



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/623
14 November 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Agenda item 105

REPORT OF THE SPECIAL COMMITTEE ON ENHANCING THE EFFECTIVENESS OF
THE PRINCIPLE OF NON-USE OF FORCE IN INTERNATIONAL RELATIONS

Report of the Sixth Committee

Rapporteur: Mr. Wolfgang HAMPE (German Democratic Republic)

1. The item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations" was included in the provisional agenda of the thirty-fifth session of the General Assembly pursuant to paragraph 6 of Assembly resolution 34/13 of 9 November 1979.
2. On the recommendation of the General Committee, the General Assembly decided at its 3rd plenary meeting, on 19 September 1980, to include the item in its agenda and to allocate it to the Sixth Committee.
3. In connexion with this item, the Sixth Committee had before it the following documents:
 - (a) Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations; 1/
 - (b) Report of the Secretary-General containing observations received from the Governments of Jordan and the Niger (A/35/330).
4. The Committee also had before it the following communications:
 - (a) Letter dated 20 February 1980 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/35/110-S/13816);
 - (b) Letter dated 11 March 1980 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/35/131-S/13838);

1/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 41 (A/35/41).

- (c) Letter dated 29 April 1980 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/35/201-S/13918);
- (d) Letter dated 21 May 1980 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/35/268);
- (e) Letter dated 18 June 1980 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/35/298-S/14008);
- (f) Letter dated 20 June 1980 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/35/305-S/14020);
- (g) Letter dated 30 June 1980 from the Permanent Representative of Oman to the United Nations addressed to the Secretary-General (A/35/315-S/14040);
- (h) Letter dated 27 June 1980 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/35/316-S/14045);
- (i) Letter dated 8 August 1980 from the Chargé d'Affaires a.i. of the Permanent Mission of the United Arab Emirates to the United Nations addressed to the Secretary-General (A/35/399-S/14111 and Corr.1);
- (j) Letter dated 19 August 1980 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/35/404-S/14117).

5. The Committee considered the item at its 26th to 33rd meetings, from 21 to 30 October, and at its 40th meeting, on 6 November 1980. The summary records of those meetings (A/C.6/35/SR.26-33 and 40) contain the views of representatives who spoke during the consideration of the item.

6. The Committee also had before it a draft resolution (A/C.6/35/L.6) sponsored by Afghanistan, Angola, Bulgaria, the Byelorussian Soviet Socialist Republic, the Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Ethiopia, the German Democratic Republic, Grenada, Hungary, the Lao People's Democratic Republic, Madagascar, Mongolia, Mozambique, Nicaragua, Poland, Romania, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Venezuela and Viet Nam, which read as follows:

"The General Assembly,

"Recalling its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations 2/ submitted by the Union of Soviet Socialist Republics, as well as other proposals made during the consideration of this item,

2/ Ibid., Thirty-fourth Session, Supplement No. 41 (A/34/41 and Corr.1), annex.

"Recalling also its resolution 32/150 of 19 December 1977, whereby it established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations,

"Recalling in particular its resolutions 33/96 of 16 December 1978 and 34/13 of 9 November 1979, in which it decided that the Special Committee should continue its work,

"Having considered the report of the Special Committee, 3/

"Taking into account that the Special Committee has not completed the mandate entrusted to it,

"Reaffirming the need for universal and effective application of the principle of the non-use of force in international relations and for assistance by the United Nations in this endeavour,

"Expressing the hope that the drafting of a world treaty on the non-use of force in international relations will be completed as soon as possible,

"1. Takes note of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;

"2. Decides that the Special Committee shall continue its work with the goal of drafting, at the earliest possible date, a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate;

"3. Invites the Governments which have not yet done so to communicate their comments or suggestions or to bring them up to date, in accordance with General Assembly resolution 31/9;

"4. Requests the Secretary-General to provide the Special Committee with the necessary facilities and services, including the preparation of summary records of its meetings;

"5. Invites the Special Committee to submit a report on its work to the General Assembly at its thirty-sixth session;

"6. Decides to include in the provisional agenda of its thirty-sixth session the item entitled 'Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations'."

3/ Ibid., Thirty-fifth Session, Supplement No. 41 (A/35/41).

