

Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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GROUP OF NON-ALIGNED AND NEUTRAL STATES

WORKING PAPER ON ARTICLE VI OF NPT

I. OBLIGATIONS

1. The Group of Non-Aligned and Neutral States recalls that under the provisions of Article VI of the Treaty all parties have undertaken to pursue negotiations in good faith;

- on effective measures relating to cessation of the nuclear arms race at an early date;
- on effective measures relating to nuclear disarmament;
- on a treaty on general and complete disarmament under strict and effective international control.

2. The Group of Non-Aligned and Neutral States notes that the Preamble to the Treaty recalled the determination expressed by the parties to the 1963 Treaty banning nuclear weapons tests in the atmosphere, in outer space and under water in its preamble to seek to achieve the discontinuance of all test explosion on nuclear weapons for all time and the desire to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery.

The Group also recalls that in accordance with the Charter of the United Nations, States must refrain in their international 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, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources as stated in the Preamble of the Non-Proliferation Treaty.

3. The commitment of the Non-Aligned and Neutral Group of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons is, consequently, based on the Group's expectation that the Treaty would contribute to the implementation of the principles and purposes of the Charter, since the Group believes that nuclear disarmament constitutes an essential element for the realization of such principles and purposes, in particular the maintenance of international peace and security. The Treaty should be seen as part of a process aimed at the conclusion of further agreements in the field of disarmament, in particular nuclear disarmament.

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4. The Group of Non-Aligned and Neutral States recalls the Final Declaration of the NPT Review Conference held in 1975, in particular the contents on the review of Article VI of the NPT.

The Group also recalls the view expressed therein that the conclusion of a Treaty banning all nuclear weapon tests is one of the most important measures to halt the nuclear arms race and the hope that the Nuclear Weapons States Party to the Treaty will take the lead in reaching an early solution of the technical and political difficulties on this issue and to make every effort to reach agreement on the conclusion of an effective comprehensive test ban.

The Group also recalls the desire expressed by a considerable number of delegations at the Conference that the Nuclear Weapon States Party to the Treaty should as soon as possible enter into an agreement open to all States containing appropriate provisions to ensure its effectiveness to halt all Nuclear Weapon tests of adhering States for a specified time, whereupon the terms of such an agreement would be reviewed in the light of the opportunity at that time, to achieve a universal and permanent cessation of all Nuclear Weapon tests. Finally, the Group recalls the hope expressed in the 1975 Final Document of the NPT Review Conference that all States Party to the Treaty, through the United Nations and the CCD and other negotiations in which they participate, will work with determination towards the conclusion of arms limitation and disarmament agreements which will contribute to the goal of general and complete disarmament under strict and effective international control.

5. The Group of Non-Aligned and Neutral States further recalls the contents of paras. 50 and 51 under the Programme of Action in the final document of the Tenth Special Session of the General Assembly devoted to disarmament and regrets that the recommendations contained therein have not been realized since the adoption by consensus seven years ago.

In this context the Group also recalls the multilateral treaties which effectively prohibit the geographical and spatial proliferation of nuclear weapons such as by preventing the emplacement of nuclear weapons on the seabed and the ocean floor and in the subsoil thereof; in outer space and celestial bodies; and in the Antarctic area and urges universal and continued adherence to them.

II. RECENT DEVELOPMENT OF THE NUCLEAR ARMS RACE AND NUCLEAR DISARMAMENT

The Group notes that during the last decade the world has witnessed a trend giving qualitative nuclear arms developments more importance than the size of nuclear arsenals. This trend is especially clear as regards one of the two major Powers. Since 1967 this Power has cut not only the number of nuclear weapons delivery vehicles but specifically reduced the explosive yield of the warheads in the inventories. However, the overall number of warheads has not noticeably diminished. The use of MIRV-techniques on the Intercontinental Ballistic Missiles has rather tended to increase the number of warheads on strategic systems. Information of the development of the size of the nuclear arsenals of the other major nuclear Power has not been as readily available. However, concerning that Power there is a tendency that the earlier steady increase has been slowed down. The slowing down of some quantitative elements of the nuclear arms race, has been

accompanied by; and indeed a function of an accelerating development of the quality and reliability of the nuclear weapon systems. The nuclear weapons programmes of the other three nuclear States are following, on a much smaller scale, a similar path as those of the big two.

