

AFTERMATH OF THE REVIEW CONFERENCE

At the 40th session of the General Assembly in 1985, although the members of the United Nations noted with satisfaction that the Third Review Conference of the NPT had adopted its Final Document by consensus, their other actions showed the persistence of their commitment to a CTB as essential for the success of the NPT.

Resolutions initiated by Mexico and Sweden, and by Australia and New Zealand, recalled the final document of the NPT Review Conference and called for the immediate beginning of negotiations for a CTB. Both resolutions passed by overwhelming margins, the first by a vote of 124-3 with 21 abstentions and the second by a vote of 116-4 with 29 abstentions.

Only the United States, the United Kingdom and France voted against the Mexican-Swedish resolution, and Grenada joined them in voting against the Australian-New Zealand resolution. France is not a party to either the 1963 partial Test Ban Treaty or the NPT. China, which is also not a party to either treaty, abstained in both votes.

During the General Assembly, as at the Third Review Conference, there was evident frustration and resentment among the non-aligned and neutral countries over what they regarded as an attempt by the United States to re-interpret the provisions of Article VI of the NPT. Whereas hitherto all parties seemed to agree that the cessation of the nuclear arms race and in particular a comprehensive test ban was the first priority in halting and reversing the nuclear arms race, and that the only obstacle was the question of the adequacy of verification, it now appeared that the United States had down-graded a comprehensive test ban treaty to a long-term goal and now gave highest priority to deep cuts in the numbers of nuclear weapons.

This change in the United States position was emphasized when the Arms Control and Disarmament Agency told the House Foreign Affairs Committee that before the United States resumed negotiations on a comprehensive test ban, there must be an agreement on "deep reductions in the level of nuclear weapons, maintenance of a credible nuclear deterrent, improved verification capabilities and expanded confidence-building measures." In one document, the Arms Control and Disarmament Agency stated that negotiations for a comprehensive test ban should not take place even if verification problems were completely solved.

In the light of these developments, a number of the non-nuclear countries seem to have decided to take matters into their own hands in an effort to stop all nuclear testing. During the Third Review Con-

ference of the NPT several consultations took place among some non-aligned countries to consider the possibility of calling for a conference of the parties to the 1963 partial Test Ban Treaty to amend that treaty in order to prohibit underground tests.

Article II of the partial Test Ban Treaty provides that any party to the treaty may propose amendments to it and, if requested by one-third of the parties, the Depository Governments (the USSR, UK and US) "shall convene" a conference of the parties to consider the amendments. Any amendments must be approved by a majority (57) of the votes of all of the parties (112) to the treaty including the votes of the three Depository Governments.

At the General Assembly, Mexico and five other non-aligned countries presented a resolution which recommended that the parties to the treaty should carry out "urgent consultations among themselves as to the advisability and most appropriate method" to take advantage of Article II of the treaty "for the conversion of the partial Nuclear Test Ban Treaty into a comprehensive nuclear test ban treaty." The General Assembly adopted the resolution by a vote of 121-3 with 24 abstentions. The USSR voted for the resolution, and only the United States, United Kingdom and France voted against it. A few Western and non-aligned countries, including Canada, abstained. China did not participate in the vote.

This resolution is an important development in the long history of the efforts to achieve an end to all nuclear testing. While it has a long way to go, it provides an entirely new approach, one that holds out more hope for action than the other resolutions calling for a CTB adopted this year and in the previous quarter of a century.

Since 121 states voted for the resolution, it should not be a difficult task to obtain a request by one-third (38) of the 112 parties to the 1963 Test Ban Treaty necessary to require the three Depository States to convene an amending conference in order to consider amendments that would convert the partial treaty into a comprehensive test ban treaty. Nor should it be difficult to obtain the 57 parties required to approve such amendments.

What will be difficult is to obtain the approval and ratifications of all three depository states. In view of the Soviet vote for the resolution, it can be assumed that the USSR would approve and ratify any such amendments approved by the Conference. Since the US and the UK, however, voted against the resolution, it can be expected that they will not approve any such amendments and that the amendments will therefore fail to be adopted even if there are more than 57 votes in favor of them. Whatever the outcome, the mere holding of the amending conference will attract wide public interest and focus attention on the overriding desire and need to