



## General Assembly

Distr.  
LIMITEDA/C.6/43/L.13  
17 November 1988

ORIGINAL: ENGLISH

Forty-third session  
SIXTH COMMITTEE  
Agenda item 133REPORT OF THE AD HOC COMMITTEE ON THE DRAFTING OF AN  
INTERNATIONAL COVENTION AGAINST THE RECRUITMENT, USE,  
FINANCING AND TRAINING OF MERCENARIES

Algeria, Cuba, Egypt, Ethiopia, German Democratic Republic, Ghana,  
Guinea, India, Kenya, Lao People's Democratic Republic, Liberia,  
Libyan Arab Jamahiriya, Madagascar, Mali, Mexico, Nicaragua,  
Nigeria, Romania, Rwanda, Suriname, Togo, Tunisia, Uganda,  
Ukrainian Soviet Socialist Republic, Viet Nam, Yugoslavia, Zaire  
and Zambia: draft resolution

The General Assembly,

Recalling its resolutions, particularly resolutions 2395 (XXIII) of 29 November 1968, 2465 (XXIII) of 20 December 1968, 2548 (XXIV) of 11 December 1969, 2708 (XXV) of 14 December 1970 and 3103 (XXVIII) of 12 December 1973, and its resolution 1514 (XV) of 14 December 1960, as well as Security Council resolutions 405 (1977) of 14 April 1977, 419 (1977) of 24 November 1977, 496 (1981) of 15 December 1981 and 507 (1982) of 28 May 1982, in which the United Nations denounced the practice of using mercenaries, in particular against developing countries and national liberation movements,

Recalling in particular its resolution 42/155 of 7 December 1987 by which it decided to renew the mandate of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries,

Bearing in mind the need for strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples, enshrined in the Charter of the United Nations and

developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 1/

Bearing in mind also that every State has the duty to refrain from organizing or encouraging the organization of irregular forces or armed bands, including mercenaries, for incursion into another State,

Recognizing that the recruitment, use, financing and training of mercenaries by States is contrary to fundamental principles of international law, such as the duty to refrain from the threat or use of force, non-intervention in the internal affairs, territorial integrity or political independence, and seriously impede the process of self-determination of people struggling against colonialism, racism and apartheid and all forms of foreign domination,

Bearing in mind the pernicious impact that the activities of mercenaries have on international peace and security,

Considering that the progressive development and codification of the rules of international law on the activities of mercenaries would contribute immensely to the implementation of the purposes and principles of the Charter,

Welcoming the wide and effective participation of members of the Ad Hoc Committee in the work of the Committee and the participation of a large number of observers in the work of the Ad Hoc Committee,

Taking into account the work so far done by the Ad Hoc Committee,

Reaffirming the need for the conclusion, at the earliest possible date, of an international convention against the recruitment, use, financing and training of mercenaries,

1. Takes note of the report of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries; 2/

2. Decides to renew the mandate of the Ad Hoc Committee with a view to completing as soon as possible a draft international convention against the recruitment, use, financing and training of mercenaries;

3. Requests the Ad Hoc Committee, in the fulfilment of its mandate, to use the draft articles contained in chapter III of its report entitled "Third revised consolidated negotiating basis of a convention against the recruitment, use,

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1/ Resolution 2635 (XXV), annex.

2/ Official Records of the General Assembly, Forty-third Session, Supplement No. 43 (A/43/43).

financing and training of mercenaries" as a basis for future negotiation on the text of the proposed international convention;

4. Invites the Ad Hoc Committee to take into account the suggestions and proposals of Member States submitted to the Secretary-General on the subject and the views and comments expressed at the fortieth, forty-first, forty-second and forty-third sessions of the General Assembly during the debate in the Sixth Committee devoted to the consideration of the report of the Ad Hoc Committee;

5. Decides that the Ad Hoc Committee shall hold its eighth session early in 1989;

6. Also decides that the Ad Hoc Committee shall accept the participation of observers of Member States, including participation in the meetings of its drafting and working groups;

7. Requests the Secretary-General to provide, on a priority basis, the Ad Hoc Committee with any assistance and facilities it may require to hold its eighth session early in 1989;

8. Reaffirms the importance that pre-session consultations among the members of the Ad Hoc Committee and other interested States may have in facilitating the smooth conduct of its work towards the fulfilment of its task, inter alia, as regards the composition of the Bureau and the organization of work;

9. Invites the Ad Hoc Committee to make every effort to submit its final report containing a draft international convention against the recruitment, use, financing and training of mercenaries to the General Assembly if possible at its forty-fourth session;

10. Decides to include in the provisional agenda of its forty-fourth session the item entitled "Report of the Ad Hoc Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries".

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