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Forty-fifth session
Agenda item 64CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN
CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY
INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTSReport of the First CommitteeRapporteur: Mr. Latévi Modem LAWSON-BETUM (Togo)

I. INTRODUCTION

1. The item entitled "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" was included in the provisional agenda of the forty-fifth session of the General Assembly in accordance with Assembly decision **44/430** of 15 December 1989.
2. At its 3rd plenary meeting, on 21 September 1990, 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 9 October 1990, the First Committee decided to hold a general debate on the disarmament items allocated to it, **namely** items 45 to 66. At its 4th meeting, on 16 October, the First Committee decided to consider jointly with other disarmament items agenda item 155, which was allocated to the First Committee upon a decision of the General Assembly at its **30th** plenary meeting, on 15 October. The deliberations **on** those items took place between the 3rd and the 23rd meetings, from 15 to 30 October (see **A/C.1/45/PV.3-23**). Consideration of and action on draft resolutions on those items took place between the 24th and 39th meetings, **from** 2 to 16 November (see **A/C.1/45/PV.24-39**).
4. In connection with item 64, no documents were submitted.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/45/L.47

5. On 31 October 1990, Australia, Austria, Belgium, the Byelorussian Soviet Socialist Republic, Cuba, Denmark, Finland, France, Greece, Ireland, Italy, the Netherlands, New Zealand, Norway, Sweden, the Union of Soviet Socialist Republics, Viet Nam and Yugoslavia submitted a draft resolution entitled "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" (A/C.1/45/L.47), which was later also sponsored by Afghanistan and the Ukrainian Soviet Socialist Republic. The draft resolution was introduced by the representative of Sweden at the 29th meeting, on 7 November.

6. At its 33rd meeting, on 9 November, the Committee adopted draft resolution A/C.1/45/L.47 without a vote (see para. 7).

III. RECOMMENDATION OF THE FIRST COMMITTEE

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

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 resolutions 32/152 of 19 December 1977, 35/153 of 12 December 1980, 36/93 of 9 December 1981, 37/79 of 9 December 1982, 38/66 of 15 December 1983, 39/56 of 12 December 1984, 40/84 of 12 December 1985, 41/50 of 3 December 1986, 42/30 of 30 November 1987 and 43/67 of 7 December 1988,

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

Reaffirming its conviction that general agreement on the prohibition or restriction of use of specific conventional weapons would significantly reduce the suffering of civilian populations and of combatants,

1/ See The United Nations Disarmament Yearbook vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

Taking note with satisfaction of the report of the Secretary-General, 2/

1. Notes with satisfaction that an increasing number of States have either signed, ratified, accepted or acceded 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, which was opened for signature in New York on 10 April 1981:
2. Also notes with satisfaction that, consequent upon the fulfilment of the conditions set out in article 5 of the Convention, the Convention and the three Protocols annexed thereto entered into force on 2 December 1983;
3. Urges all States that have not yet done so to exert their best endeavours to become parties to the Convention and the Protocols annexed thereto as early as possible, so as ultimately to obtain universality of adherence;
4. Stresses 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 or conventional weapons not covered by the existing Protocols;
5. Requests the Secretary-General as **depository** of the Convention and its three annexed Protocols to inform the General Assembly from time to time of the state of adherence to the Convention and its Protocols;
6. Decides to include in the provisional agenda of its **forty-sixth** session the item entitled "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".
