



General Assembly

Distr.
GENERAL

A/41/814
12 November 1986
ENGLISH
ORIGINAL: FRENCH

Forty-first session
Agenda item 51

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. Doulaye Corentin KI (Burkina Faso)

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 forty-first session in accordance with General Assembly resolution 40/84 of 12 December 1985.
2. At its 3rd plenary meeting, on 20 September 1986, 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 8 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, followed by statements on specific disarmament agenda items and a continuation of general debate, as necessary. The deliberations on those items, namely, items 46 to 65 and item 144, took place between the 3rd and the 32nd meetings, from 13 October to 4 November (see A/C.1/41/PV.3-32).
4. In connection with item 51, the First Committee had before it the following documents:
 - (a) Letter dated 15 May 1986 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the final documents of the Ministerial Meeting of the Co-ordinating Bureau of Non-Aligned Countries, held at New Delhi from 16 to 19 April 1986 (A/41/341-S/18065 and Corr.1);

(b) Letter dated 30 September 1986 from the Permanent Representative of Zimbabwe to the United Nations addressed to the Secretary-General, transmitting the final documents of the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare, Zimbabwe, from 1 to 6 September 1986 (A/41/697-S/18392);

(c) Note verbale dated 9 October 1986 from the Permanent Mission of Zimbabwe to the United Nations addressed to the Secretary-General, transmitting the final communiqué of the Meeting of Ministers and Heads of Delegation of the Non-Aligned Countries to the forty-first session of the General Assembly, held on 2 October 1986 in New York (A/41/703-S/18395).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/41/L.57

5. On 30 October 1986, Australia, Austria, Belgium, Cuba, Denmark, Finland, France, Greece, Ireland, Italy, the Netherlands, New Zealand, Nigeria, Norway, Sweden, Viet Nam 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.1/41/L.57). The draft resolution was introduced by the representative of Sweden at the 33rd meeting, on 5 November.

6. At its 37th meeting, on 10 November, the Committee adopted draft resolution A/C.1/41/L.57 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 resolution 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, 39/56 of 12 December 1984 and 40/84 of 12 December 1985,

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,

Taking note with satisfaction of the report of the Secretary-General submitted to the General Assembly at its fortieth session, 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 of 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-second 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".

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.

2/ A/40/550.