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Agenda item 30

GENERAL AND COMPLETE DISARMAMENT

Report of the First Committee

Rapporteur: Mr. Gustavo SANTISO GALVEZ (Guatemala)

1. The item entitled "General and complete disarmament: (a) report of the Conference of the Committee on Disarmament; (b) report of the International Atomic Energy Agency" was included by the Secretary-General in the provisional agenda of the twenty-seventh session (A/8760) on the basis of General Assembly resolution 2825 (XXVI) of 16 December 1971.
 2. At its 2037th plenary meeting, on 23 September 1972, the General Assembly, on the recommendation of the General Committee, decided to include the item entitled "General and complete disarmament: (a) report of the Conference of the Committee on Disarmament; (b) report of the International Atomic Energy Agency; (c) report of the Secretary-General under General Assembly resolution 2852 (XXVI), paragraph 5" in the agenda (A/8801) and to allocate it to the First Committee for consideration and report.
 3. At its 1860th meeting, on 9 October, the First Committee decided to have a combined general debate on the items relating to disarmament allocated to it, namely:
 - I. Item 26: World Disarmament Conference: report of the Secretary-General.
 - II. Item 27: Implementation of the results of the Conference of Non-Nuclear-Weapon States: report of the International Atomic Energy Agency.
- Item 30: General and complete disarmament:
- (a) Report of the Conference of the Committee on Disarmament;
 - (b) Report of the International Atomic Energy Agency;
 - (c) Report of the Secretary-General under General Assembly resolution 2852 (XXVI), paragraph 5.

Item 31: Chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament.

Item 32: Urgent need for suspension of nuclear and thermonuclear tests:

- (a) Report of the Conference of the Committee on Disarmament;
- (b) Report of the Secretary-General.

Item 33: Implementation of General Assembly resolution 2830 (XXVI) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco): report of the Secretary-General.

III. Item 34: Declaration of the Indian Ocean as a zone of peace: report of the Secretary-General.

It was also decided that any delegation would be free, if it so wished, to make more than one statement in the general debate and that, on the conclusion of that debate, the Committee would consider the draft proposals or resolutions under each item separately.

4. The general debate on the seven disarmament items took place at the 1872nd to 1890th meetings, from 23 October to 13 November.

5. The First Committee had before it, in connexion with agenda item 30, the following documents: (a) the report of the Conference of the Committee on Disarmament (A/8818); (b) the report of the International Atomic Energy Agency for the year ending 30 June 1972; ^{1/} (c) the report of the Secretary-General on napalm and other incendiary weapons and all aspects of their possible use, prepared pursuant to General Assembly resolution 2852 (XXVI), paragraph 5 (A/8803 and Corr.1); (d) a letter dated 3 November 1972 from the Chairman of the delegation of Mexico addressed to the Secretary-General (A/C.1/1026). On 3 November, a letter dated 25 October 1972 from the Acting Minister of Foreign Affairs of the German Democratic Republic to the Chairman of the First Committee concerning this item (A/C.1/1025) was circulated at the direction of the Chairman.

6. On 26 October, Mexico and Sweden submitted a draft resolution (A/C.1/L.616), which was introduced by the representative of Sweden at the 1882nd meeting on 2 November. Subsequently, the preamble of the draft resolution was revised and the revised draft resolution (A/C.1/L.616/Rev.1) was eventually sponsored by Afghanistan, Chile, Cyprus, Czechoslovakia, Ecuador, Egypt, Ethiopia, Ghana, Iraq, Ireland, Jamaica, Lebanon, Madagascar, Malta, Mauritius, Mexico, Morocco, Nigeria, Pakistan, Peru, Poland, Sierra Leone, the Sudan, Sweden, the United Republic of Tanzania, Yugoslavia and Zambia. The draft resolution read as follows:

^{1/} International Atomic Energy Agency, Annual Report, 1 July 1971-30 June 1972 (Vienna, July 1972); transmitted to the members of the General Assembly by a note of the Secretary-General (A/8774).

"The General Assembly,

"Conscious that all armed conflicts and the use of any weapons bring suffering and that the only effective means of eliminating this suffering is through the elimination of armed conflicts and general and complete disarmament,

"Recalling the general rules of international law that the use of weapons that cause unnecessary suffering is especially forbidden and that only military targets are legitimate objects of attack,

"Convinced that the widespread use of many weapons and the emergence of new methods of warfare that cause unnecessary suffering or are indiscriminate call urgently for renewed efforts by Governments to seek, through legal means, the prohibition of use of such weapons and of indiscriminate and cruel methods of warfare and, if possible, through measures of disarmament, the elimination of specific, especially cruel or indiscriminate weapons,

"Conscious that incendiary weapons have always constituted a category of arms viewed with horror and that the United Nations Conference on Human Rights in Teheran in 1968 in its resolution XXIII on human rights in armed conflicts held napalm bombing to be among methods and means that erode human rights and engender counterbrutality,

