement governing the relationship between the United Nations and the IAEA (Resolution 1145 (XII)). Article 4 of the Agreement provides:

"The Secretary-General of the United Nations shall report to the United Nations as appropriate on the common activities of the United Nations and the Agency and on the development of relations between them."

The time may well have arrived when the Secretary-General might wish to consider implementing Article 4 of the Agreement on a regular annual basis. This would ensure a more intensive follow-up by the United Nations General Assembly of the work of the IAEA than has been the case in the past in connection with the Annual Report of the IAEA to the General Assembly.

5. The question of peaceful nuclear explosions may present some problems as there is a difference of opinion among the delegations as to which body or organization should be responsible for this matter. The only decision emanating from the Non-Nuclear Conference concerning nuclear explosions was that contained in Part IV of resolution H dealing with the role of the IAEA in the field of peaceful uses, which reads:

"Recommends that the Agency, in relation to the question of nuclear explosions for peaceful purposes, initiate necessary studies that are deemed advisable on its possible functions in this field."
A draft resolution submitted by 14 Latin American States dealing more specifically with the question of peaceful nuclear explosions, and requesting the Secretary-General of the United Nations to include in the Agenda of the 23rd session an item concerning this question, was adopted by Committee II of the Non-Nuclear Conference but failed to obtain a two-thirds majority in the Plenary. It appears likely that some similar type request for consideration of the matter by the General Assembly or the preparation of a report by the Secretary-General may be made during the consideration of the Final Document in the First Committee. Article V of the NPT is not clear as to who should draft the special international agreement which is to make provision for peaceful nuclear explosions. The nuclear Powers favour giving responsibility in this field to the IAEA. In fact, on the proposal of the US, the last General Conference of the IAEA, meeting in Vienna from 24-30 September 1968, adopted a resolution which:

"1. Requests the Director General to initiate studies of the procedures that the Agency should employ in performing such a role (i.e. the role envisaged under the NPT in connection with peaceful uses of nuclear explosions); and

"2. Requests the Board of Governors to review the results of these studies and to report thereon to the General Conference in 1969 at its 13th regular session."

6. There seems to be general agreement that the IAEA is the competent body to handle the technical, scientific and health aspects of peaceful explosions, but a number of delegations appear to feel that the United Nations is the competent body for the political and security aspects and that the United Nations should therefore play some role in regard to peaceful explosions. The disarmament aspects are indicated in resolution L of the Non-Nuclear Conference (initiated by Sweden), which endorses the opinion in the ENDC 3-Power non-aligned Joint Memorandum linking the question of peaceful nuclear explosions with a comprehensive test ban, and which regards peaceful explosions as exceptions from the general prohibition of all nuclear explosions under a comprehensive test ban treaty. A somewhat similar draft resolution is now being circulated privately by Sweden with a view to its submission to the First Committee. Such a resolution would tend to underline the political and security aspects of peaceful explosions.

7. Various ideas are now being considered by a number of delegations concerning the implementation of the resolutions of the Non-Nuclear Conference.
Pakistan and a group of interested countries are working on a draft resolution that would create an Ad Hoc Committee to follow the matter. The nuclear powers are opposed to the creation of an Ad Hoc Committee or any new body to deal with the question of implementation, and appear to favour the idea of having the General Assembly transmit the respective resolutions to the organizations or bodies concerned for examination or study. At this stage it is uncertain whether a proposal for an Ad Hoc Committee can obtain a two-thirds majority.

8. Other ideas being tentatively considered by some delegations are to give all or some responsibility to the Disarmament Commission or a Sub-Committee of the Disarmament Commission, or to the Secretary-General.

9. In any case, however, whether the responsibility is given to an Ad Hoc Committee, a Sub-Committee of the Disarmament Commission or to the Secretary-General, or is left to the various organizations or bodies concerned, questions of co-ordination of the work will arise. The Secretary-General already has the responsibility and the authority to co-ordinate the efforts of the IAEA and of the specialized agencies. The nature and extent of his exercise of this responsibility and authority will depend in part on which resolutions of the Non-Nuclear Conference are approved or endorsed by the General Assembly or merely taken note of, and as to whether any specific duties are assigned to the Secretary-General by the General Assembly.
ANNEX

DECISIONS OF THE CONFERENCE OF NON-NUCLEAR-WEAPON STATES
CLASSIFIED ACCORDING TO ORGANIZATIONS, BODIES OR STATES TO WHICH
SUBSTANTIVE RECOMMENDATIONS OR REQUESTS ARE ADDRESSED

Table of Contents

The United Nations General Assembly 1
The Secretary-General of the United Nations 2
The United Nations Development Fund (UNDP) 2
The International Atomic Energy Agency (IAEA) 3
The International Bank for Reconstruction and Development (IBRD) 6
The Eighteen-Nation Committee on Disarmament (ENDC) 7
The Nuclear-Weapon States 7
The Governments of the USSR and the USA 9
The Non-Nuclear-Weapon States 10
DECREES OF THE CONFERENCE OF NON-NUCLEAR-WEAPON STATES

Requests the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1959, to undertake negotiations for:

(a) The prevention of the further development and improvement of nuclear weapons and their delivery vehicles;

(b) The conclusion of a comprehensive test-ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority;

(c) Reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons;

(d) The reduction and subsequent elimination of all stockpiles of nuclear weapons and their delivery systems.

Resolution J

1. Requests the United Nations General Assembly to consider at its twenty-third regular session the establishment, within the United Nations Development Programme, of a nuclear technology research and development programme to be executed as a matter of priority with the co-operation of the International Atomic Energy Agency for the benefit of the developing countries;

Resolution II

Invites the General Assembly, at its present session, to consider the best ways and means for the implementation of the decisions taken by the Conference, and the continuity of the work undertaken, and at a subsequent session, to consider the question of the convening of a second conference of non-nuclear-weapon States.
UN SECRETARY-GENERAL

Resolution G

1. Requests the Secretary-General of the United Nations to appoint a group of experts, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries;

2. Recommends the Secretary-General to draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report;

3. Requests the Secretary-General to transmit the report to the Governments of States Members of the United Nations, its specialized agencies and the Agency in time to permit its consideration at the twenty-fourth regular session of the General Assembly.

UNITED NATIONS DEVELOPMENT FUND (UNDP)

Resolution J

1. Requests the United Nations General Assembly to consider at its twenty-third regular session the establishment, within the United Nations Development Programme, of a nuclear technology research and development programme to be executed as a matter of priority with the co-operation of the International Atomic Energy Agency for the benefit of the developing countries;

2. Requests the International Bank for Reconstruction and Development to consider, at the next meeting of its Board of Governors, the establishment for the benefit of the developing countries of a programme for the use of nuclear energy in economic development projects which would be a matter of priority and under which finance would be granted on the most favourable terms as regards interest and repayment periods;

3. Invites the nuclear-weapon States to assume the main responsibility for financing the two programmes;
INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)

Resolution E

RECOMMENDS the acceptance of the Agency's system of safeguards, as it may evolve from time to time, by all the non-nuclear-weapon States, as set forth in an agreement to be negotiated and concluded with the Agency in accordance with its safeguards system, which would provide against diversion of source or fissionable material, whether it is produced, processed or used in any principal nuclear facility or is outside any such facility established with or without the assistance of the Agency, including those principal nuclear facilities which may have been established in pursuance of any bilateral or multilateral arrangements, as a step towards the non-proliferation of nuclear weapons.

Resolution F

1. RECOMMENDS the establishment, within the International Atomic Energy Agency and under its Board of Governors, of institutional machinery on safeguards of which both countries supplying nuclear materials, and member countries, whether possessing nuclear facilities or not, shall form part;

2. RECOMMENDS to the International Atomic Energy Agency that, in the process of improving and simplifying the safeguards system inter alia, the following objectives be given appropriate consideration;

   (a) The safeguard procedures should be simplified by the use of instruments and other technical devices at certain strategic points of the flow of nuclear materials, with a view to restricting the safeguarding operations to the necessary minimum,

   (b) Simplification of safeguards in respect of fissionable materials in small quantities for use in scientific research,

   (c) Incorporation in the agreements of the rules laid down against industrial risks, including industrial espionage, by the statute of the International Atomic Energy Agency, the decisions of the Board of Governors and the directives of the Director General, particularly with regard to the possibility of challenging inspectors;

3. URGES the nuclear-weapon Powers to conclude with the International Atomic Energy Agency safeguard agreements consistent with the relevant rules;

4. CONSIDERS it essential that rules should be drawn up to avoid duplication of safeguard procedures and consequent commercial discrimination;

Resolution G

1. REQUESTS the Secretary-General of the United Nations to appoint a group of experts, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries;

2. RECOMMENDS the Secretary-General to draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report;
Resolution X

I

1. Calls upon the Agency to continue its utmost efforts for compilation and dissemination of public information concerning the peaceful uses of nuclear energy, including those related to the peaceful application of nuclear explosions;

2. Recommends that the Agency study appropriate international arrangements to facilitate the exchange of scientific and technical information which has commercial or industrial value and is not publicly available, so as to make it possible for interested countries to know of the existence and outline of such information and to enable the interested parties to enter into negotiations about the acquisition of such information with the owners thereof;

3. Invites the nuclear-weapon States to advise the Agency at regular intervals as to the possibility of their declassifying scientific and technical information which has become essential for the development of the peaceful uses of nuclear energy, as soon as there is no longer any reason for its classification on national security grounds, bearing in mind all the benefits to be derived from the dissemination of scientific knowledge.

