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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. Yannis SOULIOTIS (Greece)

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 Conference on Disarmament" was included in the provisional agenda of the fortieth session in accordance with General Assembly resolution 39/57 of 12 December 1984.
2. At its 3rd plenary meeting, on 20 September 1985, 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 2nd meeting, on 9 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 48 to 69 and item 145, followed by statements on specific disarmament agenda items and continuation of general debate, as necessary. The deliberations on those items took place between the 3rd and the 32nd meetings, from 14 October to 8 November (see A/C.1/40/PV.3-32).
4. In connection with item 55, the First Committee had before it the following documents:

(a) Report of the Conference on Disarmament; 1/

(b) Note verbale dated 11 March 1985 from the Chargé d'affaires a.i. of the Permanent Mission of Yemen to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué, resolutions and reports of the Fifteenth Islamic Conference of Foreign Ministers, held at Sanaa, Yemen Arab Republic, from 25 to 29 Rabiul Awal 1450 H (A. D. 18 to 22 December 1984) (A/40/173-S/17033);

(c) Letter dated 19 September 1985 from the Permanent Representative of Papua New Guinea to the United Nations addressed to the Secretary-General, transmitting the communiqué adopted by the Sixteenth South Pacific Forum, held at Rarotonga, Cook Islands, on 5 and 6 August 1985 (A/40/672-S/17488);

(d) Letter dated 25 October 1985 from the Permanent Representative of Bulgaria to the United Nations addressed to the Secretary-General, transmitting the Declaration issued on 23 October 1985 at Sofia by the Political Consultative Committee of the Warsaw Treaty Organization (A/C.1/40/7).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/40/L.34

5. On 7 November 1985, Afghanistan, Angola, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Democratic Yemen, Ethiopia, Mongolia, the Union of Soviet Socialist Republics and Viet Nam submitted a draft resolution, 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" (A/C.1/40/L.34). The draft resolution was introduced by the representative of Bulgaria at the 33rd meeting, on 11 November.

6. At its 41st meeting, on 18 November, the Committee adopted draft resolution A/C.1/40/L.34 by a recorded vote of 83 to 19, with 17 abstentions (see para. 7). The voting was as follows: 2/

1/ Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1).

2/ The delegations of Djibouti, Kuwait and the United Arab Emirates subsequently indicated that they had intended to vote in favour of the draft resolution.

In favour: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Bolivia, Botswana, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Guinea, Guyana, Haiti, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

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

Abstaining: Argentina, Austria, Bahamas, Brazil, Burma, Chad, China, Colombia, Greece, Honduras, India, Ireland, Ivory Coast (Côte d'Ivoire), Jamaica, Malaysia, Sweden, Uruguay.

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,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective

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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 such weapons,

Noting with satisfaction the determination of non-nuclear-weapon States in various parts of the world to prevent nuclear weapons from being introduced into their territories and to ensure the complete absence of such weapons in their respective regions, 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 encourage and contribute to the attainment of this objective,

Concerned at the continuing escalation of the arms race, in particular the nuclear-arms race having entered a qualitatively new stage, and the possibility of the use or threat of use of nuclear weapons and the danger of nuclear war,

Desirous of promoting the implementation of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, 3/ the first special session devoted to disarmament, 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 numerous resolutions on this subject as well as the relevant part of the special report of the Committee on Disarmament, 4/ submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament,

Noting that the Conference on Disarmament considered in 1985 the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons", and the work done by its Ad Hoc Committee on this item, as reflected in the report of the Conference on Disarmament, 5/

Noting further that this consideration revealed that an overwhelming number of delegations, including those of the nuclear-weapon States, stressed the importance of that item and their readiness to engage in a substantive dialogue on the issue,

3/ Resolution S-10/2.

4/ Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2), sect. III.C.

5/ Ibid., Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1), sect. III.F.

Recalling the proposals submitted on this subject to the General Assembly and in the Conference on Disarmament, including the drafts of an international convention, and the widespread international support for the conclusion of such a convention,

Further recalling that the idea of interim arrangements as a first step towards the conclusion of such a convention has also been considered in the Conference on Disarmament,

Welcoming once again the solemn declarations made by some nuclear-weapon States concerning non-first use of nuclear weapons, and convinced that, if all nuclear-weapon States were to assume obligations not to be the first to use nuclear weapons, that would be tantamount in practice to banning the use of nuclear weapons against all States, including all non-nuclear-weapon States,

Considering that the non-nuclear-weapon States having no nuclear weapons on their territories, have every right to receive reliable international legal guarantees against the use or threat of use of nuclear weapons,

Being aware that unconditional guarantees by all nuclear-weapon States not to use or threaten to use nuclear weapons under any circumstances against the non-nuclear-weapon States having no nuclear weapons on their territories should constitute an integral element of a mandatory system of norms regulating the relations between the nuclear-weapon States, which bear the primary responsibility for preventing a nuclear war, thus sparing mankind from its devastating consequences,

1. Reaffirms once again 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 and to find a common approach acceptable to all, which could be included in an international instrument of a legally binding character;

2. Considers that the Conference on Disarmament should continue to explore ways and means to overcome the difficulties encountered in carrying out negotiations on this question;

3. Requests the Conference on Disarmament to continue active consideration on this subject, including through re-establishment of the Ad Hoc Committee on the respective agenda item as soon as practicable, at its 1986 session, with a view to concluding an international instrument of a legally binding character to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

4. Decides to include in the provisional agenda of its forty-first session the item entitled "Conclusion of effective international arrangements on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons".
