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Agenda item 64

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. Pablo Emilio SADER (Uruguay)

### 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" was included in the provisional agenda of the forty-sixth session of the General Assembly in accordance with Assembly resolution 45/64 of 4 December 1990.
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 1991, 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 64, 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) Note verbale dated 4 November 1991 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General (A/C.1/46/15).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/46/L.13

5. On 30 October, Australia, Austria, Belarus, Belgium, Cuba, Denmark, Finland, France, Greece, Iceland, Ireland, Italy, the Netherlands, New Zealand, Norway, Sweden, the Union of Soviet Socialist Republics, 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.1/46/L.13), which was later also sponsored by Bolivia, the Lao People's Democratic Republic and Samoa. The draft resolution was introduced by the representative of Sweden at the 29th meeting, on 6 November.

6. At its 32nd meeting, on 8 November, the Committee adopted draft resolution A/C.1/46/L.13 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 resolutions 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, 40/84 of 12 December 1985, 41/50 of 3 December 1986, 42/30 of 30 November 1987, 43/67 of 7 December 1988 and 45/64 of 4 December 1990,

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, 1/ together with the Protocol on Non-Detectable Fragments (Protocol I), 1/ the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) 1/ and the Protocol

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1/ See The United Nations Disarmament Yearbook, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

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, 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. Also 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. Stresses 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. Notes, taking into account the nature of the Convention, the potential of the International Committee of the Red Cross to consider questions pursuant to the Convention;

6. 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;

7. Decides to include in the provisional agenda of its forty-seventh 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".