II

Recommends that the Agency study further the ways and means of increasing the funds available for technical assistance, taking into full consideration the views of interested countries, particularly those of the developing countries, expressed in this Conference;

III

1. Recommends that the Agency study the most effective means of ensuring access to special fissionable materials on a commercial basis;

2. Urges the nuclear-weapon States to facilitate, to the fullest extent possible, the availability of fissionable materials for the peaceful nuclear programmes of the non-nuclear-weapon States accepting the application of safeguards as envisaged in article III of the Treaty.

IV

Recommends that the Agency, in relation to the question of nuclear explosions for peaceful purposes, initiate necessary studies that are deemed advisable on its possible functions in this field.

V

Expresses its assumption that the Agency will examine at an appropriate time its procedures and arrangements, as well as the question of the composition of the Board of Governors, with a view to adapting them as necessary in the light of its new responsibilities.
VI

1. Requests the Secretary-General of the United Nations to bring this resolution to the attention of the Agency, together with the relevant records of the proceedings of the Conference of Non-Nuclear-Weapon States and the relevant proposals submitted thereto;

2. Invites the Agency to bear the present resolution in mind in preparing its annual reports for the General Assembly.

Resolution I

Recommends that the International Atomic Energy Agency should undertake to examine the basis on which arrangements can be made by the Agency to secure finances from international sources for the creation of a "Special Nuclear Fund" (SNF) to be made available in the form of grants and low-interest-bearing loans, repayable over long periods of time, for financing the nuclear projects which have been found by the Agency to be technically feasible and economically viable in the territories of non-nuclear-weapon States which are members of the Agency, particularly those in the developing areas of the world, and which may make request to the Agency under the provisions of article XI B of the Agency's statute.

Resolution II

1. Requests the General Conference of the International Atomic Energy Agency to consider at its next meeting the establishment of a fund of special fissionable materials for the benefit of non-nuclear-weapon States and in particular of developing countries;

2. Invites the nuclear-weapon States to give a firm undertaking regarding the supply of such materials to that fund at reasonable prices and in adequate quantities at the request of non-nuclear-weapon States;

III

Also recommends the nuclear-weapon States, independently of the contributions provided for in section I, paragraph 3, and section II, paragraph 2, above, to channel into the proposed programmes and fund a substantial share of such financial resources and special fissionable materials as may be released in the future as a result of the adoption of nuclear disarmament measures.
Resolution X

Recommends to the Agency that representation on its Board of Governors be broadened so as to reflect equitable geographical distribution and the views of a broad spectrum of the developing countries.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT (IBRD)

Resolution J

2. Requests the International Bank for Reconstruction and Development to consider, at the next meeting of its Board of Governors, the establishment for the benefit of the developing countries of a programme for the use of nuclear energy in economic development projects which would be a matter of priority and under which finance would be granted on the most favourable terms as regards interest and repayment periods;
EIGHTEEN-NATION COMMITTEE ON DISARMAMENT (ENDC)

Resolution L

Eighth the joint memorandum on a comprehensive test ban treaty presented on 26 August 1968 to the Conference of the Eighteen-Nation Committee on Disarmament by the delegations of Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden and the United Arab Republic,

Endorses the opinion expressed in that document that the question of nuclear explosions for peaceful purposes is also closely linked with a comprehensive test ban, this aspect of the matter underlining the urgency of a universal and comprehensive solution of the problem of nuclear explosions for peaceful purposes compatible with a comprehensive test ban treaty.

Resolution G

Requests the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, to undertake negotiations for:

(a) The prevention of the further development and improvement of nuclear weapons and their delivery vehicles;

(b) The conclusion of a comprehensive test-ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority;

(c) Reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons;

(d) The reduction and subsequent elimination of all stockpiles of nuclear weapons and their delivery systems.

NUCLEAR-WEAPON STATES

Resolution A

1. Reaffirms

(a) The principle, indivisible in its application, of the non-use of force and the prohibition of the threat of force in relations between States by employing nuclear or non-nuclear weapons, and the belief that all States without exception have an equal and inalienable right to enjoy the protection afforded by this principle, recognized under Article 2 of the United Nations Charter;

(b) The right to equality, sovereignty, territorial integrity, non-inter- vention in internal affairs and self-determination of every State;
(g) The inherent right, recognized under Article 51 of the United Nations Charter, of individual or collective self-defense which, apart from measures taken or authorized by the Security Council of the United Nations, is the only legitimate exception to the overriding principle of the non-use of force in relations between States;

2. Requests the nuclear-weapon States to reaffirm these principles on their behalf.

**Resolution E**

1. Regret the fact that not all the nuclear-weapon States have yet signed Additional Protocol II of the Treaty of Tlatelolco;

2. Urge the nuclear-weapon Powers to comply fully with paragraph 5 of resolution 2285 (XXII), adopted by the United Nations General Assembly on 5 December 1967.

**Resolution F**

Urge the nuclear-weapon Powers to conclude with the International Atomic Energy Agency safeguard agreements consistent with the relevant rules.

**Resolution G**

I

Invites the nuclear-weapon States to advise the Agency at regular intervals as to the possibility of their declassifying scientific and technical information which has become essential for the development of the peaceful use of nuclear energy, as soon as there is no longer any reason for its classification on national security grounds, bearing in mind all the benefits to be derived from the dissemination of scientific knowledge.

III

Urge the nuclear-weapon States to facilitate, to the fullest extent possible, the availability of fissionable materials for the peaceful nuclear programmes of the non-nuclear-weapon States accepting the application of safeguards envisaged in article III of the Treaty.

**Resolution J**

1. Requests the United Nations General Assembly to consider at its twenty-third regular session the establishment, within the United Nations Development Programme, of a nuclear technology research and development programme to be
presented as a matter of priority with the co-operation of the International Atomic Energy Agency for the benefit of the developing countries;

2. Requests the International Bank for Reconstruction and Development to consider, at the next meeting of its Board of Governors, the establishment for the benefit of the developing countries of a programme for the use of nuclear energy in economic development projects which would be a matter of priority and under which finance would be granted on the most favourable terms as regards interest and repayment periods;

3. Invites the nuclear-weapon States to assume the main responsibility for financing the two programmes;

II

1. Requests the General Conference of the International Atomic Energy Agency to consider at its next meeting the establishment of a fund of special fissionable materials for the benefit of non-nuclear-weapon States and in particular of developing countries;

2. Invites the nuclear-weapon States to give a firm undertaking regarding the supply of such materials to that fund at reasonable prices and in adequate quantities at the request of non-nuclear-weapon States;

III

Also recommends the nuclear-weapon States, independently of the contributions provided for in section I, paragraph 3, and section II, paragraph 2, above, to channel into the proposed programmes and fund a substantial share of such financial resources and special fissionable materials as may be released in the future as a result of the adoption of nuclear disarmament measures.

Resolution II

Requests all nuclear-weapon States and those non-nuclear-weapon States which are in a position to do so, to provide access for students and scientists for purposes of training and acquisition of knowledge on a non-discriminatory basis to their scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy.

GOVERNMENTS OF THE USSR AND THE USA

Resolution II

Urges the Governments of the Union of Soviet Socialist Republics and the United States of America to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear-weapons delivery systems and systems of defence against ballistic missiles.
Resolution E

Recommends that all non-nuclear-weapon States not comprised in the zone established by the Treaty of Tlatelolco initiate or continue such studies as they may deem opportune concerning the possibility and desirability of establishing by treaty the military demilitarization of their respective zones, provided that political and security conditions permit.

Resolution F

Recommends the acceptance of that Agency's (IAEA) system of safeguards, as it may evolve from time to time, by all the non-nuclear-weapon States, as set forth in an agreement to be negotiated and concluded with the Agency in accordance with its safeguards system, which would provide against diversion of source or fissile material, whether it is produced, processed or used in any principal nuclear facility or is outside any such facility established with or without the assistance of the Agency, including those principal nuclear facilities which may have been established in pursuance of any bilateral or multilateral arrangements, as a step towards the non-proliferation of nuclear weapons.