"Noting that complete proposals for both elimination and non-use of incendiary weapons were advanced at the disarmament negotiations in 1933 and that proposals have recently been made to prohibit or restrict their use,

"Recalling that the Secretary-General of the United Nations, in his reports on human rights in armed conflicts of 2 November 1969 (A/7720, para. 200) and of 18 September 1970 (A/8052, para. 125), stated the view that the legality or otherwise of the use of napalm would seem to be a question calling for study that might eventually be resolved in an international document that would clarify the situation,

"Recalling further that, in response to an express suggestion made by the Secretary-General in his 1970 report (A/8052, para. 126), the General Assembly, by paragraph 5 of resolution 2852 (XXVI), requested him to prepare as soon as possible, with the help of qualified governmental consultants, a report on napalm and other incendiary weapons and all aspects of their possible use,

"Noting that the report on napalm and other incendiary weapons (A/8803 and Corr.1) concludes that the massive spread of fire through incendiary weapons is largely indiscriminate in its effects on military and civilian targets,

"Noting further its conclusions that burn injuries, whether sustained directly from the action of incendiaries or as a result of fires initiated by

them, are intensely painful and require exceptional resources for their medical treatment that are far beyond the reach of most countries,

"Noting finally that the report also concludes that the rapid increase in the military use of these weapons is but one aspect of the more general phenomenon of the increasing mobilization of science and technology for purposes of total war, alongside which the long upheld principle of the immunity of the non-combatant appears to be receding from the military consciousness, and that these trends have grave implications for the world community,

"1. Welcomes the report submitted by the Secretary-General on napalm and other incendiary weapons and expresses appreciation to him for having presented it without delay;

"2. Takes note of the views expressed in the report regarding the use, production, development and stockpiling of napalm and other incendiary weapons;

"3. Commends the report to the attention of all Governments and peoples;

"4. Requests the Secretary-General to publish the report for wide circulation;

"5. Requests the Secretary-General to circulate the report to Member Governments for their comments and to report on these comments at the twenty-eighth session of the General Assembly."

7. On 14 November, Jordan, Kenya, Syria and Uganda submitted amendments (A/C.1/L.625) to draft resolution A/C.1/L.616/Rev.1. They subsequently submitted a revised text (A/C.1/L.625/Rev.1), by which a new operative paragraph 3 would be inserted after operative paragraph 2 of the revised draft resolution reading as follows:

"3. Deplores the use of napalm and other incendiary weapons in all armed conflicts."

8. On 13 November, Argentina, Brazil, Burma, Egypt, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden and Yugoslavia submitted a draft resolution (A/C.1/L.623) (for the text of the draft resolution, see para. 15 below, draft resolution B).

9. On 14 November, the Secretary-General submitted a statement (A/C.1/L.626) on the administrative and financial implications of draft resolution A/C.1/L.616/Rev.1.

10. At its 1894th meeting, on 16 November, the First Committee proceeded to vote on the draft resolutions before it under this item. The Committee took up first draft resolution A/C.1/L.616/Rev.1 and the amendment thereto, contained in document A/C.1/L.625/Rev.1. Cuba proposed the deletion of the words "and engender counterbrutality" at the end of the fourth preambular paragraph of draft resolution A/C.1/L.616/Rev.1.

11. The amendment contained in document A/C.1/L.625/Rev.1 was adopted by a roll-call vote of 83 to none, with 32 abstentions. The voting was as follows:

In favour: Afghanistan, Algeria, Bahrain, Bhutan, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Romania, Rwanda, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: None.

Abstaining: Argentina, Australia, Austria, Belgium, Bolivia, Canada, Central African Republic, Chad, Denmark, Finland, France, Greece, Indonesia, Iran, Ireland, Israel, Italy, Japan, Khmer Republic, Luxembourg, Malaysia, Netherlands, New Zealand, Norway, Philippines, Portugal, Singapore, South Africa, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

12. The Cuban oral amendment was adopted by a roll-call vote of 62 to 2, with 51 abstentions. The voting was as follows:

In favour: Algeria, Bahrain, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, China, Colombia, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, El Salvador, Gabon, Ghana, Guinea, Guyana, Haiti, Honduras, Hungary, Iraq, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Libyan Arab Republic, Madagascar, Mali, Mauritania, Mauritius, Mongolia, Morocco, Oman, Panama, Peru, Poland, Romania, Rwanda, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Venezuela, Yemen, Yugoslavia, Zambia.

Against: Sweden, Thailand.

Abstaining: Afghanistan, Argentina, Australia, Austria, Belgium, Bhutan, Bolivia, Brazil, Burma, Canada, Central African Republic, Costa Rica, Denmark, Egypt, Ethiopia, Fiji, Finland, France, Greece, Guatemala, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Khmer Republic, Lesotho, Liberia, Luxembourg, Malaysia, Malta, Mexico, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Philippines, Portugal, Singapore, South Africa, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

13. The revised draft resolution contained in document A/C.1/L.616/Rev.1, as amended, was adopted by a roll-call vote of 100 to none, with 15 abstentions (see para. 15 below, draft resolution A). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Austria, Bahrain, Bhutan, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Gabon, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: None.

Abstaining: Australia, Belgium, Canada, Central African Republic, France, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Portugal, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America.

14. At the same meeting, draft resolution A/C.1/L.623 was adopted by 82 votes to none, with 30 abstentions (see para. 15 below, draft resolution B).

RECOMMENDATIONS OF THE FIRST COMMITTEE

15. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

General and complete disarmament

A

The General Assembly,

Conscious that all armed conflicts and the use of any weapons bring suffering and that the only effective means of eliminating this suffering is through the elimination of armed conflicts and general and complete disarmament,

Recalling the general rules of international law that the use of weapons that cause unnecessary suffering is especially forbidden and that only military targets are legitimate objects of attack,

Convinced that the widespread use of many weapons and the emergence of new methods of warfare that cause unnecessary suffering or are indiscriminate call urgently for renewed efforts by Governments to seek, through legal means, the prohibition of use of such weapons and of indiscriminate and cruel methods of warfare and, if possible, through measures of disarmament, the elimination of specific, especially cruel or indiscriminate weapons,

Conscious that incendiary weapons have always constituted a category of arms viewed with horror and that the International Conference on Human Rights held at Teheran in 1968, in its resolution XXIII on human rights in armed conflicts, 2/ considered napalm bombing to be among methods and means that erode human rights,

Noting that complete proposals for both elimination and non-use of incendiary weapons were advanced at the disarmament negotiations in 1933 and that proposals have recently been made to prohibit or restrict their use,

Recalling that the Secretary-General, in his reports on human rights in armed conflicts of 20 November 1969 3/ and 18 September 1970, 4/ stated the view that the legality or otherwise of the use of napalm would seem to be a question calling for study that might eventually be resolved in an international document that would clarify the situation,

Recalling further that, in response to an express suggestion made by the Secretary-General in his report of 18 September 1970, 5/ the General Assembly,

2/ Final Act of the International Conference on Human Rights (United Nations publication, Sales No.: E.68.XIV.2), p. 18.

3/ A/7720, para. 200.

4/ A/8052, para. 125.

5/ Ibid., para. 126.

by paragraph 5 of resolution 2852 (XXVI) of 20 December 1971, requested him to prepare as soon as possible, with the help of qualified governmental consultant experts, a report on napalm and other incendiary weapons and all aspects of their possible use,

Noting that the report on napalm and other incendiary weapons and all aspects of their possible use 6/ concludes that the massive spread of fire through incendiary weapons is largely indiscriminate in its effects on military and civilian targets,

Noting further the conclusions that burn injuries, whether sustained directly from the action of incendiaries or as a result of fires initiated by them, are intensely painful and require exceptional resources for their medical treatment that are far beyond the reach of most countries,

Noting finally the conclusions that the rapid increase in the military use of these weapons is but one aspect of the more general phenomenon of the increasing mobilization of science and technology for purposes of total war, alongside which the long upheld principle of the immunity of the non-combatant appears to be receding from the military consciousness, and that these trends have grave implications for the world community,

1. Welcomes the report of the Secretary-General on napalm and other incendiary weapons and all aspects of their possible use and expresses appreciation to him for having submitted it without delay;
2. Takes note of the views expressed in the report regarding the use, production, development and stockpiling of napalm and other incendiary weapons;
3. Deplores the use of napalm and other incendiary weapons in all armed conflicts;
4. Commends the report to the attention of all Governments and peoples;
5. Requests the Secretary-General to publish the report for wide circulation;
6. Requests the Secretary-General to circulate the report to the Governments of Member States for their comments and to report on these comments to the General Assembly at its twenty-eighth session.

B

The General Assembly,

Recalling its resolution 2602 A (XXIV) of 16 December 1969, whereby it appealed to the Governments of the Union of Soviet Socialist Republics and the

6/ A/8803 and Corr.1.

United States of America, which on 17 November 1969 had initiated bilateral negotiations on the limitation of offensive and defensive strategic nuclear weapon systems, to agree, as an urgent preliminary measure, on a moratorium on further testing and deployment of new offensive and defensive strategic nuclear weapon systems,

Noting with satisfaction that the first phase of such negotiations resulted in the conclusion, on 26 May 1972, of three bilateral instruments on the above-mentioned matter 7/ and that the Union of Soviet Socialist Republics and the United States of America announced that they have entered, on 21 November 1972, a second phase of negotiations,

Convinced of the necessity that the renewed negotiations should bring about early and positive results in the field of nuclear disarmament,

1. Appeals to the Governments of the Union of Soviet Socialist Republics and the United States of America to make every effort to expedite the conclusion of further agreements including important qualitative limitations and substantial reductions of offensive and defensive strategic nuclear weapon systems;

2. Invites those two Governments to keep the General Assembly informed of the results of their negotiations.

7/ See A/C.1/1026.