



# General Assembly

Distr.: General  
29 June 2022  
English  
Original: English/Spanish

---

## Seventy-seventh session

Items 99 (b), (k) and (q) of the preliminary list\*

### General and complete disarmament

## **Nuclear disarmament; follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons; reducing nuclear danger**

### **Report of the Secretary-General**

#### *Summary*

The present annual report refers to the efforts undertaken to facilitate the implementation of nuclear disarmament and non-proliferation agreements and contains a compilation of views submitted by Member States.

---

\* [A/77/50](#).



## Contents

	<i>Page</i>
I. Introduction .....	3
II. Observations .....	3
III. Information received from Governments .....	6
Cambodia .....	6
Cuba .....	7
Mexico .....	8

## I. Introduction

1. The present report is submitted pursuant to requests contained in General Assembly resolutions [76/53](#), [76/46](#) and [76/27](#).
2. In paragraph 3 of resolution [76/53](#), the General Assembly requested all States to inform the Secretary-General of the efforts and measures that they had taken with respect to the implementation of the resolution and nuclear disarmament, and requested the Secretary-General to apprise the Assembly of that information at its seventy-seventh session.
3. In paragraph 22 of resolution [76/46](#), the General Assembly requested the Secretary-General to submit to it at its seventy-seventh session a report on the implementation of the resolution.
4. In paragraph 5 of resolution [76/27](#), the General Assembly requested the Secretary-General to intensify efforts and support initiatives that would contribute to the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war (see [A/56/400](#), para. 3), and also to continue to encourage Member States to consider the convening of an international conference, as proposed in the United Nations Millennium Declaration (resolution [55/2](#)), to identify ways of eliminating nuclear dangers, and to report thereon to the Assembly at its seventy-seventh session.
5. By note verbale dated 28 January 2022, Member States were invited to communicate their views on the issue. Replies received from Member States are included in section III below; any replies received after the deadline will be posted on the website of the Office for Disarmament Affairs ([www.un.org/disarmament](http://www.un.org/disarmament)), in the language of submission only. No addenda will be issued.

## II. Observations

6. Since the previous report ([A/76/117](#)), States have undertaken various efforts to facilitate the implementation of nuclear disarmament and non-proliferation agreements. In particular:

(a) A high-level plenary meeting of the General Assembly to commemorate and promote the International Day against Nuclear Tests was held in the General Assembly Hall on 8 September 2021. Opening statements were made by the President of the seventy-fifth session of the Assembly, Volkan Bozkır (Türkiye), and the High Representative for Disarmament Affairs on behalf of the Secretary-General. Keynote addresses were delivered by the Executive Secretary of the Comprehensive Nuclear-Test-Ban Treaty Organization, Robert Floyd; the Director of the International Atomic Energy Agency Liaison Office in New York, Vivian Okeke; the Kokatha nuclear test survivor Sue Coleman-Haseldine, on behalf of the International Campaign to Abolish Nuclear Weapons, Australia (pre-recorded statement); and a former member of the Marshall Islands Student Association, Danity Laukon (pre-recorded statement). Following the keynote addresses, a plenary debate was held to highlight the importance of achieving the entry into force of the Comprehensive Nuclear-Test-Ban Treaty to put a legal and verifiable end to the testing of nuclear weapons and other nuclear devices;

(b) Pursuant to the declaration, by the General Assembly, of 26 September as the International Day for the Total Elimination of Nuclear Weapons (resolution [68/32](#)), the meeting to commemorate that day was held on 28 September 2021. It was chaired by the President of the seventy-sixth session of the Assembly, Abdulla Shahid (Maldives). The Secretary-General marked the International Day with a message in

which he warned of the dangers of mutual distrust and high levels of nuclear risk, but highlighted emerging signs of hope such as the entry into force of the Treaty on the Prohibition of Nuclear Weapons. As was the case in previous years, civil society also made an important contribution to the commemoration and promotion of the International Day;

(c) The Disarmament Commission held its 2022 substantive session in New York from 4 to 21 April pursuant to General Assembly decision 76/518, after a hiatus of three years. At the session, chaired by Xolisa Mabhongo (South Africa), the Commission decided that 2022 would be considered the second year of its three-year cycle and continued to address the existing agenda items: “Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons” (agenda item 4); and “Preparation of recommendations to promote the practical implementation of transparency and confidence-building measures in outer space activities with the goal of preventing an arms race in outer space” (agenda item 5). The Commission elected Kurt Davis (Jamaica) as Chair of Working Group I, on agenda item 4, and Szilvia Balázs (Hungary) as Chair of Working Group II, on agenda item 5. The Commission adopted procedural reports of the Commission and its subsidiary bodies, as contained in the report of the Commission for 2022 ([A/76/42](#)). Working Group I held 10 meetings, at which Member States exchanged views and made proposals on the 2018 Chair’s non-paper, the Chair’s non-paper circulated on 8 April and the Chair’s revised non-papers circulated on 12, 14 and 18 April. Following discussions by the Group, the Chair decided to issue the Chair’s paper dated 21 April under his own responsibility and annexed to his paper a compilation reflecting the proposals made by Member States at the meetings of the Working Group. The Working Group agreed to continue its discussion on the Chair’s paper at the substantive session in 2023, when the current cycle of the Commission will be completed;

(d) The Conference on Disarmament at its 2022 session decided to establish subsidiary bodies on its agenda items, in accordance with rule 23 of its rules of procedure. Subsidiary body 1 met under the coordination of Lazhar Soualem, Ambassador of Algeria, to discuss the cessation of the nuclear arms race and nuclear disarmament. Subsidiary body 2 was coordinated by Ignacio Sánchez de Lerín García-Ovies, Ambassador of Spain, and addressed the prevention of nuclear war, including all related matters. Subsidiary body 3 discussed the prevention of an arms race in outer space, under the coordination of Frank Tressler Zamorano, Ambassador of Chile. As at 7 June, the Conference had hosted 46 high-level speakers during its high-level segment;

(e) The two nuclear-weapon States with the largest arsenals continued to implement the reductions agreed to in the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms. According to information provided by the parties, the United States and the Russian Federation met the central limits on strategic arms of the Treaty. As at 1 September, according to data provided by the parties on their aggregate holdings of strategic offensive arms, the Russian Federation possessed 527 deployed intercontinental ballistic missiles, submarine-launched ballistic missiles and heavy bombers and 1,458 warheads on those systems, and the United States possessed 665 deployed intercontinental ballistic missiles, submarine-launched ballistic missiles and heavy bombers and 1,389 warheads on those systems. The Treaty will remain in force until 4 February 2026 unless it is superseded earlier by a subsequent agreement on the reduction and limitation of strategic offensive arms.

7. In addition to the efforts discussed above, the following other multilateral initiatives have been pursued that could contribute to the achievement of a world without nuclear weapons:

(a) On 11 March, owing to the coronavirus disease (COVID-19) pandemic, States parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted a decision confirming that the 2020 Review Conference of Parties to the Treaty would be held from 1 to 26 August 2022. The Review Conference had originally been scheduled to be held from 27 April to 22 May 2020 but was postponed four times owing to the pandemic. During the hiatus created by the postponements, the President-designate of the Review Conference held a number of informal consultations on matters of substance and procedure with States parties. Together with partner organizations, the Office for Disarmament Affairs held a series of webinars on topics of relevance to the Treaty and its Review Conference. The implementation of the project financed by the European Union pursuant to Council Decision (CFSP) 2019/615 of 15 April 2019 on European Union support for activities leading up to the 2020 Review Conference was concluded on 15 January 2022;

(b) The Treaty on the Prohibition of Nuclear Weapons entered into force on 22 January 2021, following the deposit with the Secretary-General of the fiftieth instrument of ratification or accession of the Treaty, on 24 October 2020. The first Meeting of States Parties to the Treaty was held from 21 to 23 June 2022 in Vienna. As at 21 June, 86 States had signed the Treaty, 62 had ratified it and 3 had acceded to it;

