

encourage or in any way participate in the conduct of any nuclear weapon test explosion anywhere. With respect to the structure of a treaty, the idea was forwarded that the structure of a treaty was related to those questions which would need to be dealt with under scope. It was also suggested that one element to be considered was the relationship of a treaty to other international agreements of a bilateral or regional nature relating to the question. Several delegations stressed that in the future consideration of the structure of the treaty, special attention should be given to the relationship of a comprehensive test ban treaty with other relevant agreements which could have a bearing on the activities of States in this and other related fields. In this sense, they recalled the necessity to avoid unnecessary duplications or contradictions between different norms.

21. One delegation belonging to the Group of 21 stated that it was clear from the trilateral negotiators' joint report to the Committee on Disarmament in 1980 that the three negotiators had agreed upon a scope of the treaty on nuclear test ban, i.e., to have a treaty prohibiting nuclear weapon test explosions in all environments and a protocol covering nuclear explosions for peaceful purposes. While the main treaty was to be on the prohibition of nuclear weapon tests, the protocol on PNEs was to establish a moratorium on nuclear explosions for peaceful purposes until arrangements for conducting them were worked out. In the view of this delegation, the scope of a comprehensive test ban treaty had been clearly spelt out in the Preamble of the Partial Test Ban Treaty of 1963 which committed the parties to the objectives of achieving the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end. During the earlier conception of a comprehensive test ban treaty, peaceful explosions had always been assigned a separate role. The original intention at the time of the negotiation of the PTBT clearly was to maintain a dividing line between nuclear weapon tests which were to be prohibited entirely and nuclear explosions for peaceful purposes to be allowed under certain conditions. All the existing international arrangements which referred to the nuclear tests contained separate provisions for peaceful nuclear explosions. In the view of this delegation, the scope of the agreement therefore had to be consistent with what the Preamble of the PTBT seeks to achieve and to ensure that the majority of nations are not denied the full benefits of technological advancement in the nuclear field while a handful of States were left free to do so. The aim of a CTBT, and consequently, its scope had to be to prevent the testing of nuclear weapons and thereby to inhibit, in a non-discriminatory way, proliferation of nuclear weapons in their horizontal as well as vertical dimension. It could not be envisaged as an instrument designed to curtail technological progress or to perpetuate the division of the world into two categories of nations. In the promotion of the achievement of a nuclear test ban, the interests of the nuclear weapon States had to be taken into account on a basis of complete equality with the interests of the non-nuclear weapon States. This delegation stated that it had submitted a Working Paper entitled "New Technologies and Qualitative Arms Race" at the 3rd session of the United Nations General Assembly in 1988 containing a description of the emerging technologies including new "third generation" nuclear weapons. The development of these weapons could be effectively impeded by achieving a comprehensive test ban treaty which aimed at the general and complete cessation of testing of nuclear weapons by all States in all environments for all time. To be truly effective, such a treaty had to be non-discriminatory and had to be universally observed.