



## General Assembly

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Forty-first session  
SIXTH COMMITTEE  
Agenda item 129

REPORT OF THE AD HOC COMMITTEE ON THE DRAFTING OF AN INTERNATIONAL  
CONVENTION AGAINST THE RECRUITMENT, USE, FINANCING AND TRAINING OF  
MERCENARIES

Algeria, Angola, Bangladesh, Barbados, Cuba, Egypt, Ethiopia,  
German Democratic Republic, Ghana, Guyana, India, Iraq,  
Jamaica, Kenya, Lao People's Democratic Republic, Libyan Arab  
Jamahiriyah, Madagascar, Mexico, Mongolia, Morocco, Mozambique,  
Nicaragua, Nigeria, Senegal, Syrian Arab Republic, Togo,  
Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic,  
Viet Nam, Yugoslavia, Zaire and Zambia: draft resolution

The General Assembly,

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

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,

\* Reissued for technical reasons.

1/ Resolution 2625 (XXV), annex.

Recalling in particular its resolution 40/74 of 11 December 1985, 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 and to hold the sixth session of the Ad Hoc Committee for four weeks in 1986,

Bearing in mind its decision 40/472 of 9 May 1986, as well as the report of the Secretary-General on the current financial crisis of the United Nations, 2/ on the basis of which the Ad Hoc Committee did not hold its sixth session in 1986,

Taking into account the statement made by the Chairman of the Sixth Committee at the 25th meeting of that Committee 3/ and the views expressed by Member States on this matter during the discussion of the item at the forty-first session,

Recognizing that the activities of mercenaries are contrary to fundamental principles of international law, such as non-interference in the internal affairs of States, territorial integrity and independence, and seriously impede the process of self-determination of peoples 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 mercenaries would contribute immensely to the implementation of the purposes and principles of the Charter,

Taking account of the progress achieved by the Ad Hoc Committee at its previous sessions,

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

1. Decides 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 to enable it to continue its work on the drafting of an international convention against the recruitment, use, financing and training of mercenaries;

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2/ A/40/1102 and Corr.2 and 3, Add.1 and Add.1/Corr.1, Add.2 and Add.2/Corr.1 and Add.3 and 4.

3/ Official Records of the General Assembly, Forty-first Session, Sixth Committee, 25th meeting.

2. Requests the Ad Hoc Committee, in the fulfilment of its mandate, to use the draft articles contained in section IV of its report on its fifth session, 4/ entitled "Consolidated negotiating basis of a convention against the recruitment, use, financing and training of mercenaries", as a basis for future negotiation on the text of the proposed international convention;
3. 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 and forty-first sessions of the General Assembly during the debate in the Sixth Committee devoted to the consideration of the report of the Ad Hoc Committee;
4. Decides that the Ad Hoc Committee shall hold its sixth session early in 1987, for a period of four weeks;
5. Also decides that the Ad Hoc Committee shall accept the participation of observers of Member States, including participation in the meetings of its Working Groups;
6. 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 sixth session in 1987;
7. Requests the Ad Hoc Committee to make every effort to fulfil the mandate entrusted to it by the General Assembly and to proceed with all deliberate speed with drafting a convention;
8. Decides to include in the provisional agenda of its forty-second 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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