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Agenda item 48

COMPLIANCE WITH ARMS LIMITATION AND DISARMAMENT AGREEMENTS

Report of the First Committee

Rapporteur: Mr. Pablo Emilio SADER (Uruguay)

I. INTRODUCTION

1. The item entitled "Compliance with arms limitation and disarmament agreements" was included in the provisional agenda of the forty-sixth session of the General Assembly in accordance with Assembly resolution 44/122 of 15 December 1989.
2. At its 3rd plenary meeting, on 20 September 1991, 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 10 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 47 to 65. The deliberations on those items took place between the 3rd and 24th meetings, from 14 to 30 October (see A/C.1/46/PV.3-24). Consideration of and action on draft resolutions on those items took place between the 25th and 37th meetings, from 4 to 15 November (see A/C.1/46/PV.25-37).
4. In connection with item 48, the First Committee had before it the following documents:

(a) Letter dated 23 September 1991 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General (A/46/493);

(b) Letter dated 8 November 1991 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General, transmitting the text of the Declaration of Non-nuclear Korean Peninsula Peace Initiative, made on 8 November 1991 (A/46/621-S/23201).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/46/L.26

5. On 1 November, Australia, Austria, Belarus, Belgium, Bulgaria, Cameroon, Canada, Colombia, Costa Rica, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Samoa, Spain, Sweden, Thailand, Turkey, Ukraine, Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, United States of America and Zaire, submitted a draft resolution entitled "Compliance with arms limitation and disarmament agreements" (A/C.1/46/L.26), which was later also sponsored by Bolivia, the Republic of Korea and Senegal. The draft resolution was introduced by the representative of the United States of America at the 31st meeting, on 7 November.

6. At its 32nd meeting, on 8 November, the Committee adopted draft resolution A/C.1/46/L.26 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:

Compliance with arms limitation and disarmament agreements

The General Assembly,

Reaffirming its resolution 44/122 of 15 December 1989,

Recognizing the abiding concern of all Member States for maintaining respect for rights and obligations arising from treaties and other sources of international law,

Convinced that observance of the Charter of the United Nations, relevant treaties and other sources of international law is essential for the strengthening of international security,

Mindful, in particular, of the fundamental importance of full implementation and strict observance of agreements on arms limitation and disarmament if individual nations and the international community are to derive enhanced security from them,

Stressing that any violation of such agreements not only adversely affects the security of States parties but can also create security risks for other States relying on the constraints and commitments stipulated in those agreements,

Stressing also that any weakening of confidence in such agreements diminishes their contribution to global or regional stability and to further

disarmament and arms limitation efforts and undermines the credibility and effectiveness of the international legal system,

Recognizing, in this context, that full compliance by parties with existing agreements and resolving compliance concerns effectively can, inter alia, facilitate the conclusion of additional arms limitation and disarmament agreements,

Believing that compliance with arms limitation and disarmament agreements by States parties is a matter of interest and concern to all members of the international community, and noting the role that the United Nations has played and should continue to play in that regard,

Convinced that resolution of non-compliance questions that have arisen with regard to agreements on arms limitations and disarmament would contribute to better relations among States and the strengthening of world peace and security,

Noting recent developments in international relations, and welcoming the universal recognition of the critical importance of the question of compliance with and verification of arms limitation and disarmament agreements,

1. Urges all States parties to arms limitation and disarmament agreements to implement and comply with the entirety of the spirit and provisions of such agreements;

2. Calls upon all Member States to give serious consideration to the implications of non-compliance with those obligations for international security and stability, as well as for the prospects for further progress in the field of disarmament;

3. Also calls upon all Member States to support efforts aimed at the resolution of non-compliance questions, with a view to encouraging strict observance by all parties of the provisions of arms limitation and disarmament agreements and maintaining or restoring the integrity of such agreements;

4. Welcomes the role that the United Nations has played in restoring the integrity of certain arms limitation and disarmament agreements and in the removal of threats to peace;

5. Requests the Secretary-General to continue to provide assistance that may be necessary in restoring and protecting the integrity of arms limitation and disarmament agreements;

6. Encourages efforts by States parties to develop additional cooperative measures, as appropriate, that can increase confidence in compliance with existing arms limitation and disarmament agreements and reduce the possibility of misinterpretation and misunderstanding;

7. Notes in this connection the contribution that verification experiments and research can make and already have made in confirming and improving verification procedures in arms limitation and disarmament agreements under negotiation, thereby providing an opportunity, from the time that such agreements enter into force, for enhanced confidence in the effectiveness of verification procedures as a basis for determining compliance;

8. Decides to include in the provisional agenda of its forty-eighth session the item entitled "Compliance with arms limitation and disarmament agreements".