The Group also notes that since 1975 and indeed since 1980 the relative importance of the actual number and the aggregate yield of nuclear weapons in the arsenals of the major nuclear weapon States has been of relatively less significance in comparison with the rapid development with regard to the improvements in quality of the delivery vehicle component of the nuclear weapon systems. Thus it could with certainty be stated that, in spite of a possible stagnation of numbers of delivery vehicles and of a lowering of yields over some years, the potential nuclear arms destruction effect i.e. capacity to destroy selected targets is more severe than before.

This is further underlined by increases of technical and political risks, having accompanied the development of weapons technology.

The increase in the number of selectable targets may lead the nuclear weapon States into the temptation to prepare for limited war with surgical nuclear strikes. It is thus destabilizing as it assists in lowering the nuclear threshold and even invites pre-emptive action.

Other indicators pointing towards a disturbing future development is the present high rate of increase in the research and development component of military spending and the continued nuclear testing. Although the development of new and advanced delivery systems have been the most significant factor during the recent years of nuclear weapons development, the refinement of the explosive devices has not been unimportant. On the contrary the last 10 years have witnessed the emergence of the first third generation nuclear weapons in the form of the neutron bomb or the enhanced radiation weapons. Other third generation nuclear weapons subject to research and maybe also to development could be the X-ray laser and the EMP weapons, the latter designed to maximize the size of the electromagnetic pulse and its effects generated by a nuclear detonation.

The X-ray laser is contemplated to become an element in space-based strategic defensive systems and at present subject to strenuous research efforts. Although most ingredients of such strategic defensive systems are non-nuclear, any such strategic defensive effort on the part of the two major space Powers could have significant and even crucial effects on the nuclear strategic balance. It has, for example, been pointed out that one countermeasure with regard to a strategic defensive system could be a substantial increase in the number of strategic offensive nuclear missiles and warheads. Space defensive programmes, whatever their intention, could lead a new environment, space, being drawn into the arms race.

There are three different kinds of so-called vertical nuclear proliferation. First is the increase of the number of warheads or explosive devices of the nuclear arsenals of the major nuclear weapon States. The second is the rapid development of new and even more advanced weapon systems. This development has been especially rapid with regard to the delivery component of the systems. In addition to ballistic missiles the cruise missiles have rapidly increased in

number and importance. The nuclear weapon States have thus been able to enhance their capability to carry out nuclear warfare at an intermediate range. The third dimension is the geographic proliferation in the form of deployment outside the territories of the nuclear weapon States, within the territories of their alliances or on the high seas.

This development has not only adversely affected the stability of the security relations between the nuclear weapon States themselves but also the security of the non-nuclear weapon States. This proliferation has enhanced the danger of nuclear war.

The nuclear weapon States have repeatedly stated their commitment to the undertaking under Article VI. In November 1981, the United States and the Soviet Union started talks on Intermediate Range Nuclear Force. In January 1982 the two sides started talks on Strategic Arms. Both sides made proposals rejected by the other side during the course of the negotiations. The two sets of negotiations were suspended in November 1983 without any agreement reached. In March 1985 the first round of new bilateral negotiations concerning the strategic and intermediate range nuclear force as well as space arms began in Geneva. The second round of the new talks ended in July 1985, so far without result.

Thus hardly any results have been achieved in the bilateral talks. The international tension, first and foremost fuelled by the deep distrust between the two major nuclear weapon States has practically eliminated any chance to achieve a cessation of the unabated nuclear arms race, let alone made it possible to achieve nuclear disarmament. The new round of talks should nevertheless be considered as a positive development.