7. At the 40th meeting, on 6 November, the representative of the Union of Soviet Socialist Republics introduced a revised version of the draft resolution (A/C.6/35/L.6/Rev.1) (see para. 12) on behalf of the following sponsors:

Afghanistan, Angola, Benin, Bulgaria, the Byelorussian Soviet Socialist Republic, the Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Ethiopia, the German Democratic Republic, Grenada, Hungary, India, Iraq, the Lao People's Democratic Republic, Madagascar, Mongolia, Morocco, Mozambique, Nicaragua, Poland, Romania, Uganda, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Venezuela and Viet Nam, later joined by Egypt.

8. The Committee had before it a statement submitted by the Secretary-General (A/C.6/35/L.8) on the administrative and financial implications of draft resolution A/C.6/35/L.6/Rev.1.

9. At its 40th meeting, on 6 November, the Committee adopted draft resolution A/C.6/35/L.6/Rev.1 by a recorded vote of 70 to 15, with 8 abstentions (see para. 12). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Barbados, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Costa Rica, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Ethiopia, Fiji, Finland, German Democratic Republic, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Papua New Guinea, Philippines, Poland, Qatar, Romania, Rwanda, Senegal, Singapore, Somalia, Sudan, Thailand, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republic, United Arab Emirates, United Republic of Cameroon, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

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

Abstaining: Australia, Austria, Brazil, China, Greece, Ireland, New Zealand, Sweden.

10. The representatives of Mauritania, Cuba, Gabon, Chile, the Central African Republic, Peru, the Dominican Republic, Morocco, the Ivory Coast, the United Republic of Tanzania and Guinea stated that, had they been present, they would have voted in favour of the draft resolution. The representative of Japan stated that he would have voted against the draft resolution. The representatives of Liberia, Turkey and Malawi indicated that they would have abstained. At the 47th meeting, on 12 November, the Chairman informed the Committee on the communication received from the Permanent Representative of Sri Lanka to the United Nations to the effect that, had the delegation of Sri Lanka been present, it would have voted in favour of the draft resolution.

11. A statement in explanation of vote before the vote was made by the representative of the United States of America. Statements in explanation of vote after the vote were made by the representatives of Argentina, Germany, Federal Republic of, Brazil, Sweden, China, Austria, Australia, Italy, Israel, Zaire, the United Kingdom of Great Britain and Northern Ireland, Somalia and Iran.

RECOMMENDATION OF THE SIXTH COMMITTEE

12. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Special Committee on Enhancing the Effectiveness of
the Principle of Non-Use of Force in International Relations

The General Assembly,

Recalling its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations 4/ submitted by the Union of Soviet Socialist Republics, as well as other proposals made during the consideration of this item,

Recalling also its resolution 32/150 of 19 December 1977, whereby it established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations,

Recalling in particular its resolutions 33/96 of 16 December 1978 and 34/13 of 9 November 1979, in which it decided that the Special Committee should continue its work,

Having considered the report of the Special Committee, 5/

Taking note of the fact that, owing to lack of time, the Special Committee was not able to consider in depth the new proposals submitted to it during its last session,

Taking into account that the Special Committee has not completed the mandate entrusted to it,

Reaffirming the need for universal and effective application of the principle of the non-use of force in international relations and for assistance by the United Nations in this endeavour,

Expressing the hope that the Special Committee will, on the basis of all the proposals before it, complete the mandate entrusted to it as soon as possible,

4/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 41 (A/34/41 and Corr.1), annex.

5/ Ibid., Thirty-fifth Session, Supplement No. 41 (A/35/41).

1. Takes note of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;
2. Decides that the Special Committee shall continue its work with the goal of drafting, at the earliest possible date, a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate;
3. Requests the Special Committee to consider thoroughly, and to take duly into account, all the proposals submitted to it with a view to ensuring a successful completion of its mandate;
4. Invites the Governments which have not yet done so to communicate their comments or suggestions or to bring them up to date, in accordance with General Assembly resolution 31/9;
5. Requests the Secretary-General to provide the Special Committee with the necessary facilities and services;
6. Invites the Special Committee to submit a report on its work to the General Assembly at its thirty-sixth session;
7. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations".