

UNITED NATIONS

General Assembly
FORTY-SIXTH SESSION
Official Records

FIRST COMMITTEE
29th meeting
held on
Wednesday, 6 November 1991
at 3 p.m.
New York

VERBATIM RECORD OF THE 29th MEETING

Chairman:

Mr. MROZIEWICZ

(Poland)

CONTENTS

Consideration of and action on draft resolutions under all
disarmament agenda items (continued)

Programme of work

This record is subject to correction.
Corrections should be sent under the signature of a member of the delegation concerned
within one week of the date of publication to the Chief of the Official Records Editing Section, Room DC2 750,
2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

91-61688 7204V (E)

Distr. GENERAL
A/C.1/46/PV.29
14 November 1991

ENGLISH

Best Copy Available

The meeting was called to order at 3.25 p.m.

AGENDA ITEMS 47 TO 65 (continued)

CONSIDERATION OF AND ACTION ON DRAFT RESOLUTIONS UNDER ALL DISARMAMENT AGENDA ITEMS

Mr. WAGENMAKERS (Netherlands) (interpretation from French)! On behalf of the European Community and its member States, I should like to introduce draft resolution A/C.1/46/L.22, entitled "Confidence- and security-building measures and conventional disarmament in Europe". This draft resolution has been submitted jointly by the Twelve and is co-sponsored by all the States Members of the United Nations that are taking part in the Conference on Security and Cooperation in Europe (CSCE), as well as by Belarus and Ukraine.

This text, which is a sequel to resolutions 43/75 P of 1988, 44/116 I of 1989 and 45/58 I of 1990, concerns the results to date and the continuation of the Vienna negotiations taking place in the framework of the CSCE - one set of negotiations relating to conventional armed forces in Europe and the other relating to confidence- and security-building measures in Europe.

Last year the General Assembly welcomed the signing in Paris, on 19 November 1990, of the Treaty on Conventional Armed Forces in Europe and the adoption at the CSCE Paris summit on 17 November 1990 of the Vienna Document on Confidence- and Security-Building Measures in Europe.

The Twelve are pleased that it has been possible to remove the obstacles that had arisen on the way to the ratification of the Treaty on Conventional Armed Forces in Europe. This should lead to the rapid and complete implementation of that important Treaty. The Twelve are convinced that the

(Mr. Wagenmakers, Netherlands)

implementation of the **Treaty** and the confidence- **and security-building measures** agreed upon by the States participating in the **CSCE** will contribute to reinforcing *not* only security and **stability** on the **European** continent, but also international peace and security world-wide.

(Mr. Wagenmakers, Netherlands)

The decision taken by the States involved - first, to continue the current negotiations and, secondly, to prepare for the negotiations that are to follow the Helsinki summit meeting in 1992 - constitutes a further step in establishing a new security order in Europe. That new security order must continue to be based on the process provided by the Conference on Security and Cooperation in Europe (CSCE), which, more than ever, constitutes an important element of stability at a time when the continent is going through considerable but positive upheavals - sometimes, unfortunately, involving conflict. The Twelve hope that, as in the past, the draft resolution they are submitting will be adopted by consensus.

(spoke in English)

I should now like to make some comments on the issue of conventional disarmament, again speaking on behalf of the 12 member States of the European Community.

The Final Document of the tenth special session of the General Assembly devoted to disarmament states:

"Together with negotiations on nuclear disarmament measures, the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament." (S-10/2, para. 81)

Without doubt, nuclear disarmament has received a tremendous boost from the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (the INF Treaty) and the Strategic Arms Reduction Treaty (START). Conventional disarmament has also seen major progress through the signing in Paris of the Treaty on Conventional Forces in Europe in November 1990. The process of conventional arms control and disarmament in Europe is continuing. Questions such as the reduction of manpower levels and stabilizing measures

(Mr. Wagenmakers, Netherlands)

are being **considered**. After the 1992 follow-up meeting of the Conference on Security and Cooperation in Europe new negotiations on disarmament **and** on confidence-building and **security-building** are to begin between all CSCE participating States.

The increasing attention being given conventional disarmament **is** to be welcomed. Since the **Second** World War conventional weapons **have** caused an **enormous** number of casualties. But it is not **simply** the high number of casualties that should induce States to **embark** on a **process** of conventional disarmament. More than anything **else**, the Gulf War **has shown** that the international community does not **accept the use** of armed **aggression** to solve **disputes**. Acquiring vast arsenals of conventional weapons in quantities that clearly go beyond the need of defence **and exerting efforts to acquire** weapons of mass destruction simply do **not** pay and will eventually lead to **disaster**. States should **base** their defence **policies** on **military capability** sufficient for individual or collective **self-defence**. They should not resort to the **threat or use of force to settle differences**. The principle **of** the peaceful **settlement of disputes** should be upheld **and** reconfirmed.

