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UNITED NATIONS PUBLICATION

Sales No. E.97.IX.1

ISBN 92-1-142222-1

ISSN 0252-5607

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Manufactured in the United States of America

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NOTE

The *United Nations Disarmament Yearbook* contains a review of the main developments and negotiations in the field of disarmament and arms regulation each year. The Centre for Disarmament Affairs has endeavoured to make the publication as concise as possible without diminishing its usefulness as a reference work. Background information is greatly condensed; thus readers may wish to consult previous editions of *The Yearbook*. No substantive introduction is provided in chapters dealing with subjects of a technical nature.

Factual information in tabular form is provided in the appendices. The status of multilateral and regional disarmament agreements is presented in appendix I; as the texts of legal instruments concluded or signed in 1996 appear in the fifth edition of *Status of Multilateral Arms Regulation and Disarmament Agreements* (Sales No. E.97.IX.3), they are not reprinted in this appendix. With regard to resolutions on disarmament adopted by the General Assembly, texts are consolidated in appendix IV, information on sponsorship and voting is presented in appendix V and voting patterns are reproduced in appendix VI. Appendices II and III contain final documents of review conferences.

The Yearbook, produced under the general direction of Prvoslav Davinic, Director of the Centre for Disarmament Affairs, and Evgeniy Gorkovskiy, Deputy Director, was prepared by the following team: *coordinator/editor*: Carolyn Cooper; *contributors*: Timur Alasaniya, Vladimir Bogomolov, Michael Cassandra, Tam Chung, Hannelore Hoppe, Tsutomu Ishiguri, Jenifer Mackby, Tamara Malinova, Oksana Myers, Morgan O'Toole-Smith and Jerzy Zaleski; *research assistance/language editing*: Josefina Belamide-Zweig, Nancy Grossman and Molly Messai; *typesetting*: Bertha Mae Ortiz.

The designation of States referred to throughout the volume is as of 31 December 1996.

CHAPTER I

Comprehensive Nuclear-Test-Ban Treaty

Introduction

THE ADOPTION OF THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY, (CTBT) declared the Secretary-General upon opening the Treaty for signature on 24 September 1996, was a bold act by the General Assembly that realized a long-standing objective of the international community. In fact the issue of banning nuclear test explosions has been on the agenda of multilateral, trilateral and bilateral negotiations and deliberations for more than 40 years. Its conclusion thus marked a milestone in the history of efforts in favour of nuclear disarmament and non-proliferation.

Concerns first arose about nuclear testing in the mid-1950s as the general public became increasingly aware of the harmful effects of the radioactive fallout from atmospheric nuclear tests. World-wide public protests led Governments to pursue a ban on nuclear-weapon tests as an element of comprehensive plans for arms control and disarmament, then as a separate measure interlinked with progress in other disarmament areas and finally as an arms limitation issue on its own. During the cold war, three treaties on nuclear testing, none comprehensive, were concluded—the multilateral Partial Test-Ban Treaty (PTBT) of 1963¹ and the two bilateral treaties on limitation of yields of nuclear tests for military and peaceful purposes between the former USSR

¹ The text of the Treaty is reproduced in *Status of Multilateral Arms Regulation and Disarmament Agreements*, 4th edition: 1992 (United Nations publication, Sales No. E.93.IX.11) (hereafter referred to as *Status*), vol. 1.

and the United States.² The latter two treaties, signed, respectively, in 1974 and 1976, entered into force in 1990 after intensive negotiations on verification provisions that helped set the stage for progress once the cold war was over.

Although the Geneva multilateral negotiating body—the Conference on Disarmament (CD)—had long been involved with the issue of a test ban, only in 1982 did it establish a subsidiary body on the item. Disagreement over a mandate for that body, however, blocked tangible progress.

