Conf. 1968
Agenda item 14 (a), (b), (c) and (d)

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."

* Re-issued for technical reasons

CE.68-19103
(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:

"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;

Recommend 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;

Recommend 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

Recommend 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

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

IV

Recommend 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 report 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.
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."

(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 financing 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 XII 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 12 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 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.35/0.2/L.6), which was subsequently co-sponsored by Jamaica (A/CONF.35/0.2/L.6/Add.1) and Costa Rica and Guatemala (A/CONF.35/0.2/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 Programmes, of a "Nuclear Technology Research and Development Programmes" 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 Dehong and Eurya 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 (n) 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 reads 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 reads 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 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 C):
   (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 21 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 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 7 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.

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 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."

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/D00.15 and A/CONF.35/C.2/3), and all the other documents and records concerning item 14 (d) of the agenda of the conference.

H

**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.