The Twelve have on a number of **occasions in the past** elaborated on the **necessity** to embark on conventional disarmament. **The European** model **is not one for all regions to follow in all its aspects**, but it **is precisely because** the Twelve **are** only too aware of the **difficulties** of embarking on a **process** of conventional disarmament that they cannot but urge others to begin without delay.

Last year's session of the **General Assembly was positive in that sense as well**, as can be seen in resolution 45/58 G, which was adopted by **consensus and** which **stated** that it would **be** welcome if the Conference on **Disarmament** were to **address the issue** of conventional **disarmament** when practicable. It **is** noted

(Mr. Wagenmakers, Netherlands)

that the Conference on Disarmament has not yet included conventional disarmament on its operative agenda.

The European example shows that conventional disarmament cannot be viewed in isolation. Breakthroughs and progress occur when political circumstances allow for such potential developments. States should therefore strive to reduce the risk of conflict.

The political will to settle disputes peacefully and the adoption of confidence-building measures can be conducive to disarmament measures. Openness and transparency should be the first priority and an essential step towards creating a climate of confidence. States should concentrate their efforts first on establishing stability, in particular by eliminating the capability to launch surprise attacks and large-scale offensive operations. The objective of conventional disarmament measures should be increased security at the lowest-possible level of armaments and military forces.

In the future, conventional disarmament will certainly get a tremendous boost from the increased transparency of international arms transactions, if this body indeed agrees on the establishment of an international arms-transfer register under the auspices of the United Nations.

It should of course be clear that weapons and equipment that are the subjects of a conventional-forces reductions agreement should not be transferred, either directly or indirectly, to States not parties to the agreement in question. The principal method of dealing with such reductions should be the destruction of such weapons and equipment.

A clearer insight into each other's military capabilities will help States to embark on disarmament efforts focused on systems that are perceived to be particularly threatening and, by that very nature, destabilizing.

(Mr. Wagenvoort, Netherlands)

The subject of conventional arms control and disarmament should be kept at the forefront of the multilateral debate on disarmament. Further consideration should be given to the subject of conventional disarmament in the agenda of the Conference on Disarmament. The Twelve stand ready to provide any assistance and expertise they have gained.

Mr. HYLTIENIUS (Sweden): I have the honour to introduce draft resolution A/C.1/46/L.13 concerning 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 three protocols on non-detectable fragments, on land-mines, booby traps and other devices and on incendiary weapons.

(Mr. Hyltenius, Sweden)

After many years of negotiations the Convention was opened for signature in April 1981 and the Secretary-General of the United Nations was designated as the Depositary.

The adoption of the Convention was the result of several years of laborious work. The fact that it had already entered into force in December 1983 was an encouraging indication of the wish of the international community progressively to develop international humanitarian law in the field of conventional weaponry and to give it effect. The draft resolution reflects the satisfaction felt at this positive development but it also notes the need for a wider ratification of the Convention and the three annexed Protocols. The draft resolution urges States that have not yet become parties to the Convention and its annexed Protocols to exert their best endeavours to do so as early as possible so that the instruments might ultimately obtain universal adherence. The draft resolution also notes the potential of the International Committee of the Red Cross (ICRC) to consider questions pursuant to the Convention.

The sponsors of the draft resolution are Australia, Austria, Belarus, Belgium, Bolivia, Cuba, Denmark, Finland, France, Greece, Iceland, Ireland, Italy, the Lao People's Democratic Republic, the Netherlands, New Zealand, Norway, the Union of Soviet Socialist Republics, Viet Nam, Yugoslavia and my own country, Sweden. On behalf of the sponsors, I should like to express the hope that draft resolution A/C.1/46/L.13 will be adopted without a vote.

Speaking on behalf of my own delegation, I should like to make the following additional remarks. According to paragraph 3 of article 8 of the Convention, a review or amendment conference can be convened 10 years

(Mr. Hyltenius, Sweden)

following the entry into force of the Convention, that is, **in** 1993. Sweden considers that the appropriateness of such a **conference** should **now** be actively **considered** with a view **to** taking a decision during the forty-seventh **session** of the General Assembly. In the opinion of my country, **some** weapons categories, like incendiary **weapons, should** be subjected to further specific restrictions. It is also **our** opinion that naval mines should be the object **of** restrictions in a **new** protocol, **preferably** within the framework of the present Convention. The Swedish Government presented a draft protocol on this subject **at** the meeting of the United Nations Disarmament **Commission in** Way 1989 (**A/CN.10**1141). Sweden now intends to present and circulate as an official United Nations document a new version of the draft protocol introduced in 1989. **My** delegation hopes that it will be issued **in-the** next few **days**. It **is**, like the earlier version, elaborated on the basis of the concepts of **neutralizing** mechanisms and information, concepts already incorporated in the eighth Hague Convention **and** the second Protocol **on** Prohibitions or Restrictions on the Use of Mines, **Booby** Traps and Other Devices, attached to the United Nations Convention on certain conventional weapons. The **new** version is the product **of** consultations among a small **number** of international experts acting in their personal capacity. The text differs from the earlier **one in** that the **reference** to **torpedoes** is deleted and the draft protocol is presented as an additional protocol attached **to** the United Nations Convention on certain conventional weapons. Other changes **are** basically of a drafting nature. We hope that the up-dated **version** will serve as a useful basis for further deliberations.

(Mr. Hyltenius, Sweden)

In addition, **developments** in laser technology should, in the view of my delegation, **be** followed closely. **There is** a clear **risk** of the development of lasers **for anti-personnel** purposes on the conventional battlefield. It **is** then technically **possible** to develop **and** manufacture **specific laser** weapons, the **main** effect of which would be **to** blind the adversary's soldiers permanently. Such anti-eye laser **weapons** may yield **certain** military advantages but, **on** balance, **taking into** account **humanitarian** considerations, it seems **that** such lasers should be subject to prohibition or restrictions on their use either in a new protocol **annexed** to the United Nations **Convention** or by some other **means**. Swedish experts have continually consulted with **other** experts **in the field** during the last few years **and** have participated in several **expert** meetings, many **of** them **organized** by the International Committee of the Red Cross.

Sweden **attaches** great **importance** to the further development of international humanitarian law in armed conflicts. **Many of** these questions will, **it** is hoped, be widely discussed **during** the twenty-sixth international **conference** of the Red **Cross** and Red Crescent that will take place **in** Budapest, Hungary, from 29 **November** to 6 December this year.

Mr. WAGENMAKERS (Netherlands); Ten years ago **last year** a United Nations **Conference** in **Geneva** adopted 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**.

All along the Netherlands has **been** a strong **supporter of** the goals **and** objectives **of** the Convention. **In** our view, **therefore**, States should be

(M r . !)

encouraged to **become parties**. The wider the adherence to **the Convention, the stronger** will be the international norm that is laid down in the Convention.

We believe that an added **advantage** of the **Convention is** that it induces states to reflect and to weigh the military **effectiveness** of **certain weapons** against humanitarian considerations. Thus the Convention, **besides** prohibiting or **restricting** certain **types** of **weapons**, may also lead **States** to **think twice** before **acquiring** or using them.

On behalf of my **delegation**, I should like fully to endorse and support the introductory **statement** just made by my colleague from Sweden on draft resolution **A/C.1/46/L.13**. The **Netherlands expresses** the hope **that** the Convention will in future command universal adherence. Such a call **is also** made in the text of draft resolution **A/C.1/46/L.13** which, in operative paragraph 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.**" (**A/C.1/46/L.13**)

Such universal adherence - or at least wide **adherence** - would **strengthen** the authority of **the** Convention. The international **community** should **look at** ways and **means** to achieve **this** goal.

One possibility could **be** the medium **Of a review conference**. **Indeed**, reviewing **the operation** of **the Convention** might help to **focus** international attention on this important **instrument of international** humanitarian law. The Convention **itself states** that a review **conference** can **be convened** 10 years after **its entry** into **force**: that would mean in 1993.

(Mr. Wagenmakers, Netherlands)

The Netherlands believes that the possibility of convening a review conference should be seriously considered in the time to come and in the appropriate forums, for example during the forthcoming General Conference of the International Committee of the Red Cross in Budapest.

(Mr. Wagenvoort, Netherlands)

Non-members can attend a review conference as observers. Interest in the Convention and awareness of its merits would thus be increased. There may be only modest steps on the road towards universality, but they should not be underestimated. The General Assembly at its present session can give an added impetus by again adopting draft resolution A/C.1/46/L.13 by consensus.

Mr. HANSELMANN (Norway): My delegation would like to make a few brief comments regarding 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, and its three Protocols. The Convention was the product of many years of consideration by the international community - in particular the United Nations and the International Committee of the Red Cross (ICRC) - aimed at prohibiting or restricting the use of specific conventional weapons which could have unnecessarily injurious effects. In Norway's view, the Convention represents a successful attempt at developing humanitarian law in the field of disarmament, intended to protect civilians and reduce the suffering of victims of armed conflict.

The draft resolution on this issue, which is contained in document A/C.1/46/L.13, just introduced by Sweden, and of which my country is a sponsor, emphasizes that article 8 of the Convention deals inter alia with the question of amendments or new protocols. A conference may, according to that article, be convened to review the scope and operation of the Convention and to consider additional protocols relating to other categories of conventional weapons not covered by the existing Protocols.

(M r .)

If a proposal for a conference is made, Norway would like to stress that the issue should be subject to broad consultation, in particular with regard to new categories of weapons which one might wish to include.

In conclusion, my delegation would like to urge countries that have not yet done so to become parties to the Convention and its Protocol. The aim should clearly be universal participation.

Mr. ERRERA (France) (interpretation from French): I should like to make a brief statement under agenda item 50 concerning the Treaty of Tlatelolco.

The French arms-control and disarmament plan, introduced on 3 June 1991 (A/46/212), on which my delegation will make another statement, recalls that preventing the proliferation of nuclear weapons is an urgent task, which is in the vital interest of all States, both North and South. It is in that spirit that France has announced its decision to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). As the French Minister of Foreign Affairs announced to the General Assembly, our instruments of accession to the Treaty will be deposited before the end of this year.

It is also in that spirit that France took note with satisfaction of the decision of some countries in Latin America - in particular Argentina, Brazil and Chile - to take measures with a view to speeding the full entry into force of the Treaty prohibiting nuclear weapons in Latin America. Indeed, France has always stated that it would neither anticipate the decisions of the countries of the region with regard to the entry into force of the Treaty nor do anything to delay its entry into force.

(Mr. Errera, France)

In view of these developments, I wish to announce here that France is giving positive consideration to the possibility of ratifying Additional Protocol I of the Treaty of Tlatelolco.

Mr. MARIN BOSCH (Mexico) (interpretation from Spanish): The delegation of Mexico wishes to refer to agenda item 50 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, known as the Treaty of Tlatelolco. As members are doubtless aware, the Treaty already has 23 States parties from among the 33 independent States of the region. Moreover, in Additional Protocol II, the five nuclear-weapon Powers have undertaken to respect the nuclear-weapon-free status of Latin America and the Caribbean and have undertaken not to use, nor threaten to use, nuclear weapons against the parties to the Treaty.

At the same time, there are in the area of application of the Treaty certain territories which, although not sovereign political entities, are not in a position to receive the benefits deriving from the Treaty through its Additional Protocol I, to which the four States that de jure or de facto are internationally responsible for those territories may become parties. Those States are the United States, France, the Netherlands and the United Kingdom. The United Kingdom became a party to that Protocol in 1969, the Netherlands in 1971, and the United States in 1981. The only one still missing is France, which signed the Protocol in 1979 but has not yet ratified it.

(Mr. Marin Bosch, Mexico)

This fact accounts for the urgent appeals of the General Assembly and also for the draft resolution now before the Committee in document A/C.1/46/L.2.

On behalf of the 18 sponsors of draft resolution A/C.1/46/L.2, we wish to point out that we have listened most attentively to the statement just made by the representative of France to the effect that his Government is prepared to give serious consideration to the ratification of Additional Protocol I of the Treaty of Tlatelolco. Such ratification would bring to a close a very lengthy chapter in the history of efforts to secure the full effect of the Treaty. We thank the representative of France for the information he has given us and we welcome the step which his Government seems prepared to take.

In the light of the foregoing, the sponsors of draft resolution A/C.1/46/L.2 will not - I respect, will not - insist on having a vote taken on the draft resolution, and we hereby withdraw it. Instead, we request the First Committee to decide to include the following item on the provisional agenda of the General Assembly at its forty-seventh session: "Signature and ratification of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean - the Treaty of Tlatelolco - and of its two Additional Protocols".

The CHAIRMAN: The **representative** of Mexico **has, therefore,** withdrawn draft resolution **A/C.1/46/L.2** and **expressed** the intention of submitting a draft decision on the **same subject, to be** circulated officially. I believe that the **Committee** will agree with that procedure.

It was so decided.

The CHAIRMAN: I call on the **representative** of **Costa** Rica, who will introduce draft resolution **A/C.1/46/L.34.**

Mrs. CASTRO DE BARISH (Costa Rica) (interpretation from Spanish): A8 **this is** the **first** time that my delegation ha8 spoken in the **First** Committee, I take special pleasure in congratulating you **on** your **unanimous** election **to** the **chairmanship** of **this Committee** at **this forty-sixth session,** not **just because** of your **professional** and personal **qualities,** but **also** because you represent **Poland,** a country which **Costa** Rica ha8 **always** admired. We also offer our congratulation8 to your fellow officer8 of the **Committee.**

I now have the honour to introduce the draft resolution contained in document **A/C.1/46/L.34,** entitled "**Education** and information for **disarmament**". The text is for the most part in line with resolution **44/123,** adopted **on** 15 December 1989, the **purpose** of which was to continue the follow-up to paragraph 106 of the Final Document of the Tenth Special **Session** of the General Assembly (resolution S-10/2), referred to in the first **preambular** paragraph **of** the draft **resolution. Emphasis** is also laid on the importance of paragraph8 **99,** 100 and 101 of the **Final** Document, which provide a whole range of concrete and **positive recommendations** for **mobilizing** world publ10 opinion in favour of **disarmament** and drawing attention to the **special** importance of giving greater publicity to the Final Document.

Stress **is also** laid on the importance of the World **Disarmanent** Campaign a8 a valuable adjunct to educational effort8 promoting **disarmament,** and **we**

would **furthermore** like to **stress** an obvious **point**, albeit one that needs **emphasis**, which is that if **irreversible results** in this **venture** are to be obtained, training **programmes** must be **developed** at all **levels** of formal **education** so as to alter **basic attitudes** to **aggression**, violence, **armaments** and **war**. This idea brings to mind the preamble to the **UNESCO constitution**, which **states, inter alia**, that "since wars began in the mind of men, it is the mind of men that the **defences** of peace must be **constructed**".

We are glad to note the unprecedented **changes** that have taken place in many parts of the world, aimed at promoting **freedom**, democracy, **respect for** and **enjoyment** of human rights, and **social** and economic development. In the present **circumstances** we **cannot** fail to take account of these positive and encouraging facts, and we have therefore referred to them in the last paragraph of the preamble and **operative paragraph 3** of the **draft resolution**

We cannot treat **disarmament exclusively** as a political and technologic problem, ignoring the fact that the artifacts of **death** and destruction, whether nuclear, **conventional**, chemical or bacteriological, in fact all **weapons** of mass destruction, victimize human beings and **other living creatures** and **destroy the** ecological systems. It is for this reason that we believe reference to it in our draft resolution is relevant and **necessary**.

In the **operative part** of the **resolution** thanks is expressed to the Secretary-General for his report, **submitted in response** to resolution 44/12 and for the valuable information it contains, provided by Member **States**, **international governmental organizations**, **non-governmental organizations** and **educational institutions for peace and disarmament**.

(Mrs. Castro de Barish,
Costa Rica)

In operative paragraph 4 we emphasize the vital objectives of the World Disarmament Campaign: to inform, educate and generate understanding of and support for the goals of the United Nations in the sphere of disarmament.

In operative paragraph 5 Member States and governmental and non-governmental organizations and educational institutions for peace and disarmament are invited to redouble their efforts to respond to the appeal made in paragraph 106 of the Final Document and to submit to the Secretary-General a report on their activities in that regard.

Lastly, the Secretary-General is requested to submit the reports requested in operative paragraph 5 to the General Assembly at its forty-eighth session, under the item entitled "Education and information for disarmament".

We are grateful to the sponsors of this draft resolution for having supported us in this endeavour. They are: Bolivia, Canada, Colombia, Chile, Ecuador, El Salvador, Guatemala, Honduras, the Marshall Islands, Nicaragua, Panama, Paraguay and Venezuela - now joined, as I have just been informed, by India, Ireland, Peru, Togo and Uruguay. We would also be very grateful to the members of the First Committee for a favourable response to our initiative. We very much trust that it will prove possible to adopt it without a vote.

PROGRAMME OF WORK

The CHAIRMAN: I would like to inform the Committee that on Friday, 8 November, the Committee will begin to take action on draft resolutions under the disarmament agenda items. As indicated earlier, draft resolutions will be taken up cluster by cluster.

(The Chairman)

On Friday, decisions will begin to be taken on cluster 1, comprising resolutions A/C.1/46/L.1, L.3, L.5, L.8, L.10, L.13, L.26, L.33 and L.39. Thereafter, time permitting, we shall proceed on the same day to take action on the draft resolutions contained in cluster 2, namely A/C.1/46/L.15 and L.40.

The meeting was rose at 4.10 p.m.