The fact remains that the achievement of the goal spelled out in Article VI of a cessation of the nuclear arms race "at an early date" now 15 years after the entry into force of the Treaty appears to be a more distant possibility than ever. The major nuclear weapon Powers should be reminded of their solemn undertaking under Article VI and that nuclear disarmament cannot be replaced by so-called crisis management or manipulation of the bilateral security balance under a consistent growth of their arsenals. Those Powers should be aware that security in the nuclear age cannot be divided and that all States, nuclear or non-nuclear alike, have an equal right to live in peace without the threat or use of force against their territorial integrity or political independence.

The Group of Non-Aligned and Neutral States is gravely concerned that during the period 1980-85 no negotiations took place on the question of a nuclear test ban. The trilateral talks were suspended during the period. An ad hoc Working Group on the question was established within the Committee on Disarmament for the session of 1982 and 1983 of the Committee. However, no actual negotiations took place during the period, although some useful proposals were made and though the work of a Group of Scientific Experts on Seismic Detection added to the understanding of the problem of verification. One of the major nuclear weapon Powers declared in 1982 that to it, a comprehensive test ban treaty was only a long term goal. In 1984 and 1985 the Conference could not agree on a mandate for a subsidiary body to elaborate a treaty. The other major nuclear weapon Power announced a five months' unilateral moratorium on

testing from 6 August 1985. Meanwhile the three Depository States to the Non-Proliferation Treaty have conducted nuclear explosions as follows:
[Source: SIPRI Year Book: 1985]

	<u>16 July 1945</u> <u>5 Aug. 1963</u>	<u>6 Aug. 1963</u> <u>31 Dec. 1984</u>	<u>Total</u>
United States of America	331	414	745
Union of Soviet Socialist Republics	164	390	554
United Kingdom	23	15	38

Considering the wording of Article VI on the cessation of the nuclear arms race "at an early date", the declared policy of a comprehensive nuclear test ban as a long term goal must be seen as a contradiction against fundamental elements of the Treaty, especially as one preambular paragraph is devoted solely to a comprehensive nuclear test ban, the only concrete disarmament measure specifically mentioned in the Treaty.

No progress has been reported from the Conference on Disarmament on such nuclear weapon issues on its agenda as the Cessation of the Nuclear Arms Race and the Prevention of Nuclear War. Neither is there any new development on the agenda item on Effective International Arrangements to Assure Non-Nuclear Weapon States against the Use or Threat of Use of Nuclear Weapons.

Two Review Conferences have taken place since 1980, one on the Sea-bed Treaty and one on the Environmental Modification Treaty. In 1982, a Special United Nations General Assembly Session on Disarmament took place, without any results in matters directly linked to nuclear disarmament.

The last five years have thus not given any results concerning negotiations on effective measures relating to cessation of the nuclear arms race and to nuclear disarmament. In the context of Article VI, it is the conclusion of the Group that the period between 1980 to 1985 has been five wasted years.

In this context the Group recalls the Political Declaration adopted by the heads of State or Government at the Seventh Non-Aligned Summit in March 1983 which "reiterated their conviction that international peace and security can only be ensured through general and complete disarmament, in particular nuclear disarmament, under effective international control. In order to prevent effectively the horizontal and vertical proliferation of nuclear weapons, nuclear weapon States should adopt urgent measures for halting and reversing the nuclear arms race. Pending the achievement of nuclear disarmament, the Heads of State or Government, in the name of humanity demanded an immediate prohibition of the use or threat of use of nuclear weapons by all nuclear weapon States. They further called for a freeze on the development, production, stockpiling and deployment of nuclear weapons and the speedy finalization of a comprehensive Treaty banning the testing of nuclear weapons. They also reiterated that the nuclear weapon States have an obligation to guarantee that non-nuclear weapon States will not be threatened or attacked with nuclear weapons. The Heads of State or Government recommended that negotiations should proceed without delay for the conclusion of an agreed international instrument on effective international arrangements to assure all non-nuclear weapon States, without any discrimination, against the use or threat of use of nuclear weapons".

It also recalls the declaration made by six Heads of States on 20 January 1985 in New Delhi calling upon the nuclear weapon States to bring their arms race to a halt which has so far been unheeded.

The Group also recalls in particular the final paragraph of that Declaration which stated - "Forty years ago, in Hiroshima and San Francisco, the horror of nuclear war was matched by the hope for peace. We would like this year of 1985 to be the year when hope begins to prevail over terror. We dare to hope that by 23 October 1985, the Fortieth Anniversary of the United Nations, we might see the first concrete steps to avert the threat to the survival of humanity".

The Group welcomes the recent entry into force of the South Pacific Nuclear Free Zone Treaty signed in Rarotonga, and takes note of the three protocols now open to the signature of nuclear weapon States.

III. PROPOSALS

In the above circumstances the Group of Non-Aligned and Neutral States recommends the following for adoption and subsequent implementation by the States Parties to the Treaty:

1. The Group calls all Parties to the Non-Proliferation Treaty, and particularly the nuclear weapon States, to reaffirm their commitment to the implementation in good faith of Article VI and the tenth preambular paragraph closely related thereto of the NPT. The Group urges them to prove with deeds the authenticity of such a commitment.
2. The Group calls for the urgent initiation of negotiations towards a comprehensive Nuclear Test Ban Treaty in the Conference on Disarmament as an effective measure for the cessation of a nuclear arms race at an early date.

To achieve this end the Group considers it urgent that the nuclear weapon States Parties to the Treaty in particular agree to commence work on a nuclear test ban in the Conference on Disarmament with a negotiating mandate. More specifically to establish an ad hoc Committee in the Conference on Disarmament on a Nuclear Test Ban to initiate the multilateral negotiation of a treaty for the prohibition of all nuclear weapon tests and report to the Conference on the progress of its work pursuant to its mandate. The ad hoc Committee on a Nuclear Test Ban will take into account all existing proposals and future initiatives. In addition, it will draw on the knowledge and experience that have been accumulated over the years in the consideration of a comprehensive test ban in the successive multilateral negotiating bodies and the trilateral negotiations. The ad hoc Committee will also take into account the work of the ad hoc Group of Scientific Experts to consider International Co-operative Measures to detect and identify Seismic Events.

Pending conclusion of a CTBT, the Group calls on all nuclear weapon States to establish an immediate moratorium on all nuclear weapon testing, as a measure of their sincerity in complying with Article VI and as a confidence-building measure that will facilitate the conclusion of an effective CTBT.

4. The Group calls for an immediate freeze on nuclear arsenals, in particular, of the two super-Powers with a view to cease the nuclear arms race at an early date and to arrive at nuclear disarmament agreements. In this context the Group

urges the cessation of the qualitative improvement and deployment of nuclear weapon systems and immediate halting of the further deployment of nuclear arsenals especially in areas where nuclear weapons have hitherto not been deployed and their eventual withdrawal and prohibition.

5. The Group calls for a clear-cut, unambiguous and internationally binding commitment from the nuclear weapon States Parties not to use nuclear weapons, and to proceed towards progressive and deep reductions of stockpiles of nuclear weapons and their means of delivery leading to their ultimate and complete elimination at the earliest possible time.

6. To achieve this end the Group calls for the immediate commencement of multilateral nuclear disarmament negotiations in the single multilateral negotiating forum in the Conference on Disarmament, with a view to arriving at agreements at appropriate stages and with adequate measures of verification satisfactory to the States concerned for:

(a) Cessation of the qualitative improvement and development of nuclear weapon systems;

(b) Cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes;

(c) A comprehensive, phased programme with agreed time frames, whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time.

7. It also urges the United States of America and the Union of Soviet Socialist Republics to pursue their bilateral negotiations on a complex of questions concerning space and nuclear arms both strategic and intermediate range with all questions considered and resolved in their interrelationship with determination and produce early and effective agreements, so as to complement and ensure the positive outcome of multilateral agreements on disarmament.

8. The Group calls upon all States, particularly the Nuclear Weapon States Parties to the NPT to accelerate and renew their commitment to the negotiations in the Conference on Disarmament devoted to the elaboration of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons.