



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/32/112
10 June 1977

ORIGINAL: ENGLISH

Thirty-second session
Item 37 of the preliminary list*

CONCLUSION OF A WORLD TREATY ON THE NON-USE OF FORCE
IN INTERNATIONAL RELATIONS

Letter dated 8 June 1977 from the Permanent Representative of
the German Democratic Republic to the United Nations addressed
to the Secretary-General

With reference to General Assembly resolution 31/9 of 8 November 1976, I have the honour to transmit to you a letter of the Minister for Foreign Affairs of the German Democratic Republic, Mr. Oskar Fischer, concerning the conclusion of a world treaty on the non-use of force in international relations.

I request you to circulate the text of this letter as an official document of the General Assembly under item 37 of the preliminary list.

(Signed) Peter FLORIN
Deputy Minister for Foreign Affairs
Permanent Representative of the
German Democratic Republic
to the United Nations

* A/32/50/Rev.1.

ANNEX

Letter dated 7 June 1977 from the Minister for Foreign Affairs
of the German Democratic Republic to the Secretary-General

The German Democratic Republic regards the adoption by the United Nations General Assembly at its thirty-first session of resolution 31/9 on the conclusion of a world treaty on the non-use of force in international relations as a first step towards the realization of the proposal submitted by the USSR.

We note with satisfaction that a large majority of the States Members of the United Nations, in the debate and by voting in favour of the aforementioned resolution, expressed their readiness to co-operate actively in drafting such a treaty. At its thirty-second session the General Assembly will have to decide on practical steps so that work thereon can rapidly progress. The German Democratic Republic will make an effort to this end.

The profound changes which have taken place in the world and developments in international relations have reinforced our belief that the elaboration and adoption of this major project has become practicable, and the urgency of such action is becoming ever more obvious. International conflicts are still smouldering. The risk that new hotbeds of tension may emerge is far from excluded. We cannot overlook the intensified activities of certain imperialist circles which are designed to halt the process of détente, speed up the arms race and undermine peaceful coexistence by pursuing a policy of strength and confrontation. Because of the great number of nuclear arms and other weapons of mass destruction, any international military conflict is fraught with the danger of escalating into a nuclear world war. The alternative can only be further to consolidate the foundations of peace and of peaceful coexistence. The conclusion of a treaty on the non-use of force in international relations would greatly meet this requirement. It should strengthen the obligation for States on no account to resort to aggression against other States and peoples, and to settle arising disputes by peaceful means.

The exclusion of the use of force in international relations would be a comprehensive measure towards guaranteeing all the basic rights of States, notably respect for their sovereignty and territorial integrity as well as the precept of non-intervention in internal affairs. At the same time, that would create favourable conditions for disarmament and for eliminating the physical means of force. Peaceful co-operation among States, which in spite of considerable progress in recent years is still being impeded by elements of tension and the arms race, would develop even better for the benefit of the peoples. Therefore, the threat to use military force to maintain economic interests will also have to disappear completely from international life. The German Democratic Republic believes that the drafting and adoption of a universal treaty on the non-use of force in international relations is a safe road to strengthen the process of détente and extend it to all parts of the globe.

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The draft proposed by the USSR relies firmly on the general prohibition of the threat and use of force as embodied in Article 2, paragraph 4, of the Charter of the United Nations. The objective of the world treaty is to make this principle of the United Nations Charter more precise and to guarantee its consistent application by elaborating it further. In this sense, the Soviet draft is the first comprehensively to define the scope of application of that principle as it provides for the prohibition of the use of force in all media, viz. on land, at sea, in the air and in outer space.

Especially important is the organic combination of the non-use of force with a general prohibition of the use of all kinds of weapons. The German Democratic Republic considers such provision to be an essential and necessary qualification of Article 2, paragraph 4, of the United Nations Charter and, at the same time, an extremely effective measure against the arms race. In this context, attention has also to be called to the envisaged commitment to make every possible effort to reduce military confrontation and bring about disarmament. A universally effective treaty would in explicit legal terms establish the international duty arising for all States from the United Nations Charter generally, to actively contribute towards measures in the field of disarmament.

It remains incomprehensible why some States should think that the conclusion of such a treaty would be an unnecessary duplication of the respective principle of the Charter or even call in question the validity of that principle. The codification of basic principles embodied in the Charter is a general practice which is fully consistent with its Articles 11 and 13. Relevant examples are the numerous conventions designed to guarantee and translate into practice the right to national self-determination which is enshrined in the United Nations Charter. A number of bilateral and multilateral treaties as well as the Final Act of Helsinki lay down the principle of the non-use of force.

It is the conviction of the German Democratic Republic that a world treaty on the non-use of force in international relations will strengthen the basic principle contained in Article 2, paragraph 4, of the United Nations Charter and provide better guarantees for its implementation. It should be remembered that a great number of military conflicts have taken place since the inception of the United Nations Charter. The treaty will be essential in checking those forces which still consider aggression and the use of armed force to suppress other peoples a means of their policy. That will be of advantage to all those who are seriously striving for international security and understanding among peoples.

The conclusion of a world treaty on the non-use of force in international relations ought to be acceptable to all States. It affects neither the obligations undertaken by States in previous treaties nor the inalienable right of all States to self-defence as provided for in Article 51 of the United Nations Charter. Nor does it prejudice the right of peoples fighting for their national liberation to use all the means at their disposal to achieve this aim.

The German Democratic Republic would like to express its expectation that all States will take a constructive approach towards the drafting of the treaty, thus taking account of the importance its conclusion would have for strengthening international security, stabilizing world peace and enhancing the authority of the United Nations.

(Signed) Oskar FISCHER
Minister for Foreign Affairs
of the German Democratic Republic
