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CONCLUSION OF AN INTERNATIONAL CONVENTION ON THE STRENGTHENING
OF THE SECURITY OF 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 on the strengthening of the security of 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 34/86 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 45, 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 a communiqué

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

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.44

5. On 18 November, Angola, Bulgaria, Ethiopia, Mongolia and the Union of Soviet Socialist Republics submitted a draft resolution (A/C.1/35/L.44), which was subsequently sponsored also by the Byelorussian Soviet Socialist Republic, Czechoslovakia, Democratic Yemen and Nicaragua. The draft resolution was introduced by the representative of Bulgaria at the 37th meeting, on 20 November.

6. At the 40th meeting, on 24 November, the Committee voted on draft resolution A/C.1/35/L.44 as follows:

(a) Operative paragraph 5 was adopted by a recorded vote of 90 to 12, with 28 abstentions. 2/ The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahrain, Barbados, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

Against: Belgium, Canada, France, Germany, Federal Republic of, Greece, Italy, Japan, Luxembourg, Netherlands, Portugal, Turkey, United States of America.

Abstaining: Argentina, Australia, Austria, Bahamas, Bangladesh, Bhutan, Bolivia, Brazil, Burma, Central African Republic, Denmark, Guatemala, Haiti, Iceland, India, Indonesia, Ireland, Israel, Morocco, New Zealand, Niger, Norway, Somalia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Yugoslavia.

2/ The delegation of the United Kingdom of Great Britain and Northern Ireland subsequently announced that it had intended to vote against operative paragraph 5.

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(b) Operative paragraph 6 was adopted by a recorded vote of 84 to 13, with 28 abstentions. The voting was as follows:

In favour: Afghanistan, Angola, Bahrain, Barbados, Benin, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Chile, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Guinea, Guyana, Haiti, Honduras, Hungary, Iran, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

Against: Belgium, Canada, France, Germany, Federal Republic of, Greece, Italy, Japan, Luxembourg, Netherlands, Portugal, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Australia, Austria, Bahamas, Bangladesh, Bhutan, Bolivia, Brazil, Burma, Central African Republic, Denmark, Guatemala, Iceland, India, Indonesia, Ireland, Israel, Morocco, New Zealand, Niger, Norway, Somalia, Spain, Sweden, Tunisia, United Republic of Cameroon, Yugoslavia, Zaire.

(c) The draft resolution as a whole was adopted by a recorded vote of 100 to 2, with 30 abstentions 3/ (see para. 7 below). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Chad, Chile, Congo, Costa Rica, Cuba, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, 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, Nigeria, Oman,

3/ The delegation of Cyprus subsequently announced that, had it been present, it would have voted in favour of the draft resolution.

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Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia.

Against: Albania, United States of America.

Abstaining: Australia, Austria, Belgium, Bhutan, Burma, Canada, Central African Republic, Denmark, France, Germany, Federal Republic of, Greece, Guatemala, Iceland, India, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Niger, Norway, Portugal, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Zaire.

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 on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Convinced of the need to take effective measures for the strengthening of the security of States and prompted by the desire shared by all nations to eliminate war and prevent nuclear conflagration,

Taking into account the principle of non-use of force or threat of force enshrined in the Charter of the United Nations and reaffirmed in a number of United Nations declarations and resolutions,

Noting with satisfaction the desire of States in various regions to prevent nuclear weapons from being introduced into their territories, including through the establishment of nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, and being anxious to contribute to the attainment of this objective,

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 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,

Mindful of the statements and considerations made by various States on the strengthening of the security of non-nuclear-weapon States,

Desirous of promoting the implementation of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, 4/ in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Recalling its resolutions 33/72 of 14 December 1978 and 34/84 and 34/85 of 11 December 1979,

Noting the consideration by the Committee on Disarmament in 1980 of the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" and the setting up of an Ad Hoc Working Group to continue the negotiations on this problem,

Recalling the drafts of an international convention submitted on this item in the Committee on Disarmament in 1979,

Taking note of the report of the Committee on Disarmament, including the report of the Ad Hoc Working Group, 5/

Noting with satisfaction that the idea of such a convention has received widespread international support,

Wishing to promote an early and successful completion of the negotiations on the elaboration of such a convention,

Noting further the examination in the Committee on Disarmament of the suggestion that, upon the recommendation of the General Assembly, the Security Council might consider the question of concrete measures to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons which, as an interim arrangement, should not be a substitute for the indispensable renewed efforts to reach agreement on a common approach acceptable to all which could be included in an international instrument of a legally binding character,

1. Welcomes the inclusion of the Committee on Disarmament that there is continuing recognition of 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;

4/ Resolution S-10/2.

5/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27), paras. 45-49.

2. Notes with satisfaction that in the Committee on Disarmament there was no objection, in principle, to the idea of an international convention;
3. Requests the Committee on Disarmament to continue during its 1981 session, on a priority basis, the negotiations on the question of strengthening of security guarantees of non-nuclear-weapon States;
4. Calls upon States participating in talks on the question of providing guarantees to non-nuclear States against the use or threat of use of nuclear weapons to make efforts for the speedy elaboration and conclusion of an international convention on this matter;
5. Calls upon all nuclear-weapon States to make solemn declarations, identical in substance, concerning the non-use of nuclear weapons against non-nuclear States having no such weapons on their territories, as a first step towards the conclusion of such an international convention;
6. Recommends that the Security Council should examine declarations which may be made by nuclear States regarding the strengthening of security guarantees for non-nuclear States and, if all these declarations were found consistent with the above-mentioned objective, should adopt an appropriate resolution approving them;
7. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons".