

Noting that bilateral negotiations, begun in 1985 between the Union of Soviet Socialist Republics and the United States of America, were conducted with the declared objective of working out effective agreements aimed, *inter alia*, at preventing an arms race in outer space,

Welcoming the re-establishment of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space at the 1994 session of the Conference on Disarmament, in the exercise of the negotiating responsibilities of this sole multilateral body on disarmament, to continue to examine and identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space,

Noting also that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,³⁰ and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling in this context its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, *inter alia*, it reaffirmed the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that there was wide agreement in the Ad Hoc Committee that the conclusion of an international agreement or agreements to prevent an arms race in outer space remained the fundamental task of the Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;

2. *Reaffirms its recognition*, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness, and that it is important strictly to comply with existing agreements, both bilateral and multilateral;

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Requests* the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;

7. *Also requests* the Conference on Disarmament to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects, building upon areas of convergence and taking into account relevant proposals and initiatives, including those presented in the Ad Hoc Committee at the 1994 session of the Conference and at the forty-ninth session of the General Assembly;

8. *Further requests* the Conference on Disarmament to re-establish an ad hoc committee with an adequate mandate at the beginning of its 1995 session and to continue building upon areas of convergence, taking into account the work undertaken since 1985, with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects;

9. *Recognizes*, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

10. *Urges* the Russian Federation and the United States of America to resume their bilateral negotiations with a view to reaching early agreement for preventing an arms race in outer space and to advise the Conference on Disarmament periodically of the progress of their bilateral sessions so as to facilitate its work;

11. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Prevention of an arms race in outer space".

90th plenary meeting
15 December 1994

49/75. General and complete disarmament

A

PROHIBITION OF THE DUMPING OF RADIOACTIVE WASTES

The General Assembly,

Bearing in mind resolutions CM/Res.1153 (XLVIII) of 1988³¹ and CM/Res.1225 (L) of 1989³² adopted by the Council of Ministers of the Organization of African Unity, concerning the dumping of nuclear and industrial wastes in Africa,

³¹ See A/43/398, annex I.

³² See A/44/603, annex I.

³⁰ See *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27 (A/49/27)*, sect. III.D (para. 5 of the quoted text).

Welcoming resolution GC(XXXIII)/RES/509 on the dumping of nuclear wastes, adopted on 29 September 1989 by the General Conference of the International Atomic Energy Agency at its thirty-third regular session,³³

Welcoming also resolution GC(XXXIV)/RES/530 establishing a Code of Practice on the International Transboundary Movement of Radioactive Waste, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency at its thirty-fourth regular session,³⁴

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament,³⁵ *inter alia*, to consider effective methods of control against the use of radiological methods of warfare,

Recalling resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity,³⁶ on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa,

Aware of the potential hazards underlying any use of radioactive wastes that would constitute radiological warfare and its implications for regional and international security, in particular for the security of developing countries,

Recalling its resolutions 43/75 Q of 7 December 1988, 44/116 R of 15 December 1989, 45/58 K of 4 December 1990, 46/36 K of 6 December 1991, 47/52 D of 9 December 1992 and 48/75 D of 16 December 1993,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly,¹⁷

1. *Takes note* of the part of the report of the Conference on Disarmament relating to a future convention on the prohibition of radiological weapons;³⁷

2. *Expresses grave concern* regarding any use of nuclear wastes that would constitute radiological warfare and have grave implications for the national security of all States;

3. *Calls upon* all States to take appropriate measures with a view to preventing any dumping of nuclear or radioactive wastes that would infringe upon the sovereignty of States;

4. *Requests* the Conference on Disarmament to take into account, in the negotiations for a convention on the prohibition of radiological weapons, radioactive wastes as part of the scope of such a convention;

5. *Also requests* the Conference on Disarmament to intensify efforts towards an early conclusion of such a convention and to include in its report to the General Assembly at its fiftieth session the progress recorded in the negotiations on this subject;

³³ See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Thirty-third Regular Session, 25-29 September 1989* (GC(XXXIII)/RESOLUTIONS(1989)).

³⁴ *Ibid.*, *Thirty-fourth Regular Session, 17-21 September 1990* (GC(XXXIV)/RESOLUTIONS(1990)).

³⁵ The Conference of the Committee on Disarmament became the Committee on Disarmament as from the tenth special session of the General Assembly. The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

³⁶ See A/46/390, annex I.

³⁷ *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27 (A/49/27), sect. III.F.*

6. *Takes note* of resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity, on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa;

7. *Expresses the hope* that the effective implementation of the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste will enhance the protection of all States from the dumping of radioactive wastes on their territories;

8. *Requests* the International Atomic Energy Agency to continue keeping the subject under active review, including the desirability of concluding a legally binding instrument in this field;

9. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Prohibition of the dumping of radioactive wastes".

90th plenary meeting
15 December 1994

B

REVIEW OF THE DECLARATION OF THE 1990S AS THE THIRD DISARMAMENT DECADE

The General Assembly,

Recalling its resolution 45/62 A of 4 December 1990, by which it adopted the text of the Declaration of the 1990s as the Third Disarmament Decade and declared the 1990s as the Third Disarmament Decade,

Noting the great changes in international relations that have occurred since the adoption of the Declaration in 1990,

Noting in particular the end of the cold war and bipolar rivalries between the East and the West, thus heralding a new era of cooperation in international relations,

Alarmed, nevertheless, at the outbursts of ethnic and nationalist conflicts as well as disturbing issues in arms control and disarmament in different parts of the world and the consequent deterioration in security situations in these areas, with negative implications for international peace and security,

Convinced of the need to review and assess the achievement of the objectives of the Declaration and, if need be, to adapt them to meet the new challenges of the post-cold-war era,

1. *Decides* to undertake, at its fiftieth session, the middle of the Decade, a review and appraisal of the implementation of the Declaration of the 1990s as the Third Disarmament Decade;

2. *Requests* the Disarmament Commission, at its 1995 session, to make a preliminary assessment of the implementation of the Declaration as well as suggestions that may be put forward to ensure appropriate progress, and to submit a report to the General Assembly at its fiftieth session;

3. *Also requests* the Disarmament Commission to include in the agenda of its 1995 substantive session an item entitled "Review of the Declaration of the 1990s as the Third Disarmament Decade";

4. *Calls upon* the Disarmament Commission to include in its assessment relevant matters which, in the view of Member States, require such review;

5. *Requests* Member States to submit to the Secretary-General their views and suggestions on such a review no later than 30 April 1995;

6. *Requests* the Secretary-General to give all necessary assistance to the Disarmament Commission in implementing the present resolution;

7. *Decides* to include in the provisional agenda of its fiftieth session an item entitled "Review of the Declaration of the 1990s as the Third Disarmament Decade".

90th plenary meeting
15 December 1994

C

TRANSPARENCY IN ARMAMENTS

The General Assembly,

Recalling its resolutions 46/36 L of 9 December 1991, 47/52 L of 15 December 1992 and 48/75 E of 16 December 1993 entitled "Transparency in armaments",

Continuing to take the view that an enhanced level of transparency in armaments contributes greatly to confidence-building and security among States and that the establishment of the United Nations Register of Conventional Arms³⁸ constitutes an important step forward in the promotion of transparency in military matters,

Welcoming the consolidated report of the Secretary-General on the Register,³⁹ which includes the returns of Member States for 1993,

Welcoming also the response of Member States to the request contained in paragraphs 9 and 10 of resolution 46/36 L to provide data on their imports and exports of arms, as well as available background information regarding their military holdings, procurement through national production and relevant policies,

Stressing that the continuing operation of the Register and its further development should be reviewed in order to secure a Register which is capable of attracting the widest possible participation,

Taking note of the report of the Conference on Disarmament on its agenda item entitled "Transparency in armaments",⁴⁰

1. *Reaffirms its determination* to ensure the effective operation of the United Nations Register of Conventional Arms as provided for in paragraphs 7, 8, 9 and 10 of resolution 46/36 L;

2. *Takes note* of the report of the Secretary-General of 22 September 1994 on the continuing operation of the Register and its further development⁴¹ and the recommendations contained therein;

3. *Calls upon* Member States to provide the requested data and information for the Register, on the basis of resolutions 46/36 L and 47/52 L and the annex and appendices to the report of the Secretary-General on the continuing operation of the Register and its further development, to the Secretary-General by 30 April annually;

4. *Decides*, with a view to further development of the Register, to keep the scope of and participation in the Register under review, and, to this end:

(a) *Requests* Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction;

(b) *Requests* the Secretary-General, with the assistance of a group of governmental experts to be convened in 1997, on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account work of the Conference on Disarmament, the views expressed by Member States and the 1994 report of the Secretary-General on the continuing operation of the Register and its further development, with a view to a decision at its fifty-second session;

5. *Requests* the Secretary-General to ensure that sufficient resources are made available for the Secretariat to operate and maintain the Register;

6. *Invites* the Conference on Disarmament to consider continuing its work undertaken in the field of transparency in armaments;

7. *Reiterates its call* upon all Member States to cooperate at the regional and subregional levels, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments;

8. *Also requests* the Secretary-General to report to the General Assembly at its fiftieth session on progress made in implementing the present resolution;

9. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Transparency in armaments".

90th plenary meeting
15 December 1994

D

MORATORIUM ON THE EXPORT OF ANTI-PERSONNEL LAND-MINES

The General Assembly,

Recalling with satisfaction its resolution 48/75 K of 16 December 1993, by which it, *inter alia*, called upon States to agree to a moratorium on the export of anti-personnel land-mines that pose grave dangers to civilian populations, and urged States to implement such a moratorium,

Noting that there are approximately 85 million or more anti-personnel land-mines in the ground throughout the world and that many thousands of such mines continue to be laid in an indiscriminate manner,

Expressing deep concern that anti-personnel land-mines kill or maim hundreds of people every week, mostly unarmed civilians, obstruct economic development and reconstruction and have other severe consequences, which include inhibiting the repatriation of refugees and the return of internally displaced persons,

Welcoming the programmes of assistance which exist for demining and humanitarian support for the victims of anti-personnel land-mines,

Gravely concerned with the suffering and casualties caused to non-combatants as a result of the proliferation, as well as the indiscriminate and irresponsible use, of anti-personnel land-mines,

Recognizing that States can move most effectively towards the ultimate goal of the eventual elimination of anti-personnel land-mines as viable and humane alternatives are developed,

³⁸ See resolution 46/36 L.

³⁹ A/49/352 and Corr.1 and Add.1 and 2.

⁴⁰ See *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27 (A/49/27)*, sect. III.H.

⁴¹ A/49/316.

Recalling with satisfaction the report of the Secretary-General⁴² concerning progress on the initiative in the aforementioned resolution,

Convinced that moratoriums by States exporting anti-personnel land-mines that pose grave dangers to civilian populations are important measures in helping to reduce substantially the human and economic costs resulting from the use of such devices,

Noting with satisfaction that many States already have declared moratoriums on the export, transfer or sale of anti-personnel land-mines and related devices, with many of these moratoriums being declared as a result of the aforementioned resolution,

Believing that ongoing efforts to strengthen 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,⁴³ particularly its Protocol II,⁴⁴ are an important part of the overall effort to address problems caused by anti-personnel land-mines,

Recalling with satisfaction its resolution 48/7 of 19 October 1993 calling for assistance in mine clearance,

1. *Welcomes* the moratoriums already declared by certain States on the export of anti-personnel land-mines;

2. *Urges* States that have not yet done so to declare such moratoriums at the earliest possible date;

3. *Requests* the Secretary-General to prepare a report on steps taken by Member States to implement such moratoriums and to submit it to the General Assembly at its fiftieth session under the item entitled "General and complete disarmament";

4. *Emphasizes* the importance 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 and its Protocols as the authoritative international instrument governing the responsible use of anti-personnel land-mines and related devices;

5. *Urges* States that have not done so to adhere to the Convention and its Protocols;

6. *Encourages* further international efforts to seek solutions to the problems caused by anti-personnel land-mines, with a view to the eventual elimination of such mines.

90th plenary meeting
15 December 1994

E

STEP-BY-STEP REDUCTION OF THE NUCLEAR THREAT

The General Assembly,

Bearing in mind the goal of the total elimination of nuclear weapons,

Desiring to reduce, progressively and systematically, the threat posed by nuclear weapons,

Welcoming the respite from the intense competition in the accumulation of weapons-grade fissile materials, in the production

of nuclear warheads and in the deployment of nuclear-weapon systems which characterized the cold war,

Mindful that processing of special fissionable material for weapon purposes and production of nuclear warheads continues at a steady pace in some States, and that many thousands of nuclear-weapon systems remain deployed at the brink of war,

Welcoming also the standing down of some nuclear-weapon systems from full alert and the elimination of certain types of weapons,

Mindful also that the military doctrines regarding the threat of use of nuclear weapons remain unaltered, and that most agreed reductions do not entail destruction of the nuclear warheads or delivery vehicles,

Welcoming further the steps taken to increase transparency in armaments and the emerging pattern of closing or converting nuclear-weapon production facilities,

Mindful further of the continuing lack of internationally verified inventories of the nuclear arsenals and that plans for the redirection of nuclear-weapon facilities to the task of dismantlement of the nuclear arsenals are only at an early state of development,

Wishing to further current efforts regarding multilateral negotiations and agreements, and conscious of the urgent need for expeditious action for this purpose,

Confident that the Conference on Disarmament can serve as an effective multilateral disarmament negotiating forum, as envisioned at its 1978 special session devoted to disarmament⁴⁵ and as evidenced recently by the successful conclusion of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,⁴⁶

Persuaded that agreement upon a five- to ten-year agenda on nuclear arms control would provide a needed overall sense of direction to global disarmament efforts,

Convinced that the successful pursuit of such an agenda would significantly advance the goal of the elimination of nuclear weapons from national arsenals,

1. *Identifies* the following general areas for step-by-step reduction of the nuclear threat:

Area A. Steps to counter, *inter alia*:

(a) The acquisition and processing of special fissionable material for nuclear-weapon purposes;

(b) The manufacture and testing of nuclear warheads and their delivery vehicles;

(c) The assembly and deployment of nuclear-weapon systems; by such means as:

(i) Prohibiting the test explosion of nuclear weapons;

(ii) Cutting off the production of special fissile materials for weapon purposes;

(iii) Ending production of nuclear warheads;

⁴² A/49/275 and Add.1.

⁴³ See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

⁴⁴ *Ibid.*, Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices.

⁴⁵ See resolution S-10/2, para. 120.

⁴⁶ See *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27 (A/47/27)*, appendix 1.

- (iv) Ending the production and testing of intermediate- and long-range ballistic missiles for nuclear-weapon purposes;
- (v) Effective, legally binding measures to deter the use or threat of use of nuclear weapons;
- (vi) Other related measures;

Area B. Steps to actuate, *inter alia*:

(a) The withdrawal from deployment and disassembly of nuclear-weapon systems;

(b) The secure storage and dismantlement of nuclear warheads and their delivery vehicles;

(c) The elimination of special fissionable materials for nuclear-weapon purposes;

by such means as:

- (i) Standing down nuclear-weapon systems from high-alert status;
- (ii) Separating nuclear warheads from their delivery vehicles;
- (iii) Placing nuclear warheads in secure storage;
- (iv) Converting delivery vehicles, where appropriate, to peaceful uses;
- (v) Removing special nuclear materials from warheads;
- (vi) Converting special nuclear materials to non-weapon purposes;
- (vii) Other related measures;

Area C. Steps to prepare, under international auspices:

(a) An inventory of the nuclear arsenals, including:

- (i) All special fissile materials, nuclear warheads and their delivery vehicles;
- (ii) All facilities devoted to the processing, manufacture, assembly and deployment of those items;

(b) A reorientation of those facilities necessary to the task of implementing measures relating to area B;

(c) The closure or conversion to peaceful purposes of all other such facilities in furtherance of measures relating to area A;

2. *Asks* Member States, in particular the nuclear-weapon States, to consider steps which they might take unilaterally, bilaterally, or in cooperation with other States to promote progress in the identified areas, and fully to inform the international community of any steps taken in this regard;

3. *Recommends* to the Conference on Disarmament that in 1995 it:

(a) Develop from the three general areas identified in paragraph 1 of the present resolution a comprehensive set of practical, verifiable measures for possible negotiation in their next five- and ten-year periods;

(b) Determine from that set a year-by-year sequence and combination of negotiations on specific measures to be commenced during the next five- and ten-year periods, with due regard to steps taken pursuant to paragraph 2;

4. *Requests* the Conference on Disarmament to include in its 1995 report to the General Assembly a section on efforts undertaken in accordance with the recommendation set out in paragraph 3;

5. *Decides* to include in the provisional agenda of its fiftieth session an item entitled "Step-by-step reduction of the nuclear threat".

90th plenary meeting
15 December 1994

F

1995 REVIEW AND EXTENSION CONFERENCE OF
THE PARTIES TO THE TREATY ON THE NON-
PROLIFERATION OF NUCLEAR WEAPONS

The General Assembly,

Recalling its resolution 2373 (XXII) of 12 June 1968, the annex to which contains the Treaty on the Non-Proliferation of Nuclear Weapons,¹⁵

Noting the provisions of article X, paragraph 2, of that Treaty, which stipulates the holding of a conference twenty-five years after the entry into force of the Treaty to decide whether the Treaty shall continue in force indefinitely or shall be extended for an additional fixed period or periods,

Desirous of ensuring the consolidation of the Treaty with a view to achieving ultimately the elimination of nuclear weapons,

Aware of the need for the Treaty to attain universal adherence,

Convinced that the decision on the extension of the Treaty should lead to further progress in nuclear disarmament, in accordance with the preamble and article VI of the Treaty,

Noting, therefore, the necessity of giving careful consideration to all possible options in order to take a decision that is appropriate and capable of strengthening the non-proliferation regime in the pursuit of the ultimate objective of the elimination of nuclear weapons,

Conscious of the fact that there are various interpretations which have been expressed concerning the application of article X, paragraph 2, of the Treaty,

1. *Calls upon* States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to give appropriate consideration to the import of the Treaty in its entirety and with special attention to its article X, paragraph 2;

2. *Invites* States parties to provide their legal interpretations of article X, paragraph 2, of the Treaty and their views on the different options and actions available, for compilation by the Secretary-General as a background document of the 1995 Review and the Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, well before the holding of that Conference.

90th plenary meeting
15 December 1994

G

ASSISTANCE TO STATES FOR CURBING THE ILLICIT
TRAFFIC IN SMALL ARMS AND COLLECTING THEM

The General Assembly,

Recalling its resolutions 46/36 H of 6 December 1991, 47/52 G and 47/52 J of 9 December 1992 and 48/75 H and 48/75 J of 16 December 1993,

Considering that the circulation of massive quantities of small arms throughout the world impedes development and is a source of increased insecurity,

Considering also that the illicit international transfer of small arms and their accumulation in many countries constitute a threat to the populations and to national and regional security and is a factor contributing to the destabilization of States,

Basing itself on the statement of the Secretary-General relating to the request of Mali concerning United Nations assistance for the collection of small arms,

Gravely concerned at the extent of the insecurity and banditry linked to the illicit circulation of small arms in Mali and the other affected States of the Saharo-Sahelian subregion,

Taking note of the first conclusions of the United Nations Advisory Mission sent to Mali by the Secretary-General to study the best way of curbing the illicit circulation of small arms and ensuring their collection,

Noting the interest shown by other States of the subregion in receiving the United Nations Advisory Mission,

Noting also the actions taken and those recommended at the meetings of the States of the subregion held at Banjul, Algiers and Bamako to establish close regional cooperation with a view to strengthening security,

1. *Welcomes* the initiative taken by Mali concerning the question of the illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion;

2. *Also welcomes* the action taken by the Secretary-General in implementation of this initiative;

3. *Thanks* the Government of Mali for the appreciable help which it has given to the United Nations Advisory Mission, and welcomes the declared readiness of other States of the subregion to receive the Mission;

4. *Congratulates* the Secretary-General on his action within the context of the relevant provisions of resolution 40/151 H of 16 December 1985, and encourages him to continue his efforts to curb the illicit circulation of small arms and to collect such arms in the affected States which so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the Organization of African Unity;

5. *Invites* Member States to implement national control measures in order to check the illicit circulation of small arms, in particular by curbing the illegal export of such arms;

6. *Invites* the international community to give appropriate support to the efforts made by the affected countries to suppress the illicit circulation of small arms, which is likely to hamper their development;

7. *Requests* the Secretary-General to report to the General Assembly on this issue at its fiftieth session.

90th plenary meeting
15 December 1994

H

NUCLEAR DISARMAMENT WITH A VIEW TO THE ULTIMATE ELIMINATION OF NUCLEAR WEAPONS

The General Assembly,

Recognizing that the end of the cold war has increased the possibility of creating a world free from the fear of nuclear war,

Welcoming the efforts of the Russian Federation and the United States of America for nuclear disarmament and the conclusion of

the two treaties on the reduction and limitation of strategic offensive arms, and looking forward to their early entry into force,

Welcoming also the efforts of other nuclear-weapon States in the field of nuclear disarmament,

Attaching great importance to the contribution which the Treaty on the Non-Proliferation of Nuclear Weapons¹⁵ has made to the peace and security of the world since its entry into force in 1970,

Welcoming the positive developments in the negotiations for a comprehensive nuclear-test-ban treaty based on the consensus achieved at its forty-eighth session,

1. *Urges* States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accede to it at the earliest possible date, recognizing the importance of the universality of the Treaty;

2. *Calls upon* the nuclear-weapon States to pursue their efforts for nuclear disarmament with the ultimate objective of the elimination of nuclear weapons in the framework of general and complete disarmament, and calls upon all States to implement fully their commitments in the field of disarmament and non-proliferation of weapons of mass destruction.

90th plenary meeting
15 December 1994

I

CONVENING OF THE FOURTH SPECIAL SESSION OF THE GENERAL ASSEMBLY DEVOTED TO DISARMAMENT

The General Assembly,

Recalling that three special sessions of the General Assembly devoted to disarmament were held in 1978, 1982 and 1988,

Bearing in mind the Final Document of the Tenth Special Session of the General Assembly,¹⁷ the first special session devoted to disarmament, and the final objective of general and complete disarmament under effective international control,

Welcoming the recent positive changes in the international landscape, characterized by the end of the cold war, the relaxation of tensions at the global level and the emergence of a new spirit governing relations among nations,

Stressing the central role of the United Nations for the promotion of disarmament, peace and security,

1. *Decides*, in principle, to convene, in 1997 if possible, the fourth special session of the General Assembly devoted to disarmament, the date to be determined at its fiftieth session;

2. *Also decides* to include in the provisional agenda of its fiftieth session an item entitled "Fourth special session of the General Assembly devoted to disarmament".

90th plenary meeting
15 December 1994

J

RELATIONSHIP BETWEEN DISARMAMENT AND DEVELOPMENT

The General Assembly,

Recalling the provisions of the Final Document of the Tenth Special Session of the General Assembly¹⁷ concerning the relationship between disarmament and development,

Recalling also the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,⁴⁷

Recalling further its resolution 48/75 A of 16 December 1993,

Bearing in mind the final documents of the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta in September 1992,⁴⁷

Stressing the growing importance of the symbiotic relationship between disarmament and development in current international relations,

1. *Welcomes* the report of the Secretary-General of 5 October 1994⁴⁸ and actions undertaken in accordance with the Final Document of the International Conference on the Relationship between Disarmament and Development;

2. *Requests* the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the International Conference;⁴⁹

3. *Also requests* the Secretary-General to submit a report to the General Assembly at its fiftieth session;

4. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Relationship between disarmament and development".

90th plenary meeting
15 December 1994

K

REQUEST FOR AN ADVISORY OPINION FROM THE INTERNATIONAL COURT OF JUSTICE ON THE LEGALITY OF THE THREAT OR USE OF NUCLEAR WEAPONS

The General Assembly,

Conscious that the continuing existence and development of nuclear weapons pose serious risks to humanity,

Mindful that States have an obligation under the Charter of the United Nations to refrain from the threat or use of force against the territorial integrity or political independence of any State,

Recalling its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980, 36/92 I of 9 December 1981, 45/59 B of 4 December 1990 and 46/37 D of 6 December 1991, in which it declared that the use of nuclear weapons would be a violation of the Charter and a crime against humanity,

Welcoming the progress made on the prohibition and elimination of weapons of mass destruction, including the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction⁵⁰ and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,⁴⁶

Convinced that the complete elimination of nuclear weapons is the only guarantee against the threat of nuclear war,

Noting the concerns expressed in the Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons that insufficient progress had been made towards the complete elimination of nuclear weapons at the earliest possible time,

Recalling that, convinced of the need to strengthen the rule of law in international relations, it has declared the period 1990-1999 the United Nations Decade of International Law,⁵¹

Noting that Article 96, paragraph 1, of the Charter empowers the General Assembly to request the International Court of Justice to give an advisory opinion on any legal question,

Recalling the recommendation of the Secretary-General, made in his report entitled "An Agenda for Peace",⁵² that United Nations organs that are authorized to take advantage of the advisory competence of the International Court of Justice turn to the Court more frequently for such opinions,

Welcoming resolution 46/40 of 14 May 1993 of the Assembly of the World Health Organization, in which the organization requested the International Court of Justice to give an advisory opinion on whether the use of nuclear weapons by a State in war or other armed conflict would be a breach of its obligations under international law, including the Constitution of the World Health Organization,

Decides, pursuant to Article 96, paragraph 1, of the Charter of the United Nations, to request the International Court of Justice urgently to render its advisory opinion on the following question: "Is the threat or use of nuclear weapons in any circumstance permitted under international law?"

90th plenary meeting
15 December 1994

L

BILATERAL NUCLEAR-ARMS NEGOTIATIONS AND NUCLEAR DISARMAMENT

The General Assembly,

Recalling its previous relevant resolutions,

Recognizing the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

Mindful that it is the responsibility and obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security,

Stressing the importance of strengthening international peace and security through disarmament,

Emphasizing that nuclear disarmament remains one of the principal tasks of our times,

Stressing also that it is the responsibility of all States to adopt and implement measures towards the attainment of general and complete disarmament under effective international control,

Appreciating a number of positive developments in the field of nuclear disarmament, in particular the treaty concluded on 8 December 1987 between the former Union of Soviet Socialist Republics and the United States of America on the elimination of

⁴⁷ United Nations publication, Sales No. E.87.IX.8.

⁴⁸ A/49/476.

⁴⁹ United Nations publication, Sales No. E.87.IX.8, para. 35.

⁵⁰ Resolution 2826 (XXVI), annex.

⁵¹ Resolution 44/23.

⁵² A/47/277-S/24111; see *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24111.

their intermediate-range and shorter-range missiles,⁵³ and the treaties on the reduction and limitation of strategic offensive arms,

Noting that there are still significant nuclear arsenals and that the primary responsibility for nuclear disarmament, with the objective of the elimination of nuclear weapons, rests with the nuclear-weapon States, in particular those which possess the largest stockpiles,

Welcoming the steps that have already been taken by those States to begin the process of reducing the number of nuclear weapons and removing such weapons from a deployed status, and bilateral agreements on the issue of de-targeting strategic nuclear missiles,

Noting the new climate of relations between the United States of America and the States of the former Soviet Union, which permits them to intensify their cooperative efforts to ensure the safety, security and environmentally sound destruction of nuclear weapons,

Noting also that the Russian Federation and the United States of America concurred that, once their Treaty on the Further Reduction and Limitation of Strategic Offensive Arms was ratified, they would proceed to deactivate all strategic delivery systems to be reduced under the Treaty by removing their nuclear warheads or taking other steps to remove them from alert status,

Noting further the agreement between the Russian Federation and the United States of America to intensify their dialogue to compare conceptual approaches and to develop concrete steps to adapt the nuclear forces and practices on both sides to the changed international security situation, including the possibility, after ratification of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms, of further reduction of and limitations on remaining nuclear forces,

Urging the further intensification of such efforts to accelerate the implementation of agreements and unilateral decisions relating to nuclear-arms reduction,

Welcoming the reductions made by other nuclear-weapon States in some of their nuclear-weapon programmes, and encouraging all nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

Affirming that bilateral and multilateral negotiations on nuclear disarmament should facilitate and complement each other,

1. *Welcomes* the actions taken towards the ratification of the Treaty on the Reduction and Limitation of Strategic Offensive Arms signed in Moscow on 31 July 1991 by the former Union of Soviet Socialist Republics and the United States of America and the protocol to that Treaty signed at Lisbon on 23 May 1992 by the four parties thereto, and urges the parties to take the necessary steps to ensure its entry into force at the earliest possible date;

2. *Also welcomes* the signing of the Treaty between the Russian Federation and the United States of America on the Further Reduction and Limitation of Strategic Offensive Arms in Moscow on 3 January 1993, and urges the parties to take the steps necessary to bring that Treaty into force at the earliest possible date;

3. *Expresses its satisfaction* at the continuing implementation of the treaty on the elimination of intermediate-range and shorter-range missiles,⁵³ in particular at the completion by the parties of the destruction of all their declared missiles subject to elimination under the treaty;

4. *Encourages* the United States of America, the Russian Federation, Belarus, Kazakhstan and Ukraine to continue their cooperative efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;

5. *Encourages and supports* the Russian Federation and the United States of America in their efforts to reduce their nuclear armaments and to continue to give those efforts the highest priority in order to contribute to the objective of the elimination of nuclear weapons;

6. *Invites* the Russian Federation and the United States of America to keep other States Members of the United Nations duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions.

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M

MEASURES TO CURB THE ILLICIT TRANSFER AND USE OF CONVENTIONAL ARMS

The General Assembly,

Recalling its resolution 46/36 H of 6 December 1991 and its decision 47/419 of 9 December 1992 on international arms transfers,

Recalling also its resolutions 48/75 F and 48/75 H of 16 December 1993 on international arms transfers and measures to curb the illicit transfer and use of conventional weapons, respectively,

Realizing the urgent need to resolve conflicts and to diminish tensions and accelerate efforts towards general and complete disarmament with a view to maintaining regional and international peace and security,

Recognizing that the availability of massive quantities of conventional weapons and especially their illicit transfer, often associated with destabilizing activities, are most disturbing and dangerous phenomena, particularly for the internal situation of affected States and the violation of human rights,

Stressing the need for effective national control measures on the transfer of conventional weapons,

Recognizing also the curbing of the illicit transfer of arms as an important contribution to the relaxation of tension and peaceful reconciliation processes,

Convinced that peace and security are inextricably interlinked with and in some cases imperative for economic development and reconstruction,

1. *Invites* the Disarmament Commission to:

(a) Expedite its consideration of the agenda item on international arms transfers, with special emphasis on the adverse consequences of the illicit transfer of arms and ammunition;

(b) Study measures to curb the illicit transfer and use of conventional arms;

2. *Invites* Member States to provide the Secretary-General with relevant information on national control measures on arms transfers with a view to preventing illicit arms transfers and, in this context, to take immediate, appropriate and effective measures to seek to ensure that illicit transfers of arms are discontinued;

3. *Requests* the Secretary-General to:

⁵³ *The United Nations Disarmament Yearbook*, vol. 12: 1987 (United Nations publication, Sales No. E.88.IX.2), appendix VII.

(a) Seek the views of Member States on effective ways and means of collecting weapons illicitly transferred in interested countries, as well as on concrete proposals concerning measures at national, regional and international levels to curb the illicit transfer and use of conventional arms;

(b) Study, within the existing resources, upon request from the concerned Member States, the possibilities of the collection of weapons illicitly transferred in the light of the experience gained by the United Nations and the views expressed by Member States and to submit a report on the result of his study to the General Assembly at its fiftieth session;

4. *Also requests* the Secretary-General to report to the Assembly at its fiftieth session on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Measures to curb the illicit transfer and use of conventional arms".

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N

REGIONAL DISARMAMENT

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992 and 48/75 I of 16 December 1993 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,¹⁷

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session,¹⁴

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Taking note also of the recent proposals for disarmament and nuclear non-proliferation at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of smaller States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at regional and subregional levels;

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at regional and subregional levels in order to ease regional tensions and to further disarmament and nuclear non-proliferation measures at regional and subregional levels;

6. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Regional disarmament".

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O

CONVENTIONAL ARMS CONTROL AT THE REGIONAL AND SUBREGIONAL LEVELS

The General Assembly,

Recalling its resolution 48/75 J of 16 December 1993,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

Believing that militarily significant States, and States with larger military capabilities, have a special responsibility in promoting such agreements for regional security,

Believing also that one of the principal objectives of conventional arms control should be to prevent the possibility of military attack launched by surprise,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament, as a first step, to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Decides* to include in the provisional agenda of its fiftieth session the item entitled "Conventional arms control at the regional and subregional levels".

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¹⁴ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42 (A/48/42), annex II.

P

BILATERAL NUCLEAR-ARMS NEGOTIATIONS AND
NUCLEAR DISARMAMENT*The General Assembly,**Recalling its previous relevant resolutions,*

Recognizing the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

Mindful that it is the responsibility and obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security,

Stressing the importance of strengthening international peace and security through disarmament,

Emphasizing that nuclear disarmament remains one of the principal tasks of our times,

Stressing also that it is the responsibility of all States to adopt and implement measures towards the attainment of general and complete disarmament under effective international control,

Appreciating a number of positive developments in the field of nuclear disarmament, in particular the treaty concluded on 8 December 1987 between the former Union of Soviet Socialist Republics and the United States of America on the elimination of their intermediate-range and shorter-range missiles⁵³ and the treaties on the reduction and limitation of strategic offensive arms,

Noting that there are still significant nuclear arsenals and that the primary responsibility for nuclear disarmament, with the objective of the elimination of nuclear weapons, rests with the nuclear-weapon States, in particular those which possess the largest stockpiles,

Welcoming the steps that have already been taken by those States to begin the process of reducing the number of nuclear weapons and removing such weapons from a deployed status, and bilateral agreements on the issue of de-targeting strategic nuclear missiles,

Noting the new climate of relations between the United States of America and the States of the former Soviet Union, which permits them to intensify their cooperative efforts to ensure the safety, security and environmentally sound destruction of nuclear weapons,

Noting also that the Russian Federation and the United States of America concurred that, once their Treaty on the Further Reduction and Limitation of Strategic Offensive Arms was ratified, they would proceed to deactivate all strategic delivery systems to be reduced under the Treaty by removing their nuclear warheads or taking other steps to remove them from alert status,

Noting further the agreement between the Russian Federation and the United States of America to intensify their dialogue to compare conceptual approaches and to develop concrete steps to adapt the nuclear forces and practices on both sides to the changed international security situation, including the possibility, after ratification of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms, of further reductions of and limitations on remaining nuclear forces,

Urging the further intensification of such efforts to accelerate the implementation of agreements and unilateral decisions relating to nuclear-arms reduction,

Welcoming the reduction made by other nuclear-weapon States in some of their nuclear-weapon programmes, and encouraging all

nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

Affirming that bilateral and multilateral negotiations on nuclear disarmament should facilitate and complement each other,

1. *Welcomes* the actions taken towards the ratification of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991 by the former Union of Soviet Socialist Republics and the United States of America, and the protocol to that Treaty signed at Lisbon on 23 May 1992 by the parties thereto, *inter alia*, the trilateral statement by the Presidents of the Russian Federation, Ukraine and the United States of America signed on 14 January 1994,⁵⁵ and urges the parties to take the necessary steps to ensure the Treaty's entry into force at the earliest possible date;

2. *Also welcomes* the signing of the Treaty between the Russian Federation and the United States of America on the Further Reduction and Limitation of Strategic Offensive Arms in Moscow on 3 January 1993, and urges the parties to take the steps necessary to bring that Treaty into force at the earliest possible date;

3. *Expresses its satisfaction* at the continuing implementation of the treaty on the elimination of intermediate-range and shorter-range missiles,⁵³ in particular at the completion by the parties of the destruction of all their declared missiles subject to elimination under the treaty;

4. *Encourages* the United States of America, the Russian Federation, Belarus, Kazakhstan and Ukraine to continue their cooperative efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;

5. *Welcomes* the accession to the Treaty on the Non-Proliferation of Nuclear Weapons¹⁵ of Belarus and Kazakhstan as non-nuclear-weapon States and would welcome similar action on the part of Ukraine;

6. *Encourages and supports* the Russian Federation and the United States of America in their efforts to reduce their nuclear armaments and to continue to give those efforts the highest priority in order to contribute to the objective of the elimination of nuclear weapons;

7. *Invites* the Russian Federation and the United States of America to keep other States Members of the United Nations duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions.

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15 December 1994

49/76. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly

A

UNITED NATIONS DISARMAMENT INFORMATION
PROGRAMME*The General Assembly,*

Recalling its decision taken in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,⁵⁶

⁵⁵ A/49/66-S/1994/91, annex; see *Official Records of the Security Council, Forty-ninth Year, Supplement for January, February and March 1994*, document S/1994/91.

⁵⁶ See *Official Records of the General Assembly, Twelfth Special Session, Plenary Meetings*, 1st meeting, paras. 110 and 111.