Resolution H

Requests all nuclear-weapon States and those non-nuclear-weapon States which are in a position to do so, to provide access for students and scientists for purposes of training and acquisition of knowledge on a non-discriminatory basis to their scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy.
This is a draft resolution on the report of the Non Nuclear Weapon States Conference which is being discussed by the following delegations: Argentina, Brazil, Chile, Japan, India, Italy, Mexico, Pakistan and Yugoslavia. I understand that there is full agreement among these delegations on the question of endorsing the declaration and the recommendations of the Conference. Some of them, like Japan and Italy, have not yet accepted the part on the ad hoc committee as called for in II.

The nuclear powers, mainly the US and the USSR, are of course against the idea of an ad hoc committee and the sponsors of any resolution on these lines recognize that perhaps a compromise will have to be worked out eventually omitting this part of the resolution.
The General Assembly,

1) Recalling its resolution 2346 (E) of 19 December 1967, by which it decided to convene the Conference of Non-Nuclear Weapon States at Geneva from 29 August to 26 September 1968,

2) Noting that accordingly the Conference of Non-Nuclear-Weapon States took place at Geneva with the participation of 92 non-nuclear-weapon States, and of four of the nuclear-weapon States: France, Union of Soviet Socialist Republics, United Kingdom and the United States of America,

3) Taking into account the fact that the Conference has considered the problems of universal peace and, in particular, the security of non-nuclear-weapon States, cessation of the nuclear arms race, general and complete disarmament and harnessing of nuclear energy exclusively for peaceful purposes,

4) Noting that the Conference has adopted the Declaration of the Conference of Non-Nuclear-Weapon States and 14 resolutions containing various recommendations,

5) Considering that in order to fulfill the aims of the Conference it is necessary to insure the implementation of the recommendations adopted by the Conference,
6) Noting in particular the provisions of resolutions 'N' of the Conference by which it invited the General Assembly, at its present session, to consider the best ways and means for the implementation of the decisions taken by the Conference, and the continuity of the work undertaken and at a subsequent session, to consider the question of the convening of a second Conference of Non-Nuclear-Weapon States,
1. **Endorses** the declaration of the Conference of Non-Nuclear-Weapon States as contained in the final document of the Conference (A/7277).

2. **Endorses** the recommendations of the Conference, in resolution C recommending the Endc to undertake negotiations on matters of nuclear disarmament, and in resolution D urging the Governments of the Union of Soviet Socialist Republics and the United States to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles: (Note the principles, the requests, and recommendations contained in resolution A of the Conference).

3. **Endorses** the recommendation of the Conference, in its resolution B, concerning the establishment of nuclear free zones and the urgency of full compliance by the nuclear weapon Powers with paragraph 4 of resolution 2266 (XXII) adopted by the General Assembly on 5 December 1967.

4. **Endorses** the recommendations of the Conference in its Resolutions on the peaceful uses of nuclear energy and earnestly requests the prompt attention and full cooperation of the International Bank for Reconstruction and Development and the IAEA as regard to the implementation of the programmes and measures therein contemplated.

5. **Notes** the recommendations of the Conference contained in its resolutions A, C, E, F, H, I, J, K, L, and M.
6. **Requests** the Secretary General of the United Nations to transmit these recommendations and the declaration to all the members of the United Nations, its specialized agencies and the members of the International Atomic Energy Agency, and to the international bodies concerned.

7. **Requests further** the Secretary-General to submit a report based on the information supplied by those concerned on the progress achieved in the implementation of these recommendations for consideration by the General Assembly at its XXIV session.
1. **Decides** to establish an Ad Hoc Committee, composed of an appropriate number of States, designated by the President of the General Assembly at this session, with the following terms of reference:

a) To keep under review all aspects of international cooperation in the field of nuclear energy;

b) To follow the implementation of the conclusions of the Conference of Non-Nuclear-Weapon States by the various organs and agencies concerned;

c) To study further international cooperation on the peaceful uses of nuclear energy (without discrimination), with special regard to the needs and interests of developing countries; and to make suggestions to the UN General Assembly for a better coordination of the activities of the international organizations working wholly or partially on this matter;

d) To consider what further steps including the convening of a
conference, should be taken for an early solution of the question of security assurances;
e) To transmit a report on its work to the 24th session of the General Assembly.

2. Requests the Secretary General to extend the necessary assistance to the Ad Hoc Committee including all necessary information within the scope of its terms of reference.
1. Requests the Secretary-General to appoint a group of experts in accordance with Resolution G of the Conference, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries;

2. Endorses the recommendation that the Secretary-General draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing a report;

3. Requests the Secretary-General to transmit the report to the Governments of States members of the U.N., its specialized agencies and the IAEA to permit its consideration at the twenty-fourth session of the General Assembly.
Requests the Secretary-General to prepare, in consultation with the States Members of the UN, its specialized agencies and the International Atomic Energy Agency, and to transmit to the above mentioned Governments, in time for its consideration by the General Assembly at its twenty-fourth session:

1. a report, prepared with the assistance of the UNDP and the IAEA, on the establishment, within the United Nations Development Programme, of a "Nuclear Technology Research and Development Programme", to be executed as a matter of priority with the cooperation of the International Atomic Energy Agency for the benefit of the developing countries;

2. a report, with the assistance of the group of experts referred to in section III, as well as with the assistance of those of the specialized agencies and other UN organs as he considers desirable, on the establishment, under strict international control, of international arrangements of nuclear explosions for peaceful purposes.
The Secretary-General

Leonid N. Kutakov. Under-Secretary-General, PSCA

Draft Resolution re Implementation of the Decisions of the Non-Nuclear Conference

1. The Group of Initiative (apparently now only nine Members since Kenya and Nigeria are not actively participating) has prepared a tentative draft resolution on the Conference of Non-Nuclear-Weapon States, a copy of which is attached hereto.

2. The Group decided that this tentative draft should be shown to some twenty non-nuclear States and to the four nuclear Powers in order to obtain their reaction and comments and to see how much support existed for the various provisions of the draft. The members of the Group are not bound by the draft and in fact India, Japan and Mexico are reported to have some reservations about it, in particular as regards the creation of the Ad Hoc Committee.

3. The nuclear Powers are, of course, very much opposed to the creation of the Ad Hoc Committee and have a negative attitude towards a number of other provisions of the draft. There is considerable doubt as to whether the proposal for an Ad Hoc Committee can obtain a two-thirds majority. While some of the sponsors of the draft resolution are hopeful that they can obtain a two-thirds majority, it seems that the nuclear Powers are hopeful that they can block it.

4. The Group is expected to meet again next week in an effort to finalize a draft after taking into account the reactions to the respective provisions of the delegations being shown the draft.
The General Assembly,

1) Recalling its resolution 2346 (B) of 19 December 1967, by which it decided to convene the Conference of Non-Nuclear-Weapon States at Geneva from 29 August to 28 September 1968,

2) Noting that accordingly the Conference of Non-Nuclear-Weapon States took place at Geneva with the participation of 92 Non-Nuclear-Weapon States, and of four of the Nuclear-Weapon States: France, Union of Soviet Socialist Republics, United Kingdom and the United States of America,

3) Taking into account the fact that the Conference has considered the problems of universal peace and, in particular, the security of Non-Nuclear-Weapon States, cessation of the nuclear arms race, general and complete disarmament and harnessing of nuclear energy exclusively for peaceful purposes,

4) Noting that the Conference has adopted the Declaration of the Conference of Non-Nuclear-Weapon States and 14 resolutions containing various recommendations,

5) Considering that in order to fulfill the aims of the Conference it is necessary to insure the implementation of the recommendations adopted by the Conference,

6) Noting in particular the provisions of resolution "N" of the Conference by which it invited the General Assembly at its present session, to consider the best ways and means for the implementation of the decisions taken by the Conference, and the continuity of the work undertaken and at a subsequent session, to consider the question of the convening of a second Conference of Non-Nuclear-Weapon States,
Endorses the Declaration of the Conference of Non-Nuclear-Weapons States as contained in the final document of the Conference (A/7277).

Endorses the recommendations of the Conference, in resolution C recommending the Eighteen Nations Disarmament Committee to undertake negotiations on matters of nuclear disarmament, and in resolution D urging the Governments of the Union of Soviet Socialist Republics and the United States to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems of defense against ballistic missiles.

Endorses the recommendation of the Conference, in its resolution B, concerning the establishment of nuclear weapon free zones and the urgency of full compliance by the nuclear weapon Powers with paragraph 4 of resolution 2286 (XXII) adopted by the General Assembly on 5 December 1967.

Endorses the recommendations of the Conference in its Resolution J on peaceful uses of nuclear energy and earnestly requests the prompt attention and full cooperation of the International Bank for Reconstruction and Development and the International Atomic Energy Agency as regards the implementation of the programmes and measures therein contemplated.

Notes the recommendations of the Conference contained in its resolution A reaffirming basic principles of the U.N. Charter, and in its resolutions 2, F, K, I, K, L and M concerning various issues in the field of peaceful uses of nuclear energy.
II

1. **Decides** to establish an Ad Hoc Committee, composed of an appropriate number of Member States, designated by the President of the General Assembly at this session, with the following terms of reference:

   a) to keep under review all aspects of international cooperation in the field of nuclear energy among all States;

   b) to follow the implementation of the conclusions of the Conference of Non-Nuclear-Weapon States by the various organs and agencies concerned;

   c) to study ways and means to further international cooperation on the peaceful uses of nuclear energy among all States, with special regard to the needs and interests of developing countries; and to make suggestions to the U.N. General Assembly for a better coordination of the activities of the international organizations working wholly or partially in this field;

   d) to consider what further steps, including the convening of a conference, should be taken for an early solution of the question of security assurances;

   e) to transmit a report on its work to the XXIV session of the General Assembly.

2. **Requests** the Secretary-General to extend the necessary assistance to the Ad Hoc Committee including all necessary information within the scope of its terms of reference.
6. **Requests** the Secretary-General of the United Nations to transmit the above mentioned resolutions and the Declaration to all the members of the United Nations, of its specialized agencies and of the International Atomic Energy Agency, and to the international bodies concerned, for due consideration.

7. **Requests further** the Secretary-General to submit a report based on the information supplied by those concerned on the progress achieved in the implementation of the present resolution for consideration by the General Assembly at its XXIV session.
III

1. Requests the Secretary-General to appoint a group of experts in accordance with Resolution G of the Conference, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries;

2. Endorses the recommendation that the Secretary-General draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report;

3. Requests the Secretary-General to transmit the report to the Governments of States Members of the U.N., its specialized agencies and the International Atomic Energy Agency in time to permit its considerations at the XXIV session of the General Assembly.
Requests the Secretary-General to prepare, in consultation with the States Members of the U.N., of its specialized agencies and of the International Atomic Energy Agency, and to transmit to the above mentioned Governments, in time for its consideration by the General Assembly at its XXIV session:

1. a report, with the assistance of the United Nations Development Programme and the International Atomic Energy Agency, on the establishment, within the United Nations Development Programme, of a "Nuclear Technology Research and Development Programme", to be executed as a matter of priority with the co-operation of the International Atomic Energy Agency for the benefit of the developing countries;

2. a report, with the assistance of the group of experts referred to in section III, as well as with the assistance of the International Atomic Energy Agency and of other international bodies concerned, on the establishment, under strict international control, of an international service for nuclear explosions for peaceful purposes.
CONFERENCE OF NON-NUCLEAR-WEAPON STATES: FINAL DOCUMENT OF THE CONFERENCE

Letter dated 25 November 1968 from the Under-Secretary for Foreign Affairs of Mexico to the Secretary-General of the United Nations

Since the General Assembly has referred agenda item 96 ("Conference of Non-Nuclear-Weapon States: final document of the Conference"), which includes the question of nuclear explosions for peaceful purposes to the First Committee, I request you to arrange for the document entitled "Working paper on an international programme of nuclear explosions for peaceful purposes for the benefit of States which have renounced nuclear weapons", submitted by the delegation of Mexico to that Conference and distributed as document A/CONF.55/Doc.15, dated 22 August 1968, to be distributed now as a document of the First Committee.

Accept, Sir, etc.

(Signed) Alfonso GARCIA ROBLES
Under-Secretary for Foreign Affairs
Chairman of the Delegation of Mexico to the twenty-third session of the United Nations General Assembly
INTERNATIONAL PROGRAMME OF NUCLEAR EXPLOSIONS
FOR PEACEFUL PURPOSES FOR THE BENEFIT OF STATES
WHICH HAVE RENOUNCED NUCLEAR WEAPONS

MEXICO

Working Document
When the Draft Treaty on the Non-Proliferation of Nuclear Weapons was being considered in the First Committee of the United Nations General Assembly, the Mexican delegation proposed, on 16 May of this year, a series of amendments to article V concerning nuclear explosions for peaceful purposes.

The basic purposes of the Mexican proposal, which was supported by many Latin American delegations, were as follows:

(1) That the undertaking which the Parties to the Treaty should assume through that article should not merely be the very general one of "co-operating", but that of "applying the pertinent measures" to ensure the aims defined in the article;

(2) That work on preparing the "special international agreement" which would embody the statute of the "appropriate international organ" for which provision was made in the article should begin as soon as possible, the agreement so prepared being approved in due course by a body representing the world community;

(3) That the procedure of multilateral assistance through the appropriate international organ in question should be given pride of place, the resort to bilateral procedures being relegated to a secondary position; and

(4) That nuclear explosions for peaceful purposes should be carried out "under appropriate international observation".

The proposal just referred to was incorporated in all its essentials in the revised text which was to become the "Treaty on the Non-Proliferation of Nuclear Weapons" annexed to resolution 2373 (XXII), adopted on 12 June 1968.

With regard to the question of the preparation and approval of a "special international agreement" defining the functions and powers of the appropriate international body, such aspects of article V of the Treaty as may not seem sufficiently clear should be interpreted in the light of the statements made by the Co-Chairmen of the Eighteen-Nation Committee on Disarmament when they introduced and explained the scope of the revised text of the Draft Treaty before the First Committee on 31 May.

On that occasion the Soviet Union representative, who was first to take the floor, pointed out inter alia that the revised text of the Treaty specified "that negotiations with regard to States obtaining potential benefits from the peaceful applications of nuclear explosions, pursuant to a special international agreement or agreements, through appropriate international body, should commence as soon as possible after the entry into force of this treaty".
That representative then went on to say (and this is what should be particularly stressed): "Of course, the appropriate preparatory work can be begun before the treaty actually comes into force"; and that the general principles and procedures to be incorporated in the special international agreement should be determined "with the broadest possible participation of non-nuclear States".

The United States representative, the next speaker, was as explicit as, if not more so than, his USSR colleague, for he specifically stated with regard to article V: "It will be noted that the revised text makes it clear that States may obtain the benefits from peaceful application of nuclear explosions "... pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States." "This language contemplates a basic agreement defining the functions of the appropriate international body and holds open the possibilities of a series of separate international agreements dealing with particular projects. "It is important that the primary agreement -- defining the function of the international body -- be negotiated promptly. For this reason we have added the language that 'Negotiations on this subject shall commence as soon as possible after the Treaty enters into force.' We trust that this language will remove any doubts about the intention of the nuclear-weapon States which are in a position to do so to provide such services under appropriate international observation and at the earliest practical moment. "Let me add, lest there be any doubt on this score, that the provision concerning negotiations is not intended in any way to preclude preparatory consideration of this matter before the treaty enters into force. We assume that all interested States will wish to begin studies and consultations promptly. Many States, including the United States, will promptly begin or continue studies and consultations already under way. I should also note that this subject is on the agenda of the Conference of Non-Nuclear-Weapon States."
In view of the provisions of article V of the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular of the very explicit interpretive statements concerning that article's provisions made, as has just been recalled, by the Co-Chairmen of the Committee on Disarmament, who played so important a role in the drafting of the Treaty, the Mexican delegation considers that one of the most valuable contributions which the Conference of Non-Nuclear-Weapon States could make would be to prepare a preliminary draft of a special international agreement embodying the statute setting forth the structure, functions, powers and procedure of the appropriate international body which is to be the principal channel through which the States having renounced nuclear weapons will be able, in conformity with the explicit provisions of the aforementioned article V, to obtain benefits from any peaceful application of nuclear explosions on a non-discriminatory basis and in such a way that the charge to those States for the explosive devices used will be as low as possible and exclude any charge for research and development.

For it seems manifest that the use of nuclear explosive devices for peaceful purposes is destined to be of incalculable importance, especially to the developing countries; and also that the fate of the Non-Proliferation Treaty will in the final analysis depend not only on the adoption of concrete disarmament measures by the nuclear Powers, but also on the promptness and faithfulness with which those Powers fulfill the undertakings specifically assumed in the Treaty in regard to the "further development of the applications of nuclear energy for peaceful purposes" (including, of course, the benefits from nuclear explosions)", especially in the territories of non-nuclear-weapon States", and of course "with due consideration for the needs of the developing areas of the world".

As a modest contribution to the preparatory work referred to in the foregoing, the Mexican delegation has prepared the two papers appended as annexes I and II to this working document.

