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Thirty-fifth session
SIXTH COMMITTEE
Agenda item 29

DRAFTING OF AN INTERNATIONAL CONVENTION AGAINST THE RECRUITMENT,
USE, FINANCING AND TRAINING OF MERCENARIES: REPORT OF THE
SECRETARY-GENERAL

Afghanistan, Algeria, Angola, Barbados, Benin, Cuba, Democratic Yemen,
Egypt, Ethiopia, Ghana, Guinea, Guyana, India, Jamaica,
Libyan Arab Jamahiriya, Mexico, Mongolia, Morocco, Niger, Nigeria,
Panama, Papua New Guinea, Romania, Senegal, Sierra Leone,
Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic,
Viet Nam, Yugoslavia, Zaire and Zambia: draft resolution

The General Assembly,

Bearing in mind the need for the strict observance of the principles of sovereign equality, political independence, territorial integrity of States and self-determination of peoples as enshrined in the Charter of the United Nations and developed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States, in accordance with the Charter of the United Nations,

Recalling its resolutions, notably 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, as well as resolution 1514 (XV) of 14 December 1960, and also Security Council resolutions 405 (1977) of 14 April 1977 and 419 (1977) of 24 November 1977, in which it denounced the practice of using mercenaries against developing countries and national liberation movements,

Recalling also resolution 34/140 of 14 December 1979 urging States to adopt effective measures to prohibit the recruitment, training, assembly, transit and use of mercenaries,

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 the activities of mercenaries has 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 of the United Nations,

Having taken note of the views and comments expressed by Member States on the item,

1. Decides to establish an ad hoc committee on the "drafting of an international convention against the recruitment, use, financing and training of mercenaries" composed of thirty-five Member States;
2. Requests the President of the thirty-fifth session of the General Assembly, after due consultations with the chairmen of the regional groups, to appoint the members of the Committee on the basis of equitable geographical distribution and representing the principal legal systems of the world;
3. Requests the Ad Hoc Committee to elaborate at the earliest possible date an international convention to prohibit the recruitment, use, financing and training of mercenaries;
4. Authorizes the Committee in the fulfilment of its mandate to take into account suggestions and proposals from any State, bearing in mind the views and comments communicated to the Secretary-General and those expressed during the debate on this item at the thirty-fifth session of the General Assembly;
5. Requests the Secretary-General to compile a list of all relevant legislation of Member States and any other conventions and protocols additional thereto of international and regional organizations on the mercenaries and to place such materials at the disposal of the Committee;
6. Requests the Secretary-General to provide the Committee with any assistance and facilities it may require for the performance of its work;
7. Requests the Committee to present its report to the General Assembly at its thirty-sixth session;
8. Decides to include 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" in the provisional agenda of its thirty-sixth session.