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### CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

#### Report of the First Committee

Rapporteur: Mr. Yannis SOULIOTIS (Greece)

#### I. INTRODUCTION

1. The item entitled "Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects: report of the Secretary-General" was included in the provisional agenda of the fortieth session in accordance with General Assembly resolution 39/56 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 54, the First Committee had before it the following documents:
  - (a) Report of the Secretary-General (A/40/550);
  - (b) 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).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/40/L.32

5. On 6 November 1985, Austria, Belgium, Cuba, Denmark, Finland, France, Greece, Ireland, Italy, the Netherlands, New Zealand, Nigeria, Norway, Sweden and Yugoslavia submitted a draft resolution, entitled "Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects" (A/C.1/40/L.32), which was later also sponsored by Ecuador, the German Democratic Republic, Mongolia and Viet Nam. The draft resolution was introduced by the representative of Sweden at the 31st meeting on 7 November.

6. At its 37th meeting on 14 November, the Committee adopted draft resolution A/C.1/40/L.32 without a vote (see para. 7).

## III. RECOMMENDATION OF THE FIRST COMMITTEE

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

Convention on prohibitions or restrictions on the use of  
certain conventional weapons which may be deemed to be  
excessively injurious or to have indiscriminate effects

The General Assembly,

Recalling its resolutions 32/152 of 19 December 1977, 35/153 of 12 December 1980, 36/93 of 9 December 1981, 37/79 of 9 December 1982, 38/66 of 15 December 1983 and 39/56 of 12 December 1984,

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, together with the Protocol on Non-Detectable Fragments (Protocol I), the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), 1/

Reaffirming its conviction that general agreement on the prohibition or restriction of use of specific conventional weapons would significantly reduce the suffering of civilian populations and of combatants,

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1/ A/CONF.95/15 and Corr.2, annex I. For the printed text of the Convention and its Protocols see the United Nations Disarmament Yearbook, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

Taking note with satisfaction of the report of the Secretary-General, 2/

1. Notes with satisfaction that an increasing number of States have either signed, ratified, accepted or acceded to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which was opened for signature in New York on 10 April 1981;

2. Further notes with satisfaction that, consequent upon the fulfilment of the conditions set out in article 5 of the Convention, the Convention and the three Protocols annexed thereto entered into force on 2 December 1983;

3. Urges all States that have not yet done so to exert their best endeavours to become parties to the Convention and the Protocols annexed thereto as early as possible, so as ultimately to obtain universality of adherence;

4. Notes that, under article 8 of the Convention, conferences may be convened to consider amendments to the Convention or any of the annexed Protocols, to consider additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols, or to review the scope and operation of the Convention and the Protocols annexed thereto and to consider any proposal for amendments to the Convention or to the existing Protocols and any proposals for additional protocols relating to other categories or conventional weapons not covered by the existing Protocols;

5. Requests the Secretary-General as depositary of the Convention and its three annexed Protocols to inform the General Assembly from time to time of the state of adherence to the Convention and its Protocols;

6. Decides to include in the provisional agenda of its forty-first session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

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