

through re-establishment of the *Ad Hoc* Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons 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 an 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".

113th plenary meeting
12 December 1985

40/86. Conclusion of effective international arrangements 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 ally 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 to 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 the possibility of the use or threat of use of nuclear weapons,

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 force, including 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 resolutions 3261 G (XXIX) of 9 December 1974 and 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,¹⁰ 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,

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

Recalling its resolutions 33/72 B of 14 December 1978, 34/85 of 11 December 1979, 35/155 of 12 December 1980, 36/95 of 9 December 1981, 37/81 of 9 December

1982, 38/68 of 15 December 1983 and 39/58 of 12 December 1984,

Further recalling paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, *inter alia*, that all efforts should be exerted by the Committee on Disarmament¹⁵ urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its *Ad Hoc* Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons,¹⁷ with a view to reaching agreement on this item,

Noting the proposals submitted under this item in the Conference on Disarmament, including the drafts of an international convention,

Taking note of the decision of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,¹⁸ as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Fifteenth Islamic Conference of Foreign Ministers, held at Sanaa from 18 to 22 December 1984,¹⁹ calling upon the Conference on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Further noting the support expressed in the Conference 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, as well as the difficulties pointed out in evolving a common approach acceptable to all,

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 Conference 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 the difficulties as regards evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to demonstrate the political will necessary to reach agreement on a common approach and, in particular, on a common formula which could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including in particular those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. *Recommends* that the Conference on Disarmament should actively continue negotiations with a view to reaching early agreement and concluding effective international arrangements 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;

¹⁸ See A/38/132-S/15675 and Corr. 1 and 2, annex, sect. I, para. 30.

¹⁹ See A/40/173-S/17033, annex I.

6. *Decides* to include in the provisional agenda of its forty-first 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".

*113th plenary meeting
12 December 1985*

40/87. Prevention of an arms race in outer space

The General Assembly,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming that the exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

Reaffirming further the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes,

Recalling that the States parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,²⁰ have undertaken, in article III, to carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law and the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding,

Reaffirming, in particular, article IV of the above-mentioned Treaty, which stipulates that States parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies or station such weapons in outer space in any other manner,

Reaffirming also paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,¹⁰ the first special session devoted to disarmament, in which it is stated that, in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its resolutions 36/97 C and 36/99 of 9 December 1981, as well as resolutions 37/83 of 9 December 1982, 37/99 D of 13 December 1982, 38/70 of 15 December 1983 and 39/59 of 12 December 1984,

Gravely concerned at the danger posed to all mankind by an arms race in outer space and in particular by the impending threat of the exacerbation of the current state of insecurity by developments that could further undermine international peace and security, retard the pursuit of general and complete disarmament, and risk creating obstacles to the development of international co-operation in the peaceful uses of outer space,

Mindful of the widespread interest expressed by Member States in the course of the negotiations on and following the adoption of the above-mentioned Treaty in ensuring that the exploration and use of outer space should be for peaceful purposes, and taking note of proposals sub-

mitted to the General Assembly at its tenth special session and at its regular sessions and to the Conference on Disarmament,

Noting the grave concern expressed by the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space at the extension of an arms race into outer space and the recommendations²¹ made to the competent organs of the United Nations, in particular the General Assembly, and also to the Committee on Disarmament,¹⁵

Convinced that further measures are needed for the prevention of an arms race in outer space,

Recognizing that, in the context of multilateral negotiations for preventing an arms race in outer space, bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America could make a significant contribution to such an objective, in accordance with paragraph 27 of the Final Document of the Tenth Special Session,¹⁰

Noting with satisfaction that bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America have begun in 1985, on a complex of questions concerning space and nuclear arms, both strategic and intermediate-range, and in their interrelationship, with the declared objective of working out effective agreements aimed, *inter alia*, at preventing an arms race in outer space,

Anxious that concrete results should emerge from these negotiations as soon as possible, as was urged in resolution 39/59,

Taking note of the part of the report of the Conference on Disarmament relating to this question,²²

Welcoming the establishment of an *Ad Hoc* Committee on the prevention of an arms race in outer space during the 1985 session of the Conference on Disarmament, in the exercise of the negotiating responsibilities of this sole multilateral negotiating body on disarmament, to examine, as a first step at this stage, issues relevant to the prevention of an arms race in outer space,

Mindful that consensus had not yet been reached in the Conference on Disarmament on concrete proposals for re-establishing the *ad hoc* committee on this question during the 1986 session of the Conference on Disarmament,

1. *Recalls* the obligation of all States to refrain from the threat or use of force in their space activities;

2. *Reaffirms* that general and complete disarmament under effective international control warrants that outer space shall be used exclusively for peaceful purposes and that it shall not become an arena for an arms race;

3. *Emphasizes* that further measures with appropriate and effective provisions for verification to prevent an arms race in outer space should be adopted by the international community;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and to take immediate measures to prevent an arms race in outer space in the interest of maintaining international peace and security and promoting international co-operation and understanding;

5. *Requests* the Secretary-General to invite Member States to submit their views on the possibility of enhancing international co-operation in the field of preventing an arms race in outer space and the peaceful uses of outer

²⁰ Resolution 2222 (XXI), annex.

²¹ See *Report of the Second United Nations Conference on the Exploration and Peaceful Use of Outer Space*, Vienna, 9-21 August 1982 (A/CONF.101/10 and Corr.1 and 2), para. 426.

²² *Official Records of the General Assembly, Fortieth Session, Supplement No. 27 (A/40/27 and Corr.1)*, sect. III.E.