(c) At the twelfth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held virtually on 23 and 24 September 2021, ministers for foreign affairs and other high-level representatives of States adopted a Final Declaration and Measures to Promote the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty. In the Declaration, they reaffirmed the vital importance and urgency of the entry into force of the Treaty and urged the remaining eight annex 2 States, whose ratification is necessary for the entry into force of the Treaty, to sign and ratify it without further delay;

(d) The second session of the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction was held from 29 November to 3 December 2021, after being postponed owing to the pandemic (decision [A/CONF.236/DEC.5](#)). At the session, participating States adopted the Conference's rules of procedure and held a thematic debate to discuss some core issues related to the negotiation of a legally binding instrument on a Middle East zone free of nuclear weapons and other weapons of mass destruction, in accordance with General Assembly decision 73/546. The Conference also decided to establish a working committee to continue substantive deliberations during the period between annual sessions of the Conference (decision [A/CONF.236/2021/DEC.3](#)). The working committee held its inaugural meeting on 24 March 2022 to discuss organizational matters. The participating States agreed to hold two further meetings of the working committee in 2022, in June and September;

(e) The first session of the Group of Governmental Experts to further consider nuclear disarmament verification issues including, inter alia, the concept of a Group of Scientific and Technical Experts, was held in Geneva from 21 to 25 February. Established by the General Assembly pursuant to its resolution [74/50](#), the Group's sessions were postponed owing to the pandemic. In its decision 76/515 of December 2021, the Assembly decided to request the Secretary-General to hold two additional sessions in 2023 in Geneva to compensate for the two planned 2021 sessions that had had to be postponed owing to COVID-19 travel restrictions, for a total of two weeks in 2022 and two weeks in 2023, as well one additional informal intersessional consultative meeting in New York in 2023 to compensate for the planned 2021 meeting that had had to be postponed owing to COVID-19 travel restrictions, for a total of two meetings, one in 2022 and one in 2023. It also decided to call upon the Secretary-General to transmit the report of the Group of Governmental Experts to the Assembly at its seventy-eighth session and to the Conference on Disarmament.

8. Despite some progress in implementing nuclear disarmament and non-proliferation agreements and pursuing new initiatives to support those goals, setbacks and growing impatience with the slow pace of progress have persisted. In particular:

(a) Despite substantive discussions at the 2022 session, the Conference on Disarmament has not resumed negotiations;

(b) While efforts towards reducing existing stockpiles are acknowledged, the estimated total number of nuclear weapons, deployed and non-deployed, still amounts to over 10,000. Moreover, States continue to rely on nuclear weapons in defence and security policies, and those possessing nuclear weapons are undertaking programmes to modernize their weapons, delivery systems and related infrastructure;

(c) In 2021, no further progress was made in either inter-Korean talks or talks between the Democratic People's Republic of Korea and the United States. The Democratic People's Republic of Korea continued to test various types of missiles using ballistic missile technology, as well as other projectiles, including what it stated was a so-called "hypersonic weapon". At the fourth plenary meeting of the eighth Central Committee of the Workers' Party of Korea, held from 27 to 31 December, the General Secretary, Kim Jong Un, recognized the development of weapon systems, including various types of missiles, as one of the important achievements in 2021.

9. As part of his report entitled "Our Common Agenda", the Secretary-General proposed the elaboration of a New Agenda for Peace that would, as a priority, update the vision for disarmament so as to guarantee human, national and collective security, including through broader support for non-proliferation and a world free of nuclear weapons. The New Agenda for Peace could be an opportunity to establish stronger commitments for the non-use of nuclear weapons and a time frame for their elimination.

### III. Information received from Governments

#### Cambodia

[Original: English]  
[9 May 2022]

#### Resolution 76/53

The topic is "Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons" in compliance with resolution 49/75 of 15 December 1994. This resolution was proposed by 28 States. Cambodia acceded to four treaties related to this resolution, namely:

- Treaty on the Non-Proliferation of Nuclear Weapons: the contents are as reported in section 1.A above.
- Treaty on the Prohibition of Nuclear Weapons: the contents are as reported in section 1.B above.
- Comprehensive Nuclear-Test-Ban Treaty: this treaty was open for signing on 24 September 1996 in New York City with 185 signatories and was ratified by 172 Member States. Cambodia:
  - Signed it on 26 September 1996 in New York City;
  - Ratified it on 10 November 2000 in New York City;

- Provided an annual contribution to the Comprehensive Nuclear-Test-Ban Treaty Organization;
- Sent delegations to participate in the meetings, capacity-building training programmes and conferences of the Comprehensive Nuclear-Test-Ban Treaty Organization.
- Treaty on the Southeast Asia Nuclear Weapon-Free Zone (Bangkok Treaty): this treaty consists of 10 States members of the Association of Southeast Asian Nations and was open for signing on 15 December 1995 in Bangkok, Thailand. The Kingdom of Cambodia ratified this treaty on 27 March 1997 in Bangkok, Thailand.

## Cuba

[Original: Spanish]  
[10 May 2022]

Cuba reaffirms the importance of the conclusion of the International Court of Justice regarding 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.

We welcome the entry into force, on 22 January 2021, of the Treaty on the Prohibition of Nuclear Weapons. With the entry into force of the Treaty, the international community clearly established that nuclear weapons are not only inhumane, immoral and ethically indefensible, but also illegal.

This instrument reinforces the unlawful character of these weapons, establishes a new norm of international law that prohibits them in all circumstances and provides a solid and legally binding framework for their destruction and total elimination in a transparent, irreversible and verifiable manner.

Establishing the prohibition of nuclear weapons as a norm of international law is a fundamental step towards the total and irreversible elimination of these weapons. By prohibiting nuclear weapons, the Treaty has filled the legal vacuum that existed in the absence of a prohibition comparable to those contained in the 1992 Chemical Weapons Convention and the 1972 Biological Weapons Convention.

Cuba is proud to have been a signatory to the Treaty since 20 September 2017, the day when it was opened for signature at United Nations Headquarters. Cuba is also proud to have been the fifth country to ratify the Treaty. We have actively participated in the preparatory process leading up to the first Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, which is to be held from 21 to 23 June 2022 in Vienna.

We are committed to the universalization of this instrument and to the efforts to establish it as part of the multilateral disarmament and arms control architecture.

It is unfortunate that more than 25 years since the International Court of Justice, in its advisory opinion on the legality of the threat or use of nuclear weapons, declared the use of nuclear weapons unlawful, nuclear-weapon States have made very little progress towards the elimination of their arsenals.

On the contrary, nuclear deterrence continues to be a core element of the military defence and security doctrines of some States, which are even considering the use of nuclear weapons in response to so-called non-nuclear strategic threats.

Discussions of and intermediate steps towards nuclear risk reduction should not distract us from the goal of achieving a world free of nuclear weapons. Cuba opposes

and will continue to oppose attempts to make nuclear disarmament conditional or legitimize the status quo.

It is troubling and shameful that nuclear-weapon States and others protected by the so-called nuclear umbrella are continuing to violate their legal obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and refuse to accede to the Treaty on the Prohibition of Nuclear Weapons.

The enhancement and modernization of nuclear arsenals are unacceptable actions that are inconsistent with the goal of a nuclear-weapon-free world and that contravene the norms and principles of international law and the advisory opinion of the International Court of Justice.

Cuba has participated actively in the main multilateral forums at which the topic is considered, including the high-level meetings to commemorate and promote the International Day for the Total Elimination of Nuclear Weapons.

As a State party to the Non-Proliferation Treaty, the Treaty on the Prohibition of Nuclear Weapons and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, which created the first nuclear-weapon-free zone in a densely populated area, Cuba has called upon nuclear-weapon States to take part in multilateral negotiations on nuclear disarmament in all its aspects. It will not relent in that call.

At a time when unilateral and interfering policies are rife, Cuba reiterates its full support for the Proclamation of Latin America and the Caribbean as a Zone of Peace, signed by the Heads of State and Government of the Community of Latin American and Caribbean States at their second Summit, held in Havana in 2014.

We reiterate our defence of the inalienable right of all States to the peaceful use of nuclear energy, without discrimination, taking into consideration its contribution to the socioeconomic development of countries. We reaffirm our political will to strengthen and consolidate multilateralism and to comply with international treaties on disarmament, including nuclear disarmament.

We maintain our principled position that the only effective guarantee against the use or threat of use of nuclear weapons is their total elimination, in a transparent, verifiable and irreversible manner, within a clearly defined time frame.

## Mexico

[Original: Spanish]  
[31 May 2022]

Mexico is submitting this report in compliance with General Assembly resolution [76/53](#) of 6 December 2021, entitled “Follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons”, in which Member States are requested to inform the Secretary-General of the efforts and measures which they have taken with respect to the implementation of the resolution and nuclear disarmament.

Mexico emphasizes that, with the entry into force of the Treaty on the Prohibition of Nuclear Weapons in January 2021, a norm of international law explicitly prohibiting the development, manufacture and use of nuclear weapons was established. These weapons, in addition to being illegal, are intrinsically immoral.

Mexico recalls, 55 years after it was opened for signature, that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) was the instrument which created the first denuclearized zone in a densely populated area of the planet. In this regard, Mexico wishes to emphasize that Latin



America and the Caribbean, as a region, has been the pioneer in establishing the prohibition of nuclear weapons in international law, as well as in relation to the commitment to achieve a world free of nuclear weapons.

Mexico pays special attention to discussions on nuclear disarmament, participates actively and purposefully in the various multilateral and regional forums in which negotiations and discussions on the topic take place, and reiterates that nuclear weapons are illegal. Mexico will participate in the tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and in the first Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons, which are to be held in June and August 2022, respectively.

At the tenth Review Conference of the Non-Proliferation Treaty, Mexico will seek meaningful agreements so that the nuclear-weapon States do not once again limit themselves to reiterating the validity of article VI of the Treaty, but instead comply with their nuclear disarmament commitments and obligations. As the International Court of Justice stated in its 1996 advisory opinion “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”. At the Review Conference of the Non-Proliferation Treaty Mexico will also defend the need to reiterate its concern about the catastrophic humanitarian consequences of nuclear weapons and to recall that their use is contrary to international humanitarian law, in accordance with the advisory opinion of the Court.

In addition, Mexico reiterates that the Treaty on the Prohibition of Nuclear Weapons is consistent with the obligation contained in article VI of the Non-Proliferation Treaty, is complementary to the latter treaty and contributes to its effective implementation.

Mexico participated in the high-level plenary meeting of the General Assembly to commemorate and promote the International Day for the Total Elimination of Nuclear Weapons on 28 September 2021. On that occasion, it called upon all nuclear-weapon States to comply with their nuclear disarmament obligations and commitments and, to that end, to adopt more decisive actions to eliminate nuclear weapons.

In the Assembly of States Parties to the Rome Statute of the International Criminal Court, since 2009, Mexico has been proposing an amendment for the use of nuclear weapons during an international armed conflict to be characterized as a war crime.

Lastly, at the seventy-sixth session of the General Assembly, Mexico, in its national capacity and with the support of other States, was the co-author or main sponsor of the following resolutions on nuclear disarmament issues adopted by the First Committee:

- (a) Resolution 76/30: Humanitarian consequences of nuclear weapons;
- (b) Resolution 76/34: Treaty on the Prohibition of Nuclear Weapons;
- (c) Resolution 76/49: Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments;
- (d) Resolution 76/25: Ethical imperatives for a nuclear-weapon-free world;
- (e) Resolution 76/66: Comprehensive Nuclear-Test-Ban Treaty.