

E

CONVENTION ON THE PROHIBITION OF THE USE OF
NUCLEAR WEAPONS

The General Assembly,

Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,

Convinced also that a multilateral agreement prohibiting the use or threat of use of nuclear weapons would strengthen international security and contribute to the climate for negotiations leading to the ultimate elimination of nuclear weapons,

Conscious that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of complete elimination of nuclear weapons,

Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly,⁸ it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Stressing that an international convention would be an important step in a phased programme towards the complete elimination of nuclear weapons within a time-bound framework,

Noting with regret that the Conference on Disarmament, during its 1995 session, was unable to undertake negotiations on this subject,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations, in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a possible basis the draft Convention on the Prohibition of the Use of Nuclear Weapons annexed to the present resolution;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

90th plenary meeting
12 December 1995

ANNEX

Draft Convention on the Prohibition of the Use
of Nuclear Weapons

The States Parties to the present Convention,

Alarmed by the threat to the very survival of mankind posed by the existence of nuclear weapons,

Convinced that any use of nuclear weapons constitutes a violation of the Charter of the United Nations and a crime against humanity,

Convinced also that the present Convention would be an important step in a phased programme towards the complete elimination of nuclear weapons within a time-bound framework,

Determined to continue negotiations for the achievement of this goal,

Have agreed as follows:

Article 1

The States Parties to the present Convention solemnly undertake not to use or threaten to use nuclear weapons under any circumstances.

Article 2

The present Convention shall be of unlimited duration.

Article 3

1. The present Convention shall be open to all States for signature. Any State that does not sign the Convention before its entry into force in accordance with paragraph 3 of the present article may accede to it at any time.

2. The present Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. The present Convention shall enter into force on the deposit of instruments of ratification by twenty-five Governments, including the Governments of the five nuclear-weapon States, in accordance with paragraph 2 of the present article.

4. For States whose instruments of ratification or accession are deposited after the entry into force of the Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of entry into force of the present Convention, as well as of the receipt of other notices.

6. The present Convention shall be registered by the depositary in accordance with Article 102 of the Charter of the United Nations.

Article 4

The present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed the present Convention, opened for signature at _____ on the _____ day of _____ one thousand nine hundred and _____.

50/72. **Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session**

A

REPORT OF THE CONFERENCE ON DISARMAMENT

The General Assembly,

Having considered the report of the Conference on Disarmament,⁶⁰

Convinced that the Conference on Disarmament, as the single multilateral disarmament negotiating forum of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

Noting with satisfaction the results achieved so far on the subject of a comprehensive test ban, as well as the commitment to complete the negotiations on the issue as soon as possible and not later than 1996,

1. *Reaffirms* the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. *Welcomes* the determination of the Conference on Disarmament to fulfil that role in the light of the evolving

⁶⁰Official Records of the General Assembly, Fiftieth Session, Supplement No. 27 (A/50/27).

international situation, with a view to making early substantive progress on priority items of its agenda;

3. *Urges* the Conference on Disarmament to continue as the highest-priority task its negotiations to conclude a comprehensive nuclear-test-ban treaty;

4. *Acknowledges* decision CD/1356 taken by the Conference on Disarmament on 21 September 1995⁶¹ regarding its composition and the commitment to implement that decision at the earliest possible date;

5. *Encourages* the review of the agenda and methods of work of the Conference on Disarmament;

6. *Urges* the Conference on Disarmament to make every effort to reach a consensus on its programme of work at the beginning of its 1996 session;

7. *Requests* the Secretary-General to continue to ensure the provision to the Conference on Disarmament of adequate administrative, substantive and conference support services;

8. *Requests* the Conference on Disarmament to submit a report on its work to the General Assembly at its fifty-first session;

9. *Decides* to include in the provisional agenda of its fifty-first session the item entitled "Report of the Conference on Disarmament".

90th plenary meeting
12 December 1995

B

DISARMAMENT WEEK

The General Assembly,

Noting the fundamental change that has been brought about by the end of the cold war and bipolar confrontation, and welcoming the important achievements of late in the areas of arms limitation and disarmament,

Noting with satisfaction that this year's observance of Disarmament Week coincides with the fiftieth anniversary of the United Nations,

Stressing the increasing role and prestige of the United Nations as a focal point for coordinating and harmonizing the efforts of States,

Emphasizing anew the need for and the importance of world public opinion in support of disarmament efforts in all their aspects,

Noting with satisfaction the broad and active support by Governments and international and national organizations of the decision taken by the General Assembly at its tenth special session, the first special session devoted to disarmament, regarding the proclamation of the week starting 24 October, the day of the founding of the United Nations, as a week devoted to fostering the objectives of disarmament,⁶²

Recalling the recommendations concerning the World Disarmament Campaign contained in annex V to the Concluding Document of the Twelfth Special Session of the General Assembly, the second special session devoted to disarmament, in particular the recommendation that Disarmament Week should continue to be widely observed,⁶³

⁶¹Ibid., para. 14.

⁶²Resolution S-10/2, para. 102.

⁶³Official Records of the General Assembly, Twelfth Special Session, Annexes, agenda items 9-13, document A/S-12/32, annex V, para. 12.

Noting the support for the further observance of Disarmament Week expressed by Member States at the fifteenth special session of the General Assembly, the third special session devoted to disarmament,

Recognizing the significance of the annual observance of Disarmament Week, including by the United Nations,

1. *Takes note* of the report of the Secretary-General on the observance of Disarmament Week;⁶⁴

2. *Commends* all States, international and national governmental and non-governmental organizations for their active support for and participation in Disarmament Week;

3. *Invites* all States that so desire, in carrying out appropriate measures at the local level on the occasion of Disarmament Week, to take into account the elements of the model programme for Disarmament Week prepared by the Secretary-General;⁶⁵

4. *Invites* Governments and international and national non-governmental organizations to continue to take an active part in Disarmament Week;

5. *Invites* the Secretary-General to continue to use the United Nations informational organs as widely as possible to promote better understanding among the world public of disarmament problems and the objectives of Disarmament Week;

6. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled "Disarmament Week".

90th plenary meeting
12 December 1995

C

EXPANSION OF THE MEMBERSHIP OF THE CONFERENCE ON DISARMAMENT

The General Assembly,

Having considered the report of the Conference on Disarmament,⁶⁶ and in particular the part concerning expansion of the membership of the Conference,

Stressing the role of the Conference on Disarmament as the sole multilateral global negotiating body on disarmament,

Emphasizing the fact that, notwithstanding dramatic changes in the international situation and continuous consultations, there has been no expansion of the membership of the Conference during the last seventeen years,

Fully convinced that an enlarged membership is desirable in order to take advantage of the current propitious international climate to negotiate and conclude, on the solid basis of a more representative participation, a comprehensive nuclear-test-ban treaty and other important agreements requiring universal adherence,

Recognizing the legitimate aspirations of all candidate countries to participate fully in the work of the Conference on Disarmament, and recalling relevant decisions taken to review the composition of the Conference, including the agreement reached among Member States during the first special session of the General Assembly devoted to disarmament on a further expansion and on the wish to review the membership of the then Committee on Disarmament at regular intervals,

⁶⁴A/50/291.

⁶⁵A/34/436.

Noting that the Conference on Disarmament, which is funded from the regular budget, was granted, pursuant to General Assembly resolution 48/77 B of 16 December 1993, supplementary administrative, substantive and conference support services, *inter alia*, in anticipation of its expansion,

Recalling in particular its resolution 49/77 B of 15 December 1994, adopted without a vote, urging the Conference on Disarmament to make every effort to reach a solution resulting, by the beginning of 1995, in a significant expansion of its composition, which would then include at least sixty countries,

Strongly regretting, nevertheless, that the decision of the Conference on Disarmament to adopt the report of the then Special Coordinator for Membership, and the recommended composition attached to it, taken at the end of the 1995 session did not result in the immediate expansion of its membership,

1. *Recalls* the report of 12 August 1993 of the Special Coordinator for Membership⁶⁶ designated by the Conference on Disarmament and the subsequent statement made by the Special Coordinator on 26 August 1993, recommending a dynamic solution to the question of membership;

2. *Recognizes* the legitimate aspirations of all countries that have applied for membership to participate fully in the work of the Conference on Disarmament;

3. *Acknowledges* decision CD/1356, taken at the 719th plenary meeting of the Conference on Disarmament on 21 September 1995,⁶⁷ including the commitment to implement the decision at the earliest possible date;

4. *Calls* for the implementation of decision CD/1356 on the expansion of membership of the Conference on Disarmament on an urgent basis;

5. *Strongly urges* that the new members should, in pursuance of decision CD/1356 and with particular reference to the provisions contained in the second paragraph of that decision, all assume together membership of the Conference at the start of the 1996 session of the Conference;

6. *Calls* on the Conference on Disarmament, in accordance with its decision CD/1356, to review the situation following the presentation of progress reports by the President of the Conference on ongoing consultations at the end of each part of its annual session;

7. *Urges* that, following the presentation of progress reports by the President of the Conference, the other candidatures to date be further considered by the Conference at its 1996 session.

90th plenary meeting
12 December 1995

D

REPORT OF THE DISARMAMENT COMMISSION

The General Assembly,

Having considered the report of the Disarmament Commission,⁶⁷

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993 and 49/77 A of 15 December 1994,

⁶⁶See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 27 (A/48/27)*, para. 13 (incorporating document CD/1214).

⁶⁷*Ibid.*, Fiftieth Session, Supplement No. 42 (A/50/42).

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

1. *Takes note* of the report of the Disarmament Commission;⁶⁷

2. *Notes with regret* that the Disarmament Commission was unable to achieve agreement on guidelines and recommendations under its agenda item entitled "Process of nuclear disarmament in the framework of international peace and security, with the objective of the elimination of nuclear weapons" and on recommendations under its agenda item entitled "Review of the Declaration of the 1990s as the Third Disarmament Decade", both of which were concluded in 1995;

3. *Notes* the progress made and continuing consideration by the Disarmament Commission of its agenda item entitled "International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991", which is to be concluded in 1996;

4. *Reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee, the Disarmament Commission and the Conference on Disarmament;

5. *Also reaffirms* the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

6. *Encourages* the Disarmament Commission to continue to make every effort to enhance its working methods so as to enable it to give focused consideration to a limited number of priority issues in the field of disarmament, bearing in mind the decision it has taken to move its agenda towards a three-item phased approach;

7. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly,⁶⁸ and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";⁶⁸

8. *Recommends* that, pursuant to the adopted three-item phased approach, the Disarmament Commission, at its 1995 organizational session, adopt the following items for consideration at its 1996 substantive session:

(a) International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991;

(b) [to be added];⁶⁹

(c) [to be added];⁶⁹

⁶⁸A/CN.10/137.

⁶⁹The new item will be decided by the Disarmament Commission at its 1995 organizational session. [At its 203rd plenary meeting, on 24 April 1996, the Disarmament Commission adopted the agenda for its 1996 substantive session, including, as a second substantive item, the item entitled "Exchange of views on the fourth special session of the General Assembly devoted to disarmament". The Commission did not reach a consensus on a third substantive item.]

9. *Requests* the Disarmament Commission to meet for a period not exceeding four weeks during 1996 and to submit a substantive report to the General Assembly at its fifty-first session;

10. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament,⁶⁰ together with all the official records of the fiftieth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

11. *Also requests* the Secretary-General to ensure full provision to the Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end;

12. *Further requests* the Secretary-General to prepare a compilation, in the format of a note by the Secretary-General, of all texts of principles, guidelines or recommendations on subject items that have been unanimously adopted by the Disarmament Commission since its inception in 1978;

13. *Decides* to include in the provisional agenda of its fifty-first session the item entitled "Report of the Disarmament Commission".

*90th plenary meeting
12 December 1995*

50/73. The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind the relevant United Nations resolutions,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is GC(39)/RES/24, adopted on 22 September 1995, and noting the danger of nuclear proliferation, especially in areas of tension,

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Aware of the importance that all nuclear facilities in the region be placed under full-scope safeguards of the International Atomic Energy Agency,

Recalling the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,⁷⁰ in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope International Atomic Energy Agency safeguards,

Recalling also the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties

to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,⁷¹ in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet party to the Treaty to accede to it at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

Encouraged by the recent positive developments in the Middle East peace process, which would be further strengthened by States of the region undertaking practical confidence-building measures in order to consolidate the non-proliferation regime,

1. *Welcomes* the accession of the United Arab Emirates on 26 September 1995 to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Calls upon* Israel and all other States of the region that are not yet party to the Treaty on the Non-Proliferation of Nuclear Weapons not to develop, produce, test or otherwise acquire nuclear weapons, to renounce possession of nuclear weapons and to accede to the Treaty at the earliest date;

3. *Calls upon* the States of the region that have not yet done so to place all unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its fifty-first session the item entitled "The risk of nuclear proliferation in the Middle East".

*90th plenary meeting
12 December 1995*

50/74. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 49/79 of 15 December 1994 and previous resolutions referring to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,⁵⁰

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention, together with the Protocol on Non-Detectable Fragments (Protocol I),⁵⁰ the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)⁵¹ and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),⁵⁰ which entered into force on 2 December 1983,

Recalling the commitment by the States that are parties to the Convention and the Protocols annexed thereto to respect the objectives and the provisions thereof,

Reaffirming its conviction that a general and verifiable agreement on prohibitions or restrictions on the use of cer-

⁷⁰See 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.1995/32 (Part I)), annex.

⁷¹Ibid., decision 2.