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Agenda item 51

UNITED NATIONS CONFERENCE ON PROHIBITIONS OR RESTRICTIONS OF USE OF  
CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY  
INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

Report of the First Committee

Rapporteur: Mr. Luvsangiin ERDENECHULUUN (Mongolia)

### I. INTRODUCTION

1. The item entitled "United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects: report of the Secretary-General" was included in the provisional agenda of the thirty-seventh session in accordance with General Assembly resolution 36/93 of 9 December 1981.
2. At its 4th plenary meeting, on 24 September 1982, 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 29 September, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 39 to 57, 133 and 136. The general debate on these items and on items 138 and 139, which were allocated to the First Committee by the General Assembly at its 24th plenary meeting, on 8 October 1982, took place at the 3rd to 28th meetings, from 18 October to 5 November (see A/C.1/37/PV.3-28).
4. In connexion with item 51, the First Committee had before it the following documents:
  - (a) Report of the Secretary-General (A/37/199 and Corr.1);
  - (b) Letter dated 22 June 1982 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General (A/37/333-S/15278).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/37/L.59

5. On 18 November, Austria, Belgium, Cuba, Denmark, Finland, France, the German Democratic Republic, Greece, Ireland, Italy, the Netherlands, New Zealand, Nigeria, Norway, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia submitted a draft resolution entitled "United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects"

(A/C.1/37/L.59), which was later also sponsored by Ecuador, Egypt, Liberia, Mongolia and Viet Nam. At the 38th meeting, on 19 November, the draft resolution was introduced by the representative of Nigeria. At the 41st meeting, on 23 November, the representative of Nigeria, on behalf of the sponsors, orally revised operative paragraph 1 of the draft resolution by replacing the words "sign and ratify" with "become parties to".

6. At its 41st meeting, on 23 November, the Committee adopted draft resolution A/C.1/37/L.59, as orally revised, by a recorded vote of 123 to none (see para. 7). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

## III. RECOMMENDATION OF THE FIRST COMMITTEE

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

The General Assembly,

Recalling its resolutions 32/152 of 19 December 1977, 35/153 of 12 December 1980 and 36/93 of 9 December 1981,

Reaffirming its conviction that the suffering of civilian populations and of combatants would be significantly reduced if general agreement could be attained on the prohibition or restriction, for humanitarian reasons, of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Recalling with satisfaction the adoption on 10 October 1980, of 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, together with the Protocol on Non-Detectable Fragments (Protocol I), the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), 1/

Taking note with satisfaction of the report of the Secretary-General 2/ in which indication was given that an increasing number of States had either signed or ratified the Convention, which was opened for signature in New York on 10 April 1981,

1. Urges those States that have not yet done so to exert the best of their endeavours to become parties to the Convention and the Protocols annexed thereto, as early as possible, so as to obtain their entry into force and, ultimately, their universal adherence;

2. Takes note that, under article 8 of the Convention, conferences may be convened to consider amendments to the Convention or any of the annexed Protocols, to consider additional Protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols or to review the scope and operation of the Convention and the Protocols annexed thereto, and to consider any proposal for amendments to the Convention or to the existing Protocols and any proposals for additional Protocols relating to other categories of conventional weapons not covered by the existing Protocols;

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1/ A/CONF.95/15 and Corr.2.

2/ A/37/199 and Corr.1.

3. Requests the Secretary-General, as the Depositary of the Convention and its Protocols, to inform the General Assembly from time to time of the state of adherence to the said Convention and its three Protocols;

4. Decides to include in the provisional agenda of its thirty-eighth session the item entitled "United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

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