



General Assembly

Distr.: General
13 July 2000
English
Original: Arabic/English/Spanish

Fifty-fifth session

Item 74 (r) of the provisional agenda*

General and complete disarmament: follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*

Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*

Note by the Secretary-General

Contents

	<i>Page</i>
I. Introduction	2
II. Information received from Governments	2
A. Cuba	2
B. New Zealand	4
C. Qatar	5

* A/55/150.

I. Introduction

1. In its resolution 54/54 Q of 1 December 1999, entitled “Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*”, the General Assembly requested all States to inform the Secretary-General of the efforts and measures they had taken on the implementation of the resolution and nuclear disarmament, and requested the Secretary-General to apprise the Assembly of that information at its fifty-fifth session.

2. Pursuant to that request, information has been received thus far from Cuba, New Zealand and Qatar. Any additional information received from Member States will be issued as addenda to the present report.

II. Information received from Governments

Cuba

[Original: Spanish]
[9 May 2000]

3. From a historical perspective, nuclear weapons are a new form of weapons that, owing to their multiple and far-reaching effects, have a destruction capacity without parallel in human experience. Nuclear technology makes it possible to release more energy in one microsecond, with one single nuclear weapon, than all the energy released by conventional weapons used in all the wars throughout history.

4. The special radiation of nuclear weapons has immediate and long-term effects, as dramatically demonstrated by the wealth of documents published on the Hiroshima and Nagasaki attacks and the reliable proof that the witnesses themselves constitute of the horrors resulting from the use of nuclear weapons.

5. The international community has not been unheeding of these phenomena. It has expressed its views and voiced demands in innumerable forums and instruments that, in one way or another, set standards, lay down commitments and obligations, and contain appeals, including a request to the International Court of Justice for a pronouncement on the legality of the threat or use of nuclear weapons.

6. On 8 July 1996, in what is regarded as a historic opinion, the International Court of Justice concluded that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

7. The opinion indicates that States have a legal obligation not only to hold such negotiations but also to bring them to a speedy conclusion. This unanimous opinion provides a clear basis for follow-up action on the part of the States Members of the United Nations, in their endeavour to rid the world of nuclear weapons.

8. The international community has already dealt with two types of weapons of mass destruction: biological and chemical weapons. Nuclear weapons are the most serious exception, despite having occupied a prominent place on the agenda of disarmament bodies for decades.

9. Countless General Assembly resolutions reaffirm the long-standing desire that the Conference on Disarmament should set up a subsidiary body to focus on the commencement of negotiations on nuclear disarmament. This is simply what is required of us under our international obligations. The interests of non-nuclear-weapon States cannot be left out of the nuclear disarmament process. Nuclear weapons are multilateral in their reach and impact, which means that we all have a right to keep calling for their elimination and the responsibility to work towards achieving that aim.

10. To pave the way towards that goal, in July 1996 Egypt proposed, on behalf of 28 delegations belonging to the Group of 21, including Cuba, a three-stage programme for the elimination of nuclear weapons to be completed by the year 2020. The Conference on Disarmament has repeatedly been called on to ensure that negotiations are taken up with a view to concluding a treaty for the prohibition of nuclear weapons.

11. In addition, in 1996 the Canberra Commission issued its report, setting out the views of eminent international personalities on the subject.

12. Only a reasonable and balanced international arms control and disarmament process can promote genuine peace, security and international stability. However, a number of countries are trying to limit and reduce the arms of other countries, under the guise of arms control and non-proliferation, although they are steadily arming themselves with the most advanced technology and military equipment, while ignoring the protests of civil society and the scientific community.

13. Nuclear disarmament is the highest priority on the disarmament agenda, as recognized at the first Special Session of the General Assembly Devoted to Disarmament, held in 1978. This has also been recognized by the various international personalities who have held the office of Secretary-General of the United Nations, notably the current Secretary-General, Kofi Annan, in an address to the Conference on Disarmament on 26 January 1999.

14. It must now be asked what role nuclear weapons are to play, following the cold war, and what their future role is to be in a collective security regime. What is the purpose of the nuclear weapons of countries that have decided to revive and strengthen the nuclear deterrence doctrine and at whom are these weapons directed?

15. In our view, these are simply manoeuvres designed to legitimize the possession and monopoly of nuclear weapons.

16. Cuba has been able to provide a timely and systematic response to all these questions and reaffirms its commitment to peace and the peaceful uses of nuclear energy. Cuba is expanding and diversifying the use of nuclear energy for peaceful purposes, making every effort to derive from such energy the benefits that it can provide for people, animals, plants and the environment.

17. As a member of the United Nations Conference on Disarmament, Cuba will continue to call for negotiations leading to nuclear disarmament, which is the only guarantee against the use of nuclear weapons. In addition, it urges States to engage in ongoing negotiations to strengthen the Treaty on the Limitation of Anti-Ballistic Missile Systems and to preserve its integrity and validity, which are threatened now. The ABM Treaty must continue to be the cornerstone of the maintenance of international strategic stability.

18. In keeping with the position it has taken in the General Assembly, Cuba once again emphasizes the importance of the advisory opinion given by the International Court of Justice and urges States to fulfil without delay their international obligation to take up multilateral negotiations leading to the speedy adoption of a convention on nuclear weapons prohibiting the development, production, testing, deployment, stockpiling, and transfer of nuclear weapons and the threat or use of such weapons, and calling for their elimination.

B. New Zealand

[Original: English]
[8 June 2000]

19. The Ministry of Foreign Affairs and Trade has the honour to advise the Department for Disarmament Affairs that, on 23 February 2000 the New Zealand Parliament adopted a resolution on nuclear disarmament, resolving (in reliance on the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons) to appeal to all fellow Member States of the United Nations, and especially the nuclear weapon States, to join with New Zealand in fulfilling the obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. The text of the resolution appears below.¹

The Parliament of New Zealand resolves, relying upon:

- the Universal Declaration of Human Rights;
- the Treaty on the Non-Proliferation of Nuclear Weapons;
- the final document of the first United Nations special session devoted to disarmament;
- the New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987;
- the unanimous finding of the International Court of Justice and its advisory opinion on the legality of the threat or use of nuclear weapons that,
“there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control”;
- the unanimous report of the Canberra Commission on the Elimination of Nuclear Weapons;
- the (Eight) Foreign Ministers Joint Declaration 1998;
- and the Nuclear-Test-Ban Act 1999;

as a mark of the dawning of the year 2000, to appeal to all fellow Member States of the United Nations, and especially the nuclear weapons States, to join with New Zealand in fulfilling the obligation to pursue in good faith and bring

¹ The resolution was issued as a document of the Conference on Disarmament on 24 March 2000 (CD/1609).

to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control

and that the text of this resolution be conveyed by the Government to each and every Member State of the United Nations by the most effective diplomatic means available; and copies of the resolution be simultaneously communicated by the Government to the United Nations Secretary-General, the President of the United Nations General Assembly, the President of the United Nations Security Council, the President of the Conference on Disarmament, and the President of the International Court of Justice; and that the Government of New Zealand work for the fulfilment of the obligation in all appropriate international forums.

C. Qatar

[Original: Arabic]

[20 June 2000]

20. The State of Qatar is fully committed to the Treaty on the Non-Proliferation of Nuclear Weapons, to which it is a party, and it makes a sustained effort to ensure that all parts of its own region will become zones free of weapons of mass destruction, including nuclear weapons, by participating in the negotiations held for that purpose in regional organizations such as the League of Arab States and others.

21. The armed forces of Qatar undoubtedly make a major effort for the prohibition of the use, production, testing, deployment, stockpiling and threat of use of nuclear weapons in accordance with instructions from the political leadership of the State. Since the State is hopeful that the entire international community will be free of weapons of mass destruction and nuclear weapons, as previously stated, all the steps that have been taken have this orientation and our hopes are pinned on the achievement of the desired objective.