The end of the cold war brought in its wake a greater willingness among the nuclear-weapon States to respond to a growing and massive international public demand to end nuclear testing once and for all. In 1993, the members of the CD, including the five declared nuclear-weapon Powers, agreed on a mandate for an ad hoc committee that allowed for negotiations to begin in 1994 on a “universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which contributes to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects”.³

The CD concluded a draft comprehensive nuclear-test-ban treaty (CTBT) in August 1996 after two and a half years of intense negotiations that at times captured the attention of the entire world. That draft, however, did not command consensus, and so the CD was not able to transmit it to the General Assembly. Capitalizing on the political momentum gained in the negotiations and the heightened international expectation for finalization of a global ban, an overwhelming majority of Member States of the Assembly adopted, on 10 September, a CTBT identical to that produced by the CD. As depositary, the Secretary-General opened the Treaty for signature on 24 September.

The adoption and signature of the CTBT by all five nuclear-weapon States gave legal standing to the unilateral moratoriums on

² Namely, Treaty on the Limitation of Underground Nuclear Weapon Tests and Treaty on Underground Nuclear Explosions for Peaceful Purposes.

³ CD/1238.

testing that each had declared after conducting its last tests.⁴ It also demonstrated the usefulness of the unilateral approach in moving towards multilateral arms limitation and disarmament agreements.

Conclusion of the Treaty obviated the need to continue the parallel efforts launched by a number of non-aligned countries, States parties to the PTBT, in the 1980s. Concerned about the slow pace of progress in the CD, they had proposed to achieve a comprehensive test ban by formally amending the PTBT. No agreement was reached, however, on such a procedure at the Amendment Conference held in New York in January 1991. A follow-up meeting held in August 1993 coincided with the adoption in Geneva of the mandate referred to above, which initiated negotiations in the Ad Hoc Committee of the CD, which remained the focus of international efforts.

Conclusion of the CTBT also meant fulfilment of the first measure towards implementation of article VI of the Nuclear Non-Proliferation Treaty (NPT)—completion of the negotiations on the CTBT “no later than 1996”—that had been agreed upon at the 1995 NPT Conference.⁵ In addition, it meant fulfilment of General Assembly resolution 50/65, which had called upon the States participating in the CD to conclude, as a task of highest priority, a universal and multilaterally and effectively verifiable CTBT “so as to enable its signature by the outset of the fifty-first session”. It was clear that considerable international momentum had been built for the conclusion of the CTBT in 1996.

⁴ China conducted its last nuclear test explosion on 29 July 1996 and declared a moratorium on further testing effective the next day. France conducted its last nuclear test explosion on 27 January 1996 and announced the end of its testing programme two days later. (France had not conducted any nuclear tests from 15 July 1991 to 5 September 1995, when it announced a final series of tests.) The former USSR conducted its last nuclear test on 24 October 1990. (The Russian Federation maintained the moratorium.) The United Kingdom’s last nuclear test was on 26 November 1991 and the United States on 23 September 1992. See also the relevant background paper of the 1995 Review and Extension Conference of the NPT (NPT/CONF.1995/2).

⁵ The Review and Extension Conference (referred to hereafter as the 1995 NPT Conference) adopted a decision (decision 2) entitled “Principles and objectives for nuclear non-proliferation and disarmament”, which contained a programme of action for the full realization and effective implementation of article VI (NPT/CONF.1995/32/DEC.2). The decisions of the NPT Conference are reproduced in *The Yearbook*, vol. 20: 1995, chap. I, annex.

Developments and trends, 1996

Multilateral negotiations on the CTBT resumed promptly in an ad hoc committee of the Conference on Disarmament on 23 January, the opening day of the session. The rapid start was generally hailed as a firm response to the international will to conclude the treaty in 1996. The Conference's decision to focus its activity entirely on those negotiations was widely welcomed. At that first meeting, the Secretary-General urged the Conference to conclude and sign the treaty during the 1996 session. "Nothing," he said, "must be allowed to deter this objective".⁶

Against the background of such heightened expectations and the continuation of the moