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Agenda item 58IMPLEMENTATION OF THE DECLARATION ON THE
DENUCLEARIZATION OF AFRICAReport of the First CommitteeRapporteur: Mr. Pablo Emilio SADER (Uruguay)

I. INTRODUCTION

1. The item entitled "Implementation of the Declaration on the Denuclearization of Africa" was included in the provisional agenda of the forty-sixth session of the General Assembly in accordance with Assembly resolution 45/56 A and B 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 58, the First Committee had before it the following documents:
 - (a) Report of the Secretary-General on South Africa's nuclear-tipped ballistic missile capability (A/46/357 and Add.1);
 - (b) Report of the Secretary-General on the nuclear capability of South Africa (A/46/572);

(c) Letter dated 11 July 1991 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General (A/46/302);

(d) Letter dated 10 July 1991 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/46/303);

(e) Letter dated 19 September 1991 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, transmitting the text of the documents adopted by the Twentieth Islamic Conference of Foreign Ministers, held at Istanbul from 4 to 8 August 1991 (A/46/486-S/23055);

(f) 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);

(g) Letter dated 15 October 1991 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General, transmitting, on behalf of the Chairman of the Organization of African Unity (OAU), the report of the experts who met at the General Secretariat of the OAU to examine the modalities and elements for the preparation of a convention or treaty on the denuclearization of Africa (A/C.1/46/9);

(h) Letter dated 11 November 1991 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General (A/C.1/46/18).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.1/46/L.41

5. On 1 November 1991, Ethiopia, on behalf of the Group of African States, submitted a draft resolution entitled "Implementation of the Declaration" (A/C.1/46/L.41).

6. In connection with the draft resolution, the Secretary-General submitted a statement on its programme budget implications (A/C.1/46/L.46).

7. At its 36th meeting, on 15 November, the Committee adopted draft resolution A/C.1/46/L.41 without a vote (see para. 12, draft resolution A).

B. Draft resolutions A/C.1/46/L.42 and Rev.1 and 2

8. On 1 November, Botswana, Kenya, Lesotho, Liberia, Nigeria, Swaziland and Togo submitted a draft resolution entitled "Nuclear capability of South Africa" (A/C.1/46/L.42). The draft resolution read as follows:

"The General Assembly,

"Having considered the report of the Secretary-General on the nuclear capability of South Africa, 1/

"Recalling its resolutions 34/76 B of 11 December 1979, 35/146 A of 12 December 1980, 36/86 A of 9 December 1981, 37/74 B of 9 December 1982, 38/181 B of 20 December 1983, 39/61 B of 12 December 1984, 40/89 B of 12 December 1985, 41/55 B of 3 December 1986, 42/34 B of 30 November 1987, 43/71 B of 7 December 1988, 44/113 B of 15 December 1989 and 45/56 B of 4 December 1990,

"Having considered the Secretary-General's reports on South Africa's nuclear-tipped ballistic missile capability,

"Having also considered the report of the Group of Experts 2/ set up jointly by the United Nations and the Organization of African Unity, which held its 1st meeting at Addis Ababa from 6 to 10 May 1991,

"Bearing in mind the Declaration on the Denuclearization of Africa 3/ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

"Bearing in mind also resolution GC(XXXV)/RES/567 on South Africa's nuclear capabilities, adopted by the General Conference of the International Atomic Energy Agency on 20 September 1991, 4/

"Taking note of South Africa's accession to the Treaty on the Non-proliferation of Nuclear Weapons 5/ on 10 July 1991,

"Taking note further of the fact that the South African Government has negotiated and signed a safeguards agreement 6/ with the International

"1/ A/46/572.

"2/ A/C.1/46/9, annex.

"3/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

"4/ See International Atomic Energy Agency, Resolutions and Other Decisions of the General Conference, Thirty-fifth Regular Session, 16-20 September 1991.

"5/ Resolution 2373 (XXII), annex.

"6/ IAEA document INFCIRC/394.

Atomic Energy Agency and committed itself to early and full implementation of the agreement in its statement in the September 1991 session of the Board of Governors of the International Atomic Energy Agency,

"Stressing that the full disclosure of South Africa's nuclear installations and materials is essential to the peace and security of the region,

"1. Calls upon South Africa to comply fully with the implementation of its safeguards agreement with the International Atomic Energy Agency;

"2. Also calls upon South Africa to disclose all its nuclear installations and materials as a conference-building measure and to enhance peace and security in the region;

"3. Requests the Director General of the International Atomic Energy Agency to ensure early implementation of the safeguards agreement in accordance with resolution GC(XXXV)/RES/567 adopted by the General Conference of the International Atomic Energy Agency on 20 September 1991;

"4. Requests the Secretary-General to follow closely the measures taken by the Director General of the International Atomic Energy Agency to verify the completeness of the inventory of South Africa's nuclear installations and materials and to report thereon to the General Assembly at its forty-seventh session;

"5. Urges all Member States to assist and cooperate with the Secretary-General and the Director General of the International Atomic Energy Agency to this end;

"6. Commends the Secretary-General for the diligence with which he rendered effective assistance to the Organization of African Unity in organizing the meeting of the above-mentioned Group of Experts;

"7. Further requests the Secretary-General to report on the implementation of the present resolution to the General Assembly at its forty-seventh session."

9. On 11 November, the sponsors submitted a revised draft resolution (A/C.1/46/L.42/Rev.1), which contained the following changes:

(a) In operative paragraph 2, the words "as a conference-building measure and to enhance peace and security in the region" were deleted and replaced by the words "in conformity with its treaty obligations, and to enhance confidence-building, peace and security in the region";

(b) In operative paragraph 4, the words "to follow closely the measures" were replaced by "to report to the General Assembly at its forty-seventh

session on the measures", and, at the end of the paragraph, the phrase "and to report thereon to the General Assembly at its forty-seventh session" was deleted.

10. On 14 November, the draft resolution was further revised (A/C.1/46/L.42/Rev.2), as follows:

(a) Gabon was listed as the sponsor, on behalf of the Group of African States;

(b) A new tenth preambular paragraph was added, which read as follows:

"Concerned about the transfer of nuclear missile technology to South Africa by a certain State commonly known for its collaboration with South Africa";

(c) A new operative paragraph 3 was added, which read as follows:

"3. Calls upon all States, corporations, institutions and individuals not to engage in collaboration with South Africa that may lead it to violate its commitments under the Treaty on the Non-Proliferation of Nuclear Weapons and its safeguards agreement with the International Atomic Energy Agency"

and the subsequent paragraphs were renumbered accordingly.

11. At its 36th meeting, on 15 November, the Committee voted on draft resolution A/C.1/46/L.42/Rev.2, as follows:

(a) The tenth preambular paragraph was adopted by a recorded vote of 82 to 32, with 24 abstentions. The voting was as follows: 1/

In favour: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Ethiopia, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal,

1/ Subsequently, the delegations of the Congo, Gabon and Zimbabwe indicated that they had intended to vote in favour of the tenth preambular paragraph.

Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire.

Against: Australia, Belgium, Bulgaria, Canada, Côte d'Ivoire, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Republic of Korea, Romania, Samoa, Solomon Islands, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Albania, Argentina, Austria, Bahamas, Barbados, Belarus, Central African Republic, Cyprus, Fiji, Gabon, Greece, Grenada, Ireland, Jamaica, Liechtenstein, Malta, Mauritius, Paraguay, Portugal, Turkey, Ukraine, Union of Soviet Socialist Republics, Uruguay, Zimbabwe.

(b) Operative paragraph 3 was adopted by a recorded vote of 89 to 31, with 19 abstentions. The voting was as follows: 2/

In favour: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, Ukraine, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

Against: Australia, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Israel, Italy, Japan, Latvia, Lithuania,

2/ Subsequently, the delegations of the Congo and Gabon indicated that they had intended to vote in favour of operative paragraph 3.

Luxembourg, Netherlands, New Zealand, Norway, Papua New Guinea, Poland, Republic of Korea, Romania, Samoa, Solomon Islands, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Albania, Argentina, Austria, Bahamas, Barbados, Côte d'Ivoire, Fiji, Gabon, Greece, Grenada, Ireland, Jamaica, Liechtenstein, Malta, Mauritius, Paraguay, Portugal, Turkey, Uruguay.

(c) The draft resolution, as a whole, was adopted by a recorded vote of 94 to 1, with 46 abstentions (see para. 12, draft resolution B). The voting was as follows: 3/

In favour: Afghanistan, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

Against: Israel.

Abstaining: Albania, Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Poland, Portugal, Republic of Korea, Romania, Samoa, Solomon Islands, Spain, Sweden, Turkey, Ukraine, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

3/ Subsequently the delegations of the Congo and Gabon indicated that they had intended to vote in favour of the draft resolution as a whole.

III. RECOMMENDATIONS OF THE FIRST COMMITTEE

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

Implementation of the Declaration on the Denuclearization of Africa

A

Implementation of the Declaration

The General Assembly.

Bearing in mind the Declaration on the Denuclearization of Africa 4/ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964, in which they solemnly declare their readiness to undertake, through an international agreement to be concluded under United Nations auspices, not to manufacture or acquire control of atomic weapons,

Recalling its resolution 1652 (XVI) of 24 November 1961, its earliest on the subject, as well as its resolutions 2033 (XX) of 3 December 1965, 31/69 of 10 December 1976, 32/81 of 12 December 1977, 33/63 of 14 December 1978, 34/76 A of 11 December 1979, 35/146 B of 12 December 1980, 36/86 B of 9 December 1981, 37/74 A of 9 December 1982, 38/181 A of 20 December 1983, 39/61 A of 12 December 1984, 40/89 A of 12 December 1985, 41/55 A of 3 December 1986, 42/34 A of 30 November 1987, 43/71 A of 7 December 1988, 44/133 A of 15 December 1989 and 45/56 A of 4 December 1990, in which it called upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone,

Bearing in mind the provisions of resolution CM/Res.1342 (LIV) 5/ on the implementation of the Declaration on the Denuclearization of Africa adopted by the Council of Ministers of the Organization of African Unity at its fifty-fourth ordinary session, held at Abuja from 27 May to 1 June 1991,

Taking note of South Africa's accession to the Treaty on the Non-Proliferation of Nuclear Weapons 6/ on 10 July 1991,

4/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

5/ See A/46/390, annex I.

6/ Resolution 2373 (XXII), annex.

Taking note also of the fact that the South African Government has negotiated and signed a safeguards agreement with the International Atomic Energy Agency and committed itself to early and full implementation of the agreement in its statement at the September 1991 session of the Board of Governors of the International Atomic Energy Agency,

Having considered the report of the Group of Experts set up jointly by the Organization of African Unity and the United Nations, which held its first meeting at Addis Ababa from 6 to 10 May 1991, 7/

Convinced that the evolution of the international situation is conducive to the implementation of the Declaration on the Denuclearization of Africa of 1964, as well as the relevant provisions of the Declaration on Security, Disarmament and Development of 1968 of the Organization of African Unity,

1. Reaffirms that the implementation of the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity would be an important measure to prevent the proliferation of nuclear weapons and to promote international peace and security;
2. Strongly renews its call upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone;
3. Commends the Secretary-General for the diligence with which he rendered effective assistance to the Organization of African Unity in organizing the meeting of the Group of Experts;
4. Requests the Secretary-General, in consultation with the Organization of African Unity, to take appropriate action to enable the Group of Experts designated by the United Nations in cooperation with the Organization of African Unity, to meet during 1992, in order to complete its work as indicated in paragraph 37 of its report, 7/ and to submit the report of the Group of Experts to the General Assembly at its forty-seventh session;
5. Decides to include in the provisional agenda of its forty-seventh session the item entitled "Implementation of the Declaration on the Denuclearization of Africa".

B

Nuclear capability of South Africa

The General Assembly,

Having considered the report of the Secretary-General on the nuclear capability of South Africa, 8/

Recalling its resolutions 34/76 B of 11 December 1979, 35/146 A of 12 December 1980, 36/86 A of 9 December 1981, 37/74 B of 9 December 1982, 38/181 B of 20 December 1983, 39/61 B of 12 December 1984, 40/89 B of 12 December 1985, 41/55 B of 3 December 1986, 42/34 B of 30 November 1987, 43/71 B of 7 December 1988, 44/113 B of 15 December 1989 and 45/56 B of 4 December 1990,

Having considered the report of the Secretary-General on South Africa's nuclear-tipped ballistic missile capability, 9/

Having also considered the report of the Group of Experts 7/ set up jointly by the United Nations and the Organization of African Unity, which held its first meeting at Addis Ababa from 6 to 10 May 1991,

Bearing in mind the Declaration on the Denuclearization of Africa 4/ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

Bearing in mind also resolution GC(XXXV)/RES/567 on South Africa's nuclear capabilities, adopted on 20 September 1991 by the General Conference of the International Atomic Energy Agency, 10/

Taking note of South Africa's accession to the Treaty on the Non-Proliferation of Nuclear Weapons 6/ on 10 July 1991,

Taking note also of the fact that the South African Government has negotiated and signed a safeguards agreement 11/ with the International Atomic Energy Agency and committed itself to early and full implementation of the

8/ A/46/572.

9/ A/46/357 and Add.1.

10/ See International Atomic Energy Agency, Resolutions and Other Decisions of the General Conference, Thirty-fifth Regular Session, 16-20 September 1991.

11/ IAEA document INFCIRC/394.

agreement in its statement at the September 1991 session of the Board of Governors of the International Atomic Energy Agency,

Stressing that the full disclosure of South Africa's nuclear installations and materials is essential to the peace and security of the region,

Concerned about the transfer of nuclear missile technology to South Africa by a certain State commonly known for its collaboration with South Africa,

1. Calls upon South Africa to comply fully with the implementation of its safeguards agreement with the International Atomic Energy Agency;
2. Also calls upon South Africa to disclose all its nuclear installations and materials in conformity with its treaty obligations, and to enhance confidence-building, peace and security in the region;
3. Calls upon all States, corporations, institutions and individuals not to engage in collaboration with South Africa that may lead it to violate its commitments under the Treaty on the Non-Proliferation of Nuclear Weapons and its safeguards agreement with the International Atomic Energy Agency;
4. Requests the Director General of the International Atomic Energy Agency to ensure early implementation of the safeguards agreement in accordance with resolution GC(XXXV)/RES/567 adopted on 20 September 1991 by the General Conference of the International Atomic Energy Agency;
5. Requests the Secretary-General to report to the General Assembly at its forty-seventh session on the measures taken by the Director General of the International Atomic Energy Agency to verify the completeness of the inventory of South Africa's nuclear installations and materials;
6. Urges all Member States to assist and cooperate with the Secretary-General and the Director General of the International Atomic Energy Agency to this end;
7. Commends the Secretary-General for the diligence with which he rendered effective assistance to the Organization of African Unity in organizing the meeting of the Group of Experts;
8. Also requests the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.
