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CONCLUSION OF EFFECTIVE **INTERNATIONAL** ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES **AGAINST** THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

Report of the First Committee

Rapporteur: Mr. Latévi Modem LAWSON-BETUM (Togo)

I. INTRODUCTION

1. The item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of ~~use~~ of nuclear weapons" was included in the provisional agenda of the forty-fifth session of the General Assembly in accordance with Assembly resolution **44/111** of 15 December 1969.
2. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.
3. At its 2nd meeting, on 9 October 1990, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 45 to 66. At its 4th meeting, on 16 October, the First Committee decided to consider jointly with other disarmament items agenda item 155, which was allocated to the First Committee upon a decision of the General Assembly at its 30th plenary meeting, on 15 October. The deliberations on those items took place between the 3rd and 23rd meetings, from 15 to 30 October (see **A/C.1/45/PV.3-23**). Consideration of and action on draft resolutions on those items took place between the 24th and 39th meetings, from 2 to 16 November (see **A/C.1/45/PV.24-39**).

4. In connection with item 52, the First Committee had before it the following documents:

(a) Report of the Conference on Disarmament; 1/

(b) Letter dated 1 August 1990 from the Permanent Representative of Malaysia to the United Nations addressed to the Secretary-General, transmitting the text of the joint **communiqué** of the Twenty-third **ASEAN** Ministerial Meeting, held at Jakarta on 24 and 25 July 1990 (A/45/389-S/21455);

(c) Letter dated 19 September 1990 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General, transmitting the text of the documents adopted by the Nineteenth Islamic Conference of Foreign Ministers, held at Cairo from 31 July to 5 August 1990 (A/45/421-S/21797).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.1/45/L.19

5. On 30 October, Banqladesh, Iran (Islamic Republic of), Madagascar, Nepal, Pakistan and Sri Lanka submitted a draft resolution entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" (A/C.1/45/L.19), which read as follows:

"Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

"The General Assembly,

"Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

"Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of **civilization,**

"Deeply concerned at the continuing escalation of the arms race, in particular the nuclear-arms race, and the possibility of the use or threat of use of nuclear **weapons,**

"Also convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27 (A/45/27).

"Taking into account the principle of the non-use of force or threat of force enshrined in the Charter of the United Nations,

"Deeply concerned also about the possibility of the use or threat of use of nuclear weapons,

"Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States **need to be safeguarded against the use or threat of use of force, **including the use or threat of use of nuclear weapons,****

"Considering that, until nuclear **disarmament is achieved on a universal basis, **it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,****

"Recognizing also that effective measures to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can constitute a positive contribution to the prevention of the spread of nuclear weapons,

"Recalling its resolutions 3261 G (XXIX) of 9 December 1974 and **31/189 C of 21 December 1976,**

"Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, **1/ in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,**

"Desirous of promoting the implementation of the relevant **provisions of the Final Document of the Tenth Special Session,**

"Recalling also its resolutions **33/72 B of 14 December 1978, **34/85** of 11 December 1979, **35/155** of 12 December 1980, **36/95** of 9 December 1981, **37/81** of 9 December 1982, **38/68** of 15 December 1983, **39/58** of 12 December 1984, **40/86** of 12 December 1985, **41/52** of 3 December 1986, **42/32** of 30 November 1987, **43/69** of 7 December 1988 and **44/111** of 15 December 1989,**

"Recalling further paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution **35/46 of 3 December 1980, which states, inter alia, that all efforts should be exerted by the Committee on Disarmament **2/** urgently to negotiate with a view to reaching agreement on **effective** international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,**

"1/ Resolution S-1012.

"2/ The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

"Noting the in-depth negotiations undertaken in the Conference on Disarmament and its **Ad Hoc** Committee on Effective International Arrangements to **Assure** Non-Nuclear-Weapon States against the Use or Threat of Use **of** Nuclear Weapons, **3/** with a view to reaching agreement on this item,

"Taking note of the proposals submitted under that item in **the** Conference on Disarmament, including the drafts of an international convention,

"Taking note also of the decision **of** the Ninth **Conference of** Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, **4/** as well as the relevant recommendations of the Organisation of the Islamic Conference reiterated in the Final **Communiqué** of the Nineteenth Islamic Conference **of** Foreign Ministers, held at Cairo from 31 July to 5 August 1990, calling upon the Conference on Disarmament to reach **an** urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

"Noting also the support expressed in the **Conference** on Disarmament and in the General Assembly **for the** elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

"1. Reaffirms the urgent need to reach **agreement** on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of **nuclear weapons**;

"2. Notes with satisfaction that in the Conference on **Disarmament there** is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against **the use** or threat **of** use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also **been pointed out**;

"3. Appeals to all States, especially the nuclear-weapon States, to demonstrate the political will necessary to reach agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of **a legally binding character**;

"4. Recommends that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties:

"3/ Official Records of the General Assembly. Fortieth Session. Supplement No. 27 and corrigendum (A/40/27 and Corr.1), sect. III.F.

"4/ See A/44/551-S/20870, annex.

"5. Recommends that the Conference on Disarmament should actively continue negotiations with a view to reaching **early agreement** and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into **account the** widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective:

"6. Decides to include in the provisional agenda of its forty-sixth session the **item** entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use **or threat** of use **of** nuclear weapons'."

6. At the 33rd meeting, on 9 November, the Chairman announced that following consultations the sponsors of draft resolutions **A/C.1/45/L.9** and **A/C.1/45/L.19**, under **items** 51 and 52, respectively, had been able to arrive at a single **merged** text combining both draft resolutions. The Chairman requested the Secretariat to issue the merged text under a new symbol, **A/C.1/45/L.56**. The Committee decided accordingly (see A/45/773).

7. At the request of the sponsors, no action was taken on draft resolution **A/C.1/45/L.19**.

B. Draft resolution A/C.1/45/L.56 and Rev.1

8. On 9 November, Australia, Bangladesh, Bulgaria, Iran (Islamic Republic of), Madagascar, Nepal, New Zealand, Pakistan and Sri Lanka submitted a draft resolution entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" (**A/C.1/45/L.56**).

9. On 12 November, the sponsors submitted a revised draft resolution (**A/C.1/45/L.56/Rev.1**), which was later also sponsored by Yemen. revised draft resolution was introduced by the representative of Pakistan at the 35th meeting, on 13 November, and contained the following changes:

(a) A new fifth preambular paragraph was added as follows: "Welcoming the progress achieved in recent years in both nuclear and conventional disarmament";

(b) The original sixth preambular paragraph was deleted:

(c) In the original ninth preambular paragraph, "constitute an important positive contribution" was replaced by "contribute positively".

10. At the 36th meeting, on 14 November, the Committee adopted draft resolution A/C.1/45/L.56/Rev.1 by a recorded vote of 130 to none, with 3 abstentions (see para. 11). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brasil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahir'ya, Liechtenstein, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: None.

Abstaining: France, United Kingdom of Great Britain and Northern Ireland, United States of America.

III. RECOMMENDATION OF THE FIRST COMMITTEE

11. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilisation,

Deeply concerned at the arms race, in particular the nuclear-arms race, and the possibility of the use or threat **of use** of nuclear weapons,

Convinced that nuclear **disarmament** and the complete elimination of nuclear weapons are essential to remove the danger **of** nuclear war,

Welcoming the progress achieved in recent years in **both** nuclear and conventional disarmament,

Taking into account the principles of the non-use **of force** or threat **of force** enshrined in the Charter of the United Nations,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat **of use** of force, including the use **or** threat of use **of** nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative **for** the international community to develop effective **measures** and arrangements to **ensure** the security of non-nuclear-weapon States against the use or threat of use **of** nuclear weapons from any quarter,

Recognizing that effective measures and arrangements to **assure** the non-nuclear-weapon States against the use or threat **of use** of **nuclear** weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of ~~the~~ Final Document **of** the Tenth Special Session **of** the General Assembly, **2/ in** which it urged the nuclear-weapon States to pursue efforts to conclude, **as** appropriate, effective arrangements to assure non-nuclear-weapon States **against** the use or threat **of use** of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document **of** the Tenth Special Session,

Recalling the relevant parts of **the** special report of the Committee on Disarmament submitted to the General Assembly **at** its twelfth special session, **3/** the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special **session, 4/** the third special session devoted to disarmament, as well as of the annual report of the Conference on its 1990 session, **5/**

2/ Resolution S-1012.

3/ ^{ff/} Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2), sect. III.C.

4/ Ibid., Fifteenth Special Session, Supplement No. 2 (A/S-15/2), sect. III.F.

5/ Ibid., Forty-fifth Session, Supplement No. 27 (A/45/27), sect. III.F.

Recalling further paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution **35/46** of 3 December 1980, which states, **inter alia**, that all efforts should be exerted by the Committee on Disarmament urgently **to negotiate with a view to reaching** agreement on effective international **arrangements to assure** non-nuclear-weapon States **against the use or threat of use of nuclear weapons**,

Noting the in-depth negotiations undertaken in **the** Conference on Disarmament and **its Ad Hoc** Committee on Effective International Arrangements to **Assure** Non-Nuclear-Weapon States against the Use **or** Threat of Use **of** Nuclear Weapons, with **a view to reaching agreement on** this item,

Taking note of the proposals submitted under that item **in** the Conference on Disarmament, including the drafts of an international convention,

Taking note of the decision of the Ninth Conference of Heads of State or Government of the Movement of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, **6/** as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the **Final** Communiqué of the Nineteenth Islamic Conference of Foreign Ministers, **7/** held at Cairo from 31 July to 5 August 1990, calling upon the Conference on Disarmament to **reach an** urgent agreement on an **international convention to assure** non-nuclear-weapon States against the use **or** threat of use of nuclear weapons.

Taking note also of the unilateral declarations on **the** security of non-nuclear-weapon States against the use or threat of use **of** nuclear weapons made by all nuclear-weapon States,

Noting the support expressed in the **Conference on Disarmament** and in the General Assembly for the elaboration of an international convention to **assure** non-nuclear-weapon States **against** the use **or threat of use** of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Noting also the greater willingness to overcome the difficulties encountered in previous years,

Recalling its relevant resolutions adopted in previous years,

Desirous of promoting the implementation of its resolutions **44/110** and **44/111** of 15 December 1989,

1. **Reaffirms** the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use **or** threat **of** use of nuclear weapons;

6/ See A/44/551-5/20870, annex.

7/ See A/45/421-S/21797, annex,

2. Notes with satisfaction that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also been pointed out)

3. Appeals to all States, especially the nuclear-weapon States, to demonstrate the political will and flexibility necessary to reach agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. Recommends that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. Recommends also that the Conference on Disarmament should actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".