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Nuclear Weapons Conference, Geneva

28 July 61

Letter dat 28 July from the Perm. Represent. of
India to the U.N., addressed to D.H.,
- with the explanatory memorandum.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/4801/Add.1
28 July 1961

ORIGINAL: ENGLISH

Sixteenth session

PROVISIONAL AGENDA OF THE SIXTEENTH REGULAR SESSION OF
THE GENERAL ASSEMBLY: ITEM PROPOSED BY INDIA

CONTINUATION OF SUSPENSION OF NUCLEAR AND THERMO-NUCLEAR TESTS
AND OBLIGATIONS OF STATES TO REFRAIN FROM THEIR RENEWAL

Letter dated 28 July 1961 from the Permanent Representative of India
to the United Nations, addressed to the Secretary-General

1. I have the honour to refer to my letter No. D.12/PR dated the 17 July 1961 proposing that the item "Suspension of nuclear and thermo-nuclear tests" be included in the provisional agenda of the sixteenth session of the General Assembly.
2. I have now to request, under the instructions of my Government, that the wording of this item should be changed to read as follows:

"Continuation of suspension of nuclear and thermo-nuclear tests and obligations of States to refrain from their renewal".
3. An explanatory memorandum in accordance with rule 20 of the rules of procedure of the General Assembly, is attached.

(Signed) C.S. JHA
Permanent Representative of India
to the United Nations

EXPLANATORY MEMORANDUM ON "THE CONTINUATION OF THE
SUSPENSION OF NUCLEAR AND THERMO-NUCLEAR TESTS AND
THE OBLIGATIONS OF STATES TO REFRAIN FROM THEIR
RENEWAL

1. At its 960th plenary meeting on the 20 December, 1960, the General Assembly adopted two resolutions, numbers 1577 (XV) and 1578 (XV) urging the States concerned to "continue the present voluntary suspension of nuclear and thermo-nuclear tests". Resolution 1578 (XV) further requested other States to refrain from undertaking such tests. The resolutions referred to the progress that had been made towards agreement regarding the discontinuance of these tests by the parties concerned at the Geneva negotiations and urged the successful completion of their endeavours.
2. Though protracted discussions in Geneva have resulted in agreement in regard to a number of clauses of the proposed draft of a Treaty, the negotiations which were resumed in March, 1961, have reached a stalemate which threatens to endanger even the uneasy "moratorium" on these tests. Statements on behalf of the different parties concerned about the possible renewal of tests in case agreement is not reached, as well as the contemplated limitation of the period of moratorium give cause for serious anxiety.
3. The Government of India, in common with large numbers of Member States as well as an overwhelming volume of world opinion, is deeply concerned at the danger that tests may be conducted either by those observing the present moratorium or by States not yet parties to it. It may still be hoped that the Powers with greater responsibility will find ways and means of implementing the successive resolutions of the United Nations, more particularly resolution 1578 (XV) of the Fifteenth session. However, the failure to reach agreement and the circumstances which have led to and sustained the stalemate are alarming. They do not at present appear to be amenable to the various efforts at compromise that have been made at Geneva.
4. In view of the technological advances, the spread of the relevant knowledge to an increasingly large number of nations, the continuance of world tensions and the indication of desire on the part of nuclear Powers to renew tests whether or

not another country indulges in them, it has become imperative to ensure their prohibition. It is the view of the Government of India that any State which resumes these tests would become primarily responsible for the deterioration of the entire position. They consider it essential not only that the attempts to reach agreement on a treaty be resumed without delay but that, pending such result, the States principally concerned, as well as all other States, should undertake not to contemplate the unilateral resumption of tests. They are convinced that a considered appeal to all States by the Assembly, particularly those most directly concerned, to take no initiative in re-starting nuclear or thermo-nuclear tests would have the overwhelming support of world opinion. It would act as an effective restraint on those who, for whatever reasons, are considering or may consider resumption of tests unilaterally.

5. The Government of India, therefore, submit for inclusion on the agenda of the XVI General Assembly an item embodying these considerations entitled "The continuation of the suspension of nuclear and thermo-nuclear tests and the obligations of States to refrain from their renewal".