The first of them contains, as its title indicates, a series of "Basic Proposals for the preparation of the special international agreement provided for in article V of the Treaty on the Non-Proliferation of Nuclear Weapons".
The second annex contains preliminary draft articles - which might serve as a basis for the adoption by the Conference of a preliminary draft of the special international agreement - in which the points set forth in the first annex are considerably expanded and developed and a number of comments are added.

Since the texts of both documents can be said to be self-explanatory - particularly with the aid of the comments, only a few general considerations will be added here regarding the basic ideas which underlay the drafting of the documents:

(1) The expression "States which have renounced nuclear weapons" has been preferred to the expression "non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons" because, being broader and more flexible, it was felt to express better what can with good reason be regarded as the ardent desire of all the peoples of the world: that this renunciation should become general, whatever may be the international contractual instrument through which it acquires mandatory status in law. For it should not be forgotten that there already exists, in the form of the Treaty for the Prohibition of Nuclear Weapons in Latin America, or Treaty of Tlatelolco, a treaty which goes even further than the Non-Proliferation Treaty, since its object is to ensure the total absence of nuclear weapons in the territories of the States Parties; nor that the African States have repeatedly expressed their intention that Africa should likewise become, through a treaty, an area free from nuclear weapons.

(2) Although, as has just been established, the aim towards which efforts should be directed is extension to all the world's States of the renunciation of nuclear weapons, it is manifest that it will unfortunately be necessary to wait quite a long time before that ideal can be achieved. Consequently, the international body through which the benefits of the peaceful applications of nuclear explosions will be made available to the non-nuclear-weapon States will have to be a body open to all nuclear-weapon States desiring to belong to it and to which, as regards non-nuclear-weapon States, all those which have renounced such weapons - but only those which have done so - will have access. Since no body satisfying this double requirement at present exists, it will be necessary, while endeavouring to avoid duplication of functions, expenditure and efforts, to establish a new one that does. It was therefore thought that the scope of the new body might be as modest as is consistent with the effective performance of its specific tasks; that although it would have complete autonomy it might function within the framework of the International Atomic Energy Agency, have the same headquarters as the Agency, and hold its plenary meetings simultaneously with the General Conference of IAEA; and that its Executive Secretary might be
assisted solely by such technical and administrative personnel as was strictly necessary, the utmost use being made of IAEA's co-operation and, in particular, of its system of Safeguards.

(3) As has just been indicated, the view has been taken that the self-governing body which would be established might function best within the framework of IAEA and in close relationship with that Agency. The reason for this is that a primary function assigned to IAEA in its Statute is "to encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world". However, this is not an essential element in either the proposals or the preliminary draft drawn up by the Mexican delegation; those proposals and that preliminary draft could easily be adapted to other hypothetical situations, such as the possibility that the Conference of Non-Nuclear-Weapon States might prefer the new autonomous body to function within the United Nations system.

(4) The structure suggested for the new body's executive organ - the Governing Council - is dictated by the need to seek in that fully representative body such distribution of posts as is as well balanced as possible both geographically and with regard to levels of development, so that the organization of the Council may afford the developing non-nuclear-weapon States the utmost assurance that their requests for aid in carrying out nuclear explosions for peaceful purposes will always receive prompt, adequate, objective and even - as is greatly to be desired - generous consideration.

(5) The financial provisions of the two annexed drafts are designed to ensure not only that the provisions of article V of the Non-Proliferation Treaty concerning the charge for nuclear explosive devices will be respected, but also that the remaining charges incurred in each case will be shared equitably through the application of criteria fully taking into account the vast difference in resources between the nuclear Powers and other highly industrialized States on the one hand and on the other the developing countries which, as everyone knows, constitute the overwhelming majority of the countries of the world. To sum up: what has been sought has been to ensure that the developing countries should have access on the most favourable terms to this new form of application of nuclear energy, which will be able to contribute so much towards closing the gap between the peoples of the Northern Hemisphere and those of the Southern. It is for this same purpose that it is suggested that a Special Fund should be set up to assist States which have cogent reasons for requesting that explosions for peaceful purposes should be carried out in their territories but cannot, because of their economic situation, afford the necessary outlay.
The Mexican delegation is aware that both the annexed documents – the basic proposals and the preliminary draft articles – may exhibit some defects. It also appreciates that the suggested texts can unquestionably be improved in many ways. Nevertheless it is convinced that despite their limitations they can make a constructive contribution to the deliberations of the Conference on the item concerning the benefits of the applications of nuclear explosions to peaceful purposes, from which deliberations it is to be hoped that a preliminary draft international agreement may emerge to bring into being the appropriate international body to make those benefits available, with due consideration for the needs of the developing areas of the world, to all States which have renounced nuclear weapons or which renounce them in the future.
ANNEX I

BASIC PROPOSALS FOR THE PREPARATION OF THE SPECIAL INTERNATIONAL AGREEMENT PROVIDED FOR IN ARTICLE V OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I

An International Programme of Nuclear Explosions for Peaceful Purposes (hereinafter called "the Programme") is instituted, its principal purpose being to ensure that States which have renounced nuclear weapons are able to obtain benefits through the Programme from any peaceful application of nuclear explosions on a non-discriminatory basis and in such a way that the charge to those States for the devices used is as low as possible and excludes any charge for research and development.¹

II

All States which have renounced nuclear weapons, and nuclear-weapon States which ratify this Agreement, shall be Members of the Programme.

For the purposes of this Agreement, "States which have renounced nuclear weapons" means States which are Parties to the Treaty on the Non-Proliferation of Nuclear Weapons or to the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), or which have entered into any other special or regional agreement for the prohibition of nuclear weapons in their respective territories.²

III

The Programme shall be directed by a Governing Council which shall possess autonomy in the discharge of its functions, shall draw up its own rules of procedure, and shall be answerable solely to the Plenary Assembly of Members of the Programme, to which it shall submit periodic reports.³

¹ See annex II, comment on article 2.
² Ibid, comment on article 3.
³ Ibid, comment on article 11.
IV

The Governing Council shall consist of thirty-four members. The States Members of the Programme which are nuclear Powers shall be entitled to be permanently represented on the Council. The Plenary Assembly shall elect the other members of the Council in such a way that the Council shall at all times comprise, including the nuclear-weapon States represented on it, fourteen States of Africa and Asia, six of Latin America, and fourteen of the remainder of the world's States. The members elected shall hold office for a term of two years and shall be eligible for re-election for a further like term.2/

V

The Plenary Assembly which shall be held every two years, normally at the Headquarters of the International Atomic Energy Agency and on a date coinciding with the General Conference of that Agency, shall consider the reports it receives from the Governing Council; appoint, on the recommendation of the Council itself, an Executive Secretary who shall be assisted by the technical and administrative staff strictly necessary for the discharge of his functions; and approve the regular budget of the Programme, the draft for which shall be prepared by the Council.5/

VI

Members which require explosions of nuclear devices to be carried out for peaceful purposes shall submit the pertinent request to the Governing Council through the Executive Secretary as far in advance as circumstances require, together with such information as the Council itself shall prescribe for such cases. The explosion of nuclear devices shall be carried out under appropriate supervision by the staff designated by the Council for the purpose, and shall be subject to the application of such safeguards as it may be necessary to agree upon with the International Atomic Energy Agency.5/

2/ Ibid, comment on article 11.
4/ Ibid, comments on articles 7 and 8
5/ Ibid, comments on articles 24 and 25.
The charges incurred through carrying out nuclear explosions for peaceful purposes shall be apportioned as follows:

(1) In order to ensure that the cost of carrying out such explosions shall be as low as possible for States which have renounced nuclear weapons, the Members which furnish the means for the explosions shall bear the entire cost of transporting the explosive devices to the territory of the benefiting Member or Members and the cost of the engineering work carried out in preparation for the explosion or of such safety measures as cannot be adopted or implemented by the benefiting Member or Members for lack of the necessary technical facilities or knowledge;

(2) The cost of the explosive nuclear devices to the benefiting Members shall be laid down by the Programme on the basis of objective criteria and at the lowest possible level. In particular, no research or development charges for the device shall be included.

(3) Such Member or Members as carry out one or more nuclear explosions for peaceful purposes shall be liable for any damage caused thereby in the territory of the benefiting Member or Members or of third parties, and shall accordingly defray the cost of the pertinent insurance.6/

VIII

Benefits and services furnished through the Programme shall not constitute a means of interference by the Member or Members furnishing them in the internal affairs of the benefiting Member or Members, nor shall they be based upon or prompted by any political consideration; they shall be furnished solely to or through Governments of benefiting Members; they shall meet the real needs of the benefiting Member in the opinion of that Member's Government; they shall be furnished so far as possible in the form requested by the Government of the benefiting Member; and they shall be of the highest category as regards quality and technical competence.7/

6/ Ibid, comments on articles 27 29.
7/ Ibid, comment on article 30.
During each session of the Plenary Assembly a meeting shall be held for the purpose of receiving pledges of voluntary contributions by Member States. The amounts pledged shall constitute a special fund designed to help the States benefiting by the operations and receiving the benefits referred to in this Agreement to meet the charges accruing to them, on condition that their economic situation so warrants. 8/

This Agreement shall enter into force on the date on which forty signatory States which have renounced nuclear weapons and at least one signatory State which is a nuclear-weapon State shall have deposited their respective instruments of ratification. 9/

8/ Ibid, comment on article 35
9/ Ibid, comment on article 39
Establishment of the body

Article 1

The States signatory to this Agreement institute an International Programme for Nuclear Explosions for Peaceful Purposes (hereinafter called "the Programme") in conformity with the provisions set forth in this instrument.

Comment: It is considered that "International Programme for Nuclear Explosions for Peaceful Purposes" might be a suitable name for the "appropriate international body" referred to in article V of the Treaty on the Non-Proliferation of Nuclear Weapons. Needless to say, this name can be replaced by any other deemed better.

Purpose

Article 2

The main purpose of the Programme is to ensure that States which have renounced nuclear weapons are in a position to obtain through the Programme the benefits of any peaceful application of nuclear explosions on a non-discriminatory basis and in such a way that the charge to those States for the devices used is as low as possible and excludes any charge for research and development.

Comment: In essence, the terms of the foregoing provision merely reproduce the objectives set out in article V of the Treaty on the Non-Proliferation of Nuclear Weapons for a body of this kind.

Definition

Article 3

For the purposes of this Agreement, "States which have renounced nuclear weapons" means States which are Parties to the Treaty on the Non-Proliferation of Nuclear Weapons or to the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), or have entered into any other special or regional arrangement for the prohibition of nuclear weapons in their respective territories.
Comment: It is considered essential to include the foregoing definition, in virtue of which the body established will logically be required to carry out its work for the benefit of States which have expressly renounced the development of nuclear explosives or the acquisition of nuclear weapons in any manner; States which have not done so would in any case be in a very different position.

Functions

Article 4

In order to achieve the purpose indicated in article 2 above, the Programme shall perform the following functions; that is to say, it shall:

(a) Ensure that the signatory States which are nuclear-weapon States take appropriate steps to make the potential benefits of any peaceful application of nuclear explosions available, through the Programme, to the States which have renounced such weapons;

(b) Foster, through the International Atomic Energy Agency and any competent organ or body of the United Nations, or through direct arrangements between any of the States signatory to this Agreement, the furnishing of technical assistance in matters relating to the benefits derived from the use of explosive nuclear devices; and

(c) Promote, in the matters referred to in sub-paragraph (b) above, the widest exchange of scientific and technical information between the States signatory to this Agreement, by requesting, and circulating among them, all information of interest in this field in a technically accessible form, taking care however that the divulging of information as aforesaid does not entail the disclosure of confidential information or of commercial or manufacturing secrets.

Comment: It seems essential to specify in the Agreement the fields of activity which the new body will cover. Generally speaking, the provisions of this new article are self-explanatory, though it should be observed with regard to sub-paragraph (b) that it has been deemed preferable to leave the development of certain technical assistance programmes to IAEA and other existing organs or bodies, which would, of course, not rule out the possibility of making the Programme responsible for certain services in matters intimately connected with nuclear explosions for peaceful purposes.
Members

Article 5

All States which have renounced nuclear weapons, and nuclear-weapon States which ratify this Agreement, shall be Members of the Programme.

Comment: This wording corresponds to the definition contained in Article 3 above.

Organs

Article 6

The organs of the Programme shall be the Plenary Assembly, the Governing Council, and the Office of the Executive Secretary.

Comment: It is necessary that the supreme authority of the Programme should be an assembly in which all the Member States are represented, and that the Programme should possess a subsidiary organ of limited size to make its work effective and flexible and a secretariat, even though very small, to supervise in practice the performance of the functions assigned to it.

Plenary Assembly

Article 7

The Ordinary Plenary Assembly shall be held every two years and an Extraordinary Plenary Assembly shall be held whenever so requested by a majority of the Members or by the Executive Secretary in consultation with the members of the Governing Council.

Comment: It is thought that a biennial Assembly would ordinarily be sufficient for planning and organizing the operation of the Programme, but the possibility is left open of holding extraordinary Assemblies in unusual cases or situations. The Ordinary Plenary Assembly might as a general rule be held at the headquarters of IAEA on a date coinciding with that Agency's General Conference.

Article 8

The Plenary Assembly shall have authority to take cognizance of any matter relating to the purposes and functions of the Programme as set out in articles 2 and 4 above.

In particular, the Ordinary Plenary Assembly shall perform the following functions in addition to those specifically assigned to it in this Agreement; that is to say, it shall:
Annex II

(a) Elect the members of the Governing Council;
(b) Appoint the Executive Secretary;
(c) Consider and where appropriate approve any rules, procedures and recommendations submitted to it by the Governing Council and the Executive Secretary for the performance of the Programme's functions;
(d) Consider and where appropriate approve the rules and regulations applicable to the Programme's technical and administrative staff;
(e) Approve the regular budget required for the due performance of the Programme's functions;
(f) Approve such agreements on co-operation as the Executive Secretary may conclude with other international organizations; and
(g) Approve any amendment to this Agreement.

Comment: It is customary to state that the supreme organ shall have functions in everything relating to the body concerned. It has also been considered useful to give examples relating to the main fields of activity of the Plenary Assembly.

Article 9

Decisions of the Plenary Assembly concerning the appointment to or removal from office of the Executive Secretary, the approval of the budget and other budgetary questions, and amendments to this Agreement, shall be made by the vote of two-thirds of the Members. Decisions on other matters, including the determination of additional categories of questions to be settled by a two-thirds majority, shall be taken by a simple majority of the Members present and voting. Each Member shall have one vote.

Comment: This paragraph sets out the minimum of questions in regard to which it seems essential that the Plenary Assembly should proceed on the basis of a qualified majority. The second part of the paragraph is based on the relevant provisions of the Charter of the United Nations and of the Statute of IAEA.
Article 10

The Plenary Assembly shall draw up its own rules of procedure and shall elect a chairman for each session.

Comment: It would not be appropriate to set down a number of points of a procedural nature in this context; as is usual in such cases, the Plenary Assembly is simply left to determine its own rules of procedure.

Governing Council

Article 11

The Governing Council shall consist of thirty-four members. The States Members of the Programme which are nuclear-weapon States shall be entitled to be permanently represented on the Council. The Plenary Assembly shall elect the other members in such a way that the Council shall at all times comprise, including the nuclear-weapon States represented on it, fourteen States of Africa and Asia, six of Latin America, and fourteen of the remainder of the world's States. The members elected shall hold office for a term of two years and shall be eligible for re-election for a further like term.

Comment: As stated earlier, it is necessary that there should be an organ which, because of its limited membership, can act more expeditiously than the Plenary Assembly. It is thought that the organ might comprise thirty-four States (among which the Members of the Programme possessing nuclear weapons would be entitled to be permanently represented), i.e. twice as many States as the General Assembly of the United Nations has vice-presidencies (see General Assembly resolution 1990 (XVIII) and rule 31 of the Assembly's rules of procedure), and that in allotting seats on the Governing Council regard should be had for the same principle as is applied in the case of the aforesaid resolution of the General Assembly; this would ensure "adequate representation" of non-nuclear-weapon States, as referred to in article V of the Treaty on the Non-Proliferation of Nuclear Weapons.
Article 12

Any Member of the Programme not a member of the Governing Council may participate without vote in the consideration of any question submitted to the Governing Council if the latter decides that the interests of that member are directly affected.

Comment: The purpose of this article, which is based on similar provisions of other international bodies, is to ensure that States directly concerned in a matter submitted to the Governing Council for consideration are able to place their views before the Council even if at the time they are not members of the Council.

Article 13

In appointing the Governing Council, the Plenary Assembly shall endeavour both to ensure adequate geographical representation and to ensure that highly-industrialized States and developing States are included in balanced proportions.

Comment: This article is complementary to article 11 in the sense that, when ensuring the "adequate representation" of non-nuclear-weapon States, measures are required to be taken to achieve a balance between industrialized States and States still developing.

Article 14

The Governing Council shall perform the following functions; that is to say, it shall:

(a) Study each of the projects required to be implemented through the Programme or under the latter's sponsorship or aegis, and take decisions concerning those projects;

(b) Prepare, for approval by the Plenary Assembly, the rules and procedures required to be observed by the Programme in the performance of its functions, and ensure their observance;

(c) Supervise the work of the Executive Secretary and report thereon to the Plenary Assembly;

(d) Prepare, for approval by the Plenary Assembly, the regular budget of the Programme, and approve the extraordinary items referred to in article 34 of this Agreement;
(e) Approve such specific arrangements as the Executive Secretary may conclude with any Member States for the performance of the Programme's functions.

(f) Refer to the Plenary Assembly any matter which, in the opinion of the Governing Council, affects or might improve the functioning of the Programme; and

(g) Prepare and adopt its own rules of procedure.

Comment: This article confers on the Governing Council the prerogatives felt to be necessary to ensure its maximum effectiveness and to ensure that the Programme's activities are not delayed or held over until a session of the Plenary Assembly takes place and that an Extraordinary Plenary Assembly does not have to be convened.

Article 15

The Governing Council shall meet in ordinary session every six months and in extraordinary session whenever so required by the Plenary Assembly or so decided by a majority of the members of the Governing Council or by the Executive Secretary.

Comment: It is considered that a half-yearly session will be sufficient as a general rule, but that provision should be made enabling extraordinary sessions to be held if and when circumstances so require.

Article 16

Decisions of the Governing Council other than those referred to in article 15 above shall be taken by a majority of its members present and voting. Each member shall have one vote.

Comment: This article is self-explanatory.

Executive Secretary

Article 17

The administrative function of the Programme shall be the responsibility of an Executive Secretary who shall be appointed by the Plenary Assembly for a term of four years and shall be eligible for re-election for not more than one additional term.

Comment: It is thought that the Executive Secretary should not hold office for more than eight years; he would therefore be eligible for re-election for only one additional term.
Article 18

The Executive Secretary shall be assisted by the technical and administrative staff strictly necessary for the discharge of his functions. **Comment:** This provision reflects the intention to keep the staff of the Programme at the strictly essential level.

Article 19

In appointing staff to assist him, the Executive Secretary shall comply with such relevant regulation as may be approved by the Plenary Assembly and with such directives as may be notified to him by the Governing Council; however, he shall in any event take care when appointing staff as aforesaid to ensure so far as possible both a balanced geographical representation and an equitable proportion as between staff from the countries most advanced in nuclear technology, staff from highly-industrialized countries, and staff from developing countries. In recruiting staff, no account shall be taken of the contributions of Members of the Programme. **Comment:** This article sets out the criteria which seem most just and equitable in the recruitment of the Programme's staff; it therefore expressly excludes the so-called "appropriate limits" system which distorts, even if only in the administrative respect, the representation of the developing countries.

Article 20

The Executive Secretary shall perform the functions referred to in article 4 of this Agreement and such other functions as the Plenary Assembly and the Governing Council may assign to him, in conformity with their powers. **Comment:** This article is self-explanatory.

Article 21

The seat of the Office of the Executive Secretary shall be in the City of Vienna. **Comment:** The City of Vienna is suggested as the seat of the Office of the Executive Secretary because of the close and constant contact which the Programme would necessarily maintain with IAEA.
Article 22

The Executive Secretary and his staff shall enjoy in the territory of Members all the benefits which the Convention on the Privileges and Immunities of the United Nations confers on the staff of the United Nations.

Comment: Since the Programme would be an international body, it is manifest that its staff should enjoy the prerogatives enjoyed by the staff of the United Nations.

Article 23

In carrying out their duties, the Executive Secretary and his staff shall neither seek nor accept instructions from any source outside the Programme and shall refrain from acting in any manner incompatible with their status as officials of the Programme; in virtue of their responsibilities to the Programme, they shall not disclose any confidential information or commercial or manufacturing secret which may come to their knowledge through the performance of their official functions. Each Member undertakes to respect the international character of the functions of the Executive Secretary and of his staff and not to try to influence them in the performance of their functions.

Comment: This provision is analogous to those generally laid down with regard to the staff of international organizations.

Special provisions

Article 24

Members which require explosions of nuclear devices to be carried out for the implementation of projects of a civil character for peaceful purposes shall submit the pertinent request to the Governing Council through the Executive Secretary as far in advance as circumstances require, together with information on the following:

(a) The date and exact site of the proposed explosion;
(b) The nature and origin of the explosive device;
(c) The specific purpose of the proposed explosion;
(d) The anticipated power of the device;
(e) The fullest information on possible radioactive precipitation which the proposed explosion is capable of causing and on the measures which will be taken to avoid endangering the population, flora and fauna, property and territory of the State in which the explosion would be carried out or of neighbouring States, whether through the explosion itself or through the transport of the nuclear device to the site of the proposed explosion; and

(f) The procedures which will be observed in order to carry out international observation as referred to in article 25 below.

Comment: For both political and safety reasons, the nature of nuclear explosions, even if they are for peaceful purposes, makes it necessary for the information referred to in the above article to be available in advance, inter alia in order to facilitate arranging the necessary safeguards with IAEA.

Article 25

The staff appointed by the Programme shall be able to observe the preparations for and the actual implementation of the explosion of the device and shall have unrestricted access to any area near the site of the explosion for the purpose of verifying that the device and the procedures followed for its explosion conform to the information submitted pursuant to article 24 above.

Comment: The foregoing provision does not prevent IAEA from extending its safeguards, in such form as may be determined at the appropriate time, to the supervision of nuclear explosions for peaceful purposes, but it seems essential that the secretariat of the Programme should exercise at least some supervision on its own account.

Article 26

The explosion of nuclear devices for peaceful purposes shall be performed with means provided, through the Programme, by one or more Members to one or more other Members.

Comment: The intention of this article is to make it clear that the means for explosions may be provided by one or by more than one nuclear-weapon State and that there may likewise be one or more than one benefiting State.
Article 27

In order to ensure that the cost of carrying out nuclear explosions for peaceful purposes shall be as low as possible for States which have renounced nuclear weapons, the Members which furnish the means for such explosions shall bear the entire cost of transporting the explosive devices to the territory of the benefiting Member or Members and the cost of the engineering work carried out in preparation for the explosion or of such safety measures referred to in article 24(e) of this Agreement as cannot be adopted or implemented by the benefiting Member or Members for lack of the necessary technical facilities or knowledge.

Comment: The foregoing article is self-explanatory and accords with the spirit of article V of the Treaty on the Non-Proliferation of Nuclear Weapons. In case this should not be sufficient, it should be noted that, for safety reasons, States possessing nuclear explosives would surely prefer to make themselves responsible for the tasks referred to.

Article 28

The cost of the explosive nuclear devices to the benefiting Members shall be laid down by the Programme on the basis of objective criteria and at the lowest possible level. In particular, no research or development charges for the device shall be included.

Comment: This reproduces what is laid down in article V of the Treaty on the Non-Proliferation of Nuclear Weapons, it being left to the Programme to determine the cost of the explosive nuclear devices objectively and realistically.

Article 29

Such Member or Members as carry out one or more nuclear explosions for peaceful purposes shall be liable for any damage caused thereby in the territory of the benefiting Member or Members or of third parties, and shall accordingly defray the cost of the pertinent insurance.

Comment: It is obvious that if only the nuclear-weapon States know the risks which may arise through the explosion and/or transport of nuclear devices it is reasonable that they should make themselves responsible for damage and insurance, especially as they will not at any time transfer to the benefiting States the supervision and handling of those devices.
Article 30

The requirements, benefits or services referred to in articles 4 and 24-27 inclusive of this Agreement shall not constitute a means of interference by the Member or Members furnishing them in the internal affairs of the benefiting Member or Members, nor shall they be based upon or prompted by any political consideration; they shall be furnished solely to or through Governments of benefiting Members; they shall meet the real needs of the benefiting Member in the opinion of that Member's Government; they shall be furnished - so far as possible in the form requested by the Government of the benefiting Member; and they shall be of the highest category as regards quality and technical competence.

Comment: The principles set forth in the preceding article are essentially those approved by the General Assembly of the United Nations in its resolution 200 (III) for the granting of technical assistance. In view of the nature of the questions dealt with in the Agreement, it has been considered advisable for these principles to be expressly incorporated in one of the Agreement's articles.

Article 31

The Plenary Assembly shall, upon the proposal of the Governing Council, determine the general rules which the Executive Secretary shall be required to apply in the planning, preparation and carrying out of nuclear explosions as referred to in this Agreement, and shall approve the terms on which the application of safeguards by the International Atomic Energy Agency shall be arranged.

Comment: The purpose of this article is to make provision for defining the Executive Secretary's participation in the planning, preparation and carrying out of nuclear explosions for peaceful purposes through the Programme and to make it clear that such explosions will be subject to the application of safeguards by IAEA.

Article 32

The Governing Council shall submit the draft regular budget of the Programme's expenditures to the Plenary Assembly; this budget shall be prepared by the Council in the light of the suggestions made for that purpose by the Executive Secretary. The draft budget shall include the ordinary items for
the maintenance of the Office of the Executive Secretary, remuneration of the basic staff, and defraying the cost of meetings and of the exchange of information between Members, and also a report on such extraordinary items as the Council may have approved for the efficient performance of the Programme's functions.

Comment: It is desirable that the regular budget should include only the basic expenditures essential to the functioning of the Programme. Additional activities would, as will be seen further on, be financed by the States directly concerned or through additional, voluntary contributions.

Article 33

The regular items of the budget shall be covered by the Members on a pro rata basis, in conformity with a scale to be established by the Plenary Assembly on the basis of the principles applied by the United Nations in calculating the shares to be contributed by the States Members of that Organization to its regular budget.

Comment: This article is self-explanatory.

Article 34

The Governing Council shall prepare, with the advice of the Executive Secretary, and approve such extraordinary items as may be necessary for carrying out projects approved by the Council. The purpose of these items shall be to meet additional expenses incurred by the Programme for such purposes as preliminary studies, safeguards of the International Atomic Energy Agency, the evaluation of the results obtained through projects as aforesaid, and providing technical assistance. The extraordinary items shall be defrayed by the Members which participate in the projects or receive the benefits. Nevertheless, the Plenary Assembly may authorize the Governing Council to meet such expenses in part or in whole from the Special Fund referred to in article 35 below. The disbursements referred to in articles 27 and 28 of this Agreement may not be included among the extraordinary items.

Comment: From every point of view it would seem equitable that the States directly concerned in a specific project, and not all the Members of the Programme, should defray the cost of the project, subject however to the reservation set forth in the following article.
Article 35

During each session of the Plenary Assembly a meeting shall be held for the purpose of receiving pledges of voluntary contributions by Member States. The amounts pledged shall constitute a Special Fund designed for the purpose set forth in article 34 above. The Plenary Assembly may likewise authorize the use of the aforesaid Fund to help the States benefiting by the operations and receiving the benefits referred to in this Agreement, if their economic situation so warrants, to meet the charges referred to in article 28.

Comment: It is to be hoped that States Members of the Programme will contribute voluntarily - over and above their regular contributions - to the development of the Programme's activities. These additional contributions could be made in money, in kind, or in services, and on appropriate occasions they would facilitate the implementation of projects which, because of the financial limitations of some States, would be only very remotely possible if at all.

Settlement of disputes

Article 36

Unless the Members concerned agree on some other means of settling a dispute arising between them concerning the application or interpretation of this Agreement, the question shall be submitted to the Plenary Assembly. Should the Plenary Assembly be unable to settle the dispute within a reasonable time, the dispute may be submitted to the International Court of Justice, subject to the consent of the Parties to the dispute.

Comment: The need for a provision like the one included in the above article is obvious.

Amendments

Article 37

Any Member may propose amendments to this Agreement by submitting his proposals to the Executive Secretary, who shall transmit them to all the Members not less than ninety days before the opening of the session of the Plenary Assembly at which they are to be considered.

Comment: The period of not less than ninety days prescribed for giving notice of a proposed amendment to the Agreement seems reasonable.
Article 38

Amendments which are approved by the Plenary Assembly shall enter into force on being ratified by two-thirds of the Members in conformity with their respective constitutional procedures.

Comment: In view of the Agreement's constitutional status, any amendment to it must, to be valid, be ratified by not less than two-thirds of the Members of the Programme.

Validity

Article 39

This Agreement shall enter into force on the date on which forty signatory States which have renounced nuclear weapons and at least one signatory State which is a nuclear-weapon State shall have deposited their respective instruments of ratification.

Comment: This article has been drafted in the light of the provisions of articles 2 and 3.

Authentic texts: deposit

Article 40

This Agreement, done in the Chinese, English, French, Russian and Spanish languages, shall be deposited in three equally authentic copies with ... . The Depositary or Depositaries shall notify all States qualified to become Parties to this Agreement of signatures, ratifications or any other action taken by signatory States in order to accede to it.

IN WITNESS WHEREOF the undersigned, being duly authorized for that purpose by their respective Governments, have signed this Agreement at ____________, on this ____________ day of ____________ 196_.
The General Assembly,

Recalling its resolution 2346 (B) of 19 December 1967, by which it decided to convene the Conference of Non-Nuclear-Weapon States at Geneva from 29 August to 28 September 1968,

Noting that accordingly the Conference of Non-Nuclear-Weapon States took place at Geneva with the participation of ninety-two non-nuclear-weapon States, and of four of the nuclear-weapon States: France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America,

Having examined the final document of the Conference of Non-Nuclear-Weapon States (A/7277),

Taking into account the fact that the Conference has considered the problems of universal peace and, in particular, the security of non-nuclear-weapon States, cessation of the nuclear arms race including proliferation of nuclear weapons, general and complete disarmament and harnessing of nuclear energy exclusively for peaceful purposes,

Noting that the Conference has adopted the Declaration of the Conference of Non-Nuclear-Weapon States and fourteen resolutions containing various recommendations,

Considering that in order to fulfil the aims of the Conference it is necessary to ensure the implementation of the recommendations adopted by the Conference,
Noting in particular the provisions of resolution N of the Conference by which it invited the General Assembly at its present session to consider the best ways and means for the implementation of the decisions taken by the Conference and the continuity of the work undertaken, and at a subsequent session to consider the question of the convening of a second Conference of Non-Nuclear-Weapon States,

I

1. Endorses the Declaration of the Conference of Non-Nuclear-Weapon States;
2. Endorses the recommendations of the Conference, in resolution C recommending that the Conference of the Eighteen-Nation Committee on Disarmament should undertake negotiations on matters of nuclear disarmament, and in resolution D urging the Governments of the Union of Soviet Socialist Republics and the United States to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles;
3. Endorses the recommendation of the Conference, in resolution B, concerning the establishment of nuclear weapon-free zones and the urgency of full compliance by the nuclear-weapon Powers with paragraph 4 of resolution 2286 (XXII) adopted by the General Assembly on 5 December 1967;
4. Requests the prompt attention and full co-operation of the International Bank for Reconstruction and Development and the International Atomic Energy Agency as regards ways and means for the implementation of the programmes and measures contemplated in resolution J;
5. Notes the recommendations of the Conference contained in resolution A reaffirming basic principles of the United Nations Charter, and in resolutions E, F, H, I, K, L and M concerning various issues in the field of peaceful uses of nuclear energy;
6. Requests the Secretary-General of the United Nations to transmit the above-mentioned resolutions and the Declaration to all the members of the United Nations, of its specialized agencies and of the International Atomic Energy Agency, and to the international bodies concerned, for due consideration;
7. Requests further the Secretary-General to submit a report based on the information supplied by those concerned on the progress achieved in the implementation of the present resolution for consideration by the General Assembly at its twenty-fourth session.

II

1. Decides to convene the United Nations Disarmament Commission;
2. Requests the Secretary-General to consult Member States to ascertain their preference on the alternatives of convening a meeting of the United Nations Disarmament Commission either not later than July 1969 or after the twenty-fourth session of the General Assembly and before March 1970:
   (a) To consider, taking duly into account the reports of the Conference of the Eighteen-Nation Committee on Disarmament, what new measures could be taken in the field of disarmament, particularly nuclear disarmament, as well as in the field of security assurances;
   (b) To consider, taking duly into account the reports of the International Atomic Energy Agency and other concerned organizations, further international co-operation in the peaceful uses of nuclear energy among all States with special regard to the needs and interests of developing countries;
3. Recommends that the Disarmament Commission should ensure by appropriate means continuous and efficient efforts in these fields;
4. Requests the Secretary-General to furnish to the Disarmament Commission all necessary assistance, including the information supplied by those concerned on the progress achieved in the implementation of the present resolution;
5. Requests the Disarmament Commission to submit a report on its work to the subsequent session of the General Assembly.

III

1. Requests the Secretary-General to appoint a group of experts in accordance with resolution G of the Conference, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries;
2. **Endorses** the recommendation that the Secretary-General draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report;

3. **Requests** the Secretary-General to transmit the report to the Governments of States Members of the United Nations, its specialized agencies and the International Atomic Energy Agency in time to permit its consideration at the twenty-fourth session of the General Assembly.

**IV**

**Requests** the Secretary-General to prepare, in consultation with the States Members of the United Nations, of its specialized agencies and of the International Atomic Energy Agency, and to transmit to the above-mentioned Governments, in time for its consideration by the General Assembly at its twenty-fourth session:

(a) A report, with the assistance of the United Nations Development Programme and the International Atomic Energy Agency, on the establishment, within the United Nations Development Programme, of a "Nuclear Technology Research and Development Programme", to be executed as a matter of priority with the co-operation of the International Atomic Energy Agency for the benefit of the developing countries;

(b) A report, with the assistance of the group of experts referred to in section III, as well as with the assistance of the International Atomic Energy Agency and of other international bodies concerned, on the establishment within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control.