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### COMPLIANCE WITH ARMS LIMITATION AND DISARMAMENT AGREEMENTS

#### Report of the First Committee

Rapporteur: Mr. Dimitris PLATIS (Greece)

#### I. INTRODUCTION

1. The item entitled "Compliance with arms limitation and disarmament agreements" was included in the provisional agenda of the forty-fourth session in accordance with General Assembly resolutions **43/81** A and B of 7 December 1988.
2. At its 3rd plenary meeting, on 22 September 1989, 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 13 October, the First Committee decided to hold a general debate on the disarmament **items** allocated to it, namely, **items 49 to 69 and 151**. The deliberations on those items took place between the 3rd and the 25th meetings, from 16 October to 1 November (see **A/C.1/44/PV.3** to 25). Consideration of and action on draft resolutions on those **items** took place between 2 and 17 November (see **A/C.1/44/PV.26** to 41).
4. In connection with item 69, the First Committee had **before** it the following documents:
  - (a) Letter dated 13 April 1989 from the Permanent Representative of the German Democratic Republic to the United Nations addressed to the Secretary-General, transmitting the texts of the communique, the declaration and the appeal issued by the Committee of the Ministers for Foreign Affairs for the States Parties to the Warsaw Treaty at its session held at Berlin on 11 and 12 April 1989 (A/44/228);

(b) Letter dated 24 May 1989 from the Permanent Representative of Romania to the United Nations addressed to the Secretary-General, transmitting the text of the Appeal of the States Parties to the Warsaw Treaty to the Member States of the North Atlantic Treaty Organization (A/44/295);

(c) Letters dated 6 and 23 June 1989 from the Permanent Representative of the Union of Soviet Socialist Republics addressed to the Secretary-General (A/44/305-S/20676, A/44/347-S/20702);

(d) Letter dated 11 July 1989 from the Permanent Representative of Romania to the United Nations addressed to the Secretary-General, transmitting the text of the communique of the Meeting of the Political Consultative Committee of the States Parties to the Warsaw Treaty, held at Bucharest on 7 and 8 July 1989 (A/44/386);

(e) Letter dated 19 July 1989 from the Chargé d'affaires a.i. of the Permanent Mission of Zimbabwe to the United Nations addressed to the Secretary-General, transmitting the text of the final documents of the Ministerial Meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries, held at Harare, from 17 to 19 May 1989 (A/44/40-S/20743 and Corr.1 and 2).

## II. CONSIDERATION OF DRAFT RESOLUTIONS A/C.1/44/L.54 and A/C.1/44/L.67

5. On 30 October, Australia, Austria, Cameroon, Canada, Colombia, Costa Rica, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Iceland, Israel, Italy, Japan, Netherlands, New Zealand, Norway, Poland, Romania, Spain, Sweden, Turkey, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Zaire submitted a draft resolution entitled "Compliance with arms limitation and disarmament agreements" (A/C.1/44/L.54), which was later also sponsored by Pakistan, Singapore, Thailand and Uruguay. The draft resolution was introduced by the representative of the United States of America at the 29th meeting, on 7 November, and read as follows:

### Compliance with arms limitation and disarmament agreements

The General Assembly,

Recalling its resolution 43/81 A of 7 December 1988,

Conscious of the abiding concern of all Member States for preserving respect for rights and obligations arising from treaties and other sources of international law,

Convinced that observance of the Charter of the United Nations, relevant treaties and other sources of international law is essential for the strengthening of international security,

Mindful, in particular, of the fundamental importance of full implementation and strict observance of **agreements on arms** limitation and disarmament if individual nations and the international community are to derive enhanced security from them,

Stressing that any violation of such agreements not only adversely affects the security of States parties but can also create security risks for other **States relying on** the constraints and commitments stipulated **in** those agreements,

Stressing further that any weakening of confidence in such **agreements** diminishes their contribution to global or regional stability and to further disarmament and arms limitation efforts and undermines the credibility and effectiveness of the international legal **system**,

Recognizing in this context that, inter alia, full compliance with existing agreements can enhance the negotiations of **arms** limitation and disarmament agreements,

Believing that compliance with arms limitation and disarmament **agreements** by **States** parties is, therefore, **a matter** of interest and concern to all **members** of the international community, and noting the role that the United Nations could play in this regard,

Convinced that resolution of non-compliance questions that have arisen with regard to agreements on arms limitations and disarmament would contribute to better relations among States and the strengthening of world peace and security,

Welcoming the universal recognition of the importance of the question of compliance in the context of arms limitation and disarmament **agreements**,

1. Urges all States parties to **arms** limitations and disarmament agreements to implement and comply with the entirety of the provisions of such agreements;

2. Calls upon all Member States to give serious consideration to the implications of non-compliance with those obligations **for** international security and stability, as well as for the prospects for **further progress in** the field of disarmament;

3. Further calls upon all Member States to support **efforts** aimed at the resolution of non-compliance questions, with a view to encouraging strict observance by all parties of the provisions of arms limitation and disarmament agreements and maintaining or restoring the integrity **of** such agreements;

4. Requests the Secretary-General to provide Member States with assistance that **may** be necessary in this regard;

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7. At its 34th meeting, on 10 November, the Committee adopted draft resolution **A/C.1/44/L.17/Rev.1** by a recorded vote of **130** to none, with 4 abstentions (see para. 8). The voting was as follows: **2/**

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, 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, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Somalia, Spain, 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, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America.

### III. RECOMMENDATION OF THE FIRST COMMITTEE

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

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**2/** Subsequently, the delegation of Romania indicated that it had intended to vote in favour of the draft resolution.

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**Convinced that observance of the Charter of the United Nations, relevant treaties and other sources of international law is essential for the strengthening of international security,**

**Mindful, in particular, of the fundamental importance of full implementation and strict observance of agreements on arms limitation and disarmament so that individual nations and the international community are to derive enhanced security from them,**

**Stressing that any violation of such agreements not only adversely affects the security of States parties but can also create security risks for other States relying on the constraints and commitments stipulated in those agreements,**

**Stressing also that any weakening of confidence in such agreements diminishes their contribution to global or regional stability and to further disarmament and arms limitation efforts and undermines the credibility and effectiveness of the international legal system,**

**Recognizing in this context, inter alia, the contribution that full compliance with existing agreements can make to progress in the negotiations of arms limitation and disarmament agreements,**

**Believing that compliance with arms limitation and disarmament agreements by States parties is, therefore, a matter of interest and concern to all members of the international community, and noting the role that the United Nations might play in this regard,**

**Convinced that resolution of non-compliance questions that have arisen with regard to agreements on arms limitations and disarmament would contribute to better relations among States and the strengthening of world peace and security,**

**Welcoming the universal recognition of the importance of the question of compliance in the context of arms limitation and disarmament agreements,**

**1. Urges all States parties to arms limitation and disarmament agreements to implement and comply with the entirety of the provisions of such agreements ;**

**2. Calls upon all Member States to consider fully the adverse implications of non-compliance with those obligations for international security and stability, as well as for the prospects for further progress in the field of disarmament;**

**3. Also calls upon all Member States to support efforts aimed at the resolution of non-compliance questions, with a view to encouraging strict observance by all parties of the provisions of arms limitation and disarmament agreements and maintaining or restoring the integrity of such agreements;**

/...

4. **Requests** the Secretary-General to provide Member States with assistance that may be necessary in this regard;

5. **Welcomes** efforts by States parties to develop additional co-operative measures, as appropriate, aimed at increasing confidence in compliance with arms limitation and disarmament agreements and reducing any possibility of misinterpretation and misunderstanding)

6. **Notes** in this connection the contribution that verification experiments can make in confirming and perfecting verification procedures in arms limitation and disarmament agreements under negotiation, thereby providing an opportunity, from the time that such agreements enter into force, for enhanced confidence in the effectiveness of verification procedures as a basis for determining compliance;

7. **Decides** to include in the provisional agenda of its forty-sixth session the item entitled "Compliance with arms limitation and disarmament agreements".