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Agenda item 51

CONCLUSION OF AN INTERNATIONAL CONVENTION ON THE STRENGTHENING
OF THE SECURITY OF NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR
THREAT OF USE OF NUCLEAR WEAPONS

Report of the First Committee

Rapporteur: Mr. Ngaré KESSELY (Chad)

I. INTRODUCTION

1. The item entitled "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Conference on Disarmament" was included in the provisional agenda of the thirty-ninth session in accordance with General Assembly resolution 38/67 of 15 December 1983.
2. At its 3rd plenary meeting, on 21 September 1984, 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 15 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 45 to 65 and item 142, which was allocated to the First Committee by the General Assembly at its 27th plenary meeting, on 9 October, followed by statements on specific disarmament agenda items and continuation of the general debate, as necessary. The deliberations on those items took place between the 3rd and 36th meetings, from 17 October to 12 November (see A/C.1/39/PV.3-36).
4. In connection with item 51, the First Committee had before it the following documents:

(a) Report of the Conference on Disarmament; 1/

(b) Letter dated 27 September 1984 from the Chargé d'Affaires a.i. of the Permanent Mission of Togo to the United Nations addressed to the Secretary-General (A/39/529);

(c) Letter dated 8 October 1984 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué adopted by the Meeting of Ministers and Heads of Delegation of the Non-Aligned Countries to the thirty-ninth session of the General Assembly, held in New York from 1 to 5 October 1984 (A/39/560-S/16773).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/39/L.21

5. On 7 November, Afghanistan, Angola, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Mongolia, the Union of Soviet Socialist Republics and Viet Nam submitted a draft resolution, entitled "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons" (A/C.1/39/L.21), which was later also sponsored by Ethiopia and Democratic Yemen. The draft resolution was introduced by the representative of Bulgaria at the 34th meeting, on 9 November.

6. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.1/39/L.21 by a recorded vote of 88 to 19, with 16 abstentions (see para. 7). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Bolivia, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Poland, Qatar, Romania, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

1/ Official Records of the General Assembly, Thirty-ninth session, Supplement No. 27 (A/39/27).

Against: Australia, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Iceland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Austria, Bahamas, Brazil, Burma, China, Colombia, Dominican Republic, Haiti, Honduras, India, Ireland, Ivory Coast, Malaysia, Sweden, Uruguay.

III. RECOMMENDATION OF THE FIRST COMMITTEE

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

Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Convinced of the need to take effective measures for the strengthening of the security of States and prompted by the desire shared by all nations to eliminate war and prevent nuclear conflagration,

Taking into account the principle of non-use of force or threat of force enshrined in the Charter of the United Nations and reaffirmed in a number of United Nations declarations and resolutions,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons can constitute a positive contribution to the prevention of the spread of such weapons,

Noting with satisfaction the determination of non-nuclear-weapon States in various parts of the world to prevent nuclear weapons from being introduced into their territories and to ensure the complete absence of such weapons in their respective regions, including through the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, and being anxious to encourage and contribute to the attainment of this objective,

Concerned at the continuing escalation of the arms race, in particular the nuclear-arms race having entered a qualitatively new stage, and the possibility of the use or threat of use of nuclear weapons and the danger of nuclear war,

Desirous of promoting the implementation of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, 2/ the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Recalling its numerous resolutions on this subject as well as the relevant part of the special report of the Committee on Disarmament, 3/ submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament,

Noting that the Conference on Disarmament considered in 1984 the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" and the work done by its Ad Hoc Committee on this item, as reflected in the report of the Conference on Disarmament, 4/

Recalling the proposals submitted on this subject to the General Assembly and in the Conference on Disarmament, including the drafts of an international convention, and the widespread international support for the conclusion of such a convention,

Wishing to promote an early and successful completion of the negotiations in the Conference on Disarmament aimed at the elaboration of a convention on the item referred to above,

Further noting that the idea of interim arrangements as a first step towards the conclusion of such a convention has also been considered in the Conference on Disarmament,

Welcoming once again the solemn declaration made by some nuclear-weapon States concerning non-first use of nuclear weapons, and convinced that, if all nuclear-weapon States were to assume obligations not to be the first to use nuclear weapons, that would be tantamount, in practice, to banning the use of nuclear weapons against all States, including all non-nuclear-weapon States,

Considering that, in the search for a solution to the problem of security assurances, priority should be given to the legitimate security concerns of the non-nuclear-weapon States which, by virtue of their forgoing the nuclear option and of not allowing nuclear weapons to be stationed on their territories, have every right to expect to be most effectively guaranteed against the use or threat of use of nuclear weapons,

2/ Resolution S-10/2.

3/ Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2), sect. III.C.

4/ Ibid., Thirty-ninth Session, Supplement No. 27 (A/39/27), sect. III.F.

Being aware that unconditional guarantees by all nuclear-weapon States not to use or threaten to use nuclear weapons under any circumstances against the non-nuclear-weapon States having no nuclear weapons on their territories should constitute an integral element of a mandatory system of norms regulating the relations between the nuclear-weapon States, which bear the primary responsibility of preventing a nuclear war, thus sparing mankind from its devastating consequences,

1. Reaffirms once again the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. Notes with satisfaction that in the Conference on Disarmament there was, once again, no objection, in principle, to the idea of an international convention on this subject, although the difficulties involved were also pointed out;

3. Expresses its regret that specific difficulties related to differing perceptions of security interests of some nuclear-weapon States and non-nuclear-weapon States have once again prevented the Conference on Disarmament from making substantive progress towards the achievement of an agreement;

4. Considers that the Conference on Disarmament should continue to explore ways and means of overcoming the difficulties encountered in the negotiations to reach an appropriate agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

5. Requests the Conference on Disarmament to continue the negotiations, as recommended in the report of its 1984 session, 5/ with a view to concluding an international instrument of a legally binding character to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

6. Decides to include in the provisional agenda of its fortieth session the item entitled "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons".
