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Thirty-fifth session  
Agenda item 46

CONCLUSION OF AN INTERNATIONAL CONVENTION TO ASSURE  
NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT  
OF USE OF NUCLEAR WEAPONS

Report of the First Committee

Rapporteur: Mr. Ronald Listeri KENSMIL (Suriname)

I. INTRODUCTION

1. The item entitled "Conclusion of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons: report of the Committee on Disarmament" was included in the provisional agenda of the thirty-fifth session in accordance with General Assembly resolution 34/85 of 11 December 1979.
2. At its 3rd plenary meeting, on 19 September 1980, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.
3. At its 3rd meeting, on 9 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 31 to 49 and item 121. The general debate on these items took place at the 4th to 28th meetings, from 15 October to 4 November (see A/C.1/35/PV.4-28).
4. In connexion with item 46, the First Committee had before it the following documents:
  - (a) Report of the Committee on Disarmament; 1/
  - (b) Note verbale dated 14 October 1980 from the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General, transmitting

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1/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27).

a communiqué of the Extraordinary Meeting of the Ministers for Foreign Affairs and Heads of Delegations of the non-aligned countries to the General Assembly of the United Nations at its thirty-fifth session, held at United Nations Headquarters on 2 and 3 October 1980 (A/35/542).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/35/L.5 and Rev.1

5. On 29 October, Pakistan submitted a draft resolution (A/C.1/35/L.5), which it introduced at the 30th meeting, on 10 November. The draft resolution was subsequently sponsored also by Guinea. On 19 November, Pakistan submitted a revised draft resolution (A/C.1/35/L.5/Rev.1) in which the nineteenth preambular paragraph, which read:

"Noting the recommendations of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979, as well as of the Eleventh Islamic Conference of Foreign Ministers, held at Islamabad from 17 to 22 May 1980 calling on the Committee on Disarmament to elaborate and reach an agreement on an international basis to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,"

was replaced by the following text:

"Noting the relevant decision of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979, as well as the other relevant recommendations of the Eleventh Islamic Conference of Foreign Ministers, held at Islamabad from 17 to 22 May 1980 calling on the Committee on Disarmament to elaborate and reach an agreement on an international basis to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,".

6. At the 40th meeting, on 24 November, draft resolution A/C.1/35/L.5/Rev.1 was adopted by a recorded vote of 114 to none, with 24 abstentions (see para. 7). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania,

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Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Australia, Austria, Belgium, Bhutan, Central African Republic, Denmark, France, Germany, Federal Republic of, Greece, Grenada, Iceland, India, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

### III. RECOMMENDATION OF THE FIRST COMMITTEE

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

Conclusion of an international convention to assure  
non-nuclear-weapon States against the use or threat  
of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and the survival of civilization,

Deeply concerned at the continuing escalation of the arms race, in particular the nuclear arms race, and the possibility of the use or threat of use of nuclear weapons,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Taking into account the principle of the non-use of force or threat of force enshrined in the Charter of the United Nations,

Deeply concerned about any possibility of the use or threat of use of nuclear weapons,

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Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can constitute a positive contribution to the prevention of the spread of nuclear weapons,

Recalling its resolution 3261 G (XXIX) of 9 December 1974,

Further recalling its resolution 31/189 C of 21 December 1976,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, 2/ in which it requested the nuclear-weapon States urgently to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Desirous of promoting the implementation of the relevant provisions of the Final Document of the Tenth Special Session,

Recalling its resolution 33/72 of 14 December 1978,

Further recalling its resolution 34/85 of 11 December 1979,

Welcoming the in-depth negotiations undertaken in the Committee on Disarmament and its Ad Hoc Working Group with a view to reaching agreement on consideration of the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons",

Noting the drafts of an international convention submitted on that item in the Committee on Disarmament,

Further noting the report of the Committee on Disarmament, including the report of the Ad Hoc Working Group,

Noting the relevant decision of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana from 3 to 9 September 1979, as well as the other relevant recommendations of the Eleventh Islamic Conference of Foreign Ministers, held at Islamabad from 17 to 22 May 1980, calling on the Committee on Disarmament to elaborate and reach an agreement on an international basis to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

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2/ Resolution S-10/2.

Taking note of the general support expressed in the Committee on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

1. Reaffirms the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;
  2. Notes with satisfaction that in the Committee on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although there has been lack of progress in the Committee towards evolving a common approach acceptable to all;
  3. Appeals to all States, in particular the nuclear-weapon States, to demonstrate the political will necessary to reach agreement on a common approach which could be included in an international instrument of a legally binding character;
  4. Recommends that the Committee on Disarmament should actively continue negotiations with a view to reaching agreement and concluding effective international arrangements during its next session to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;
  5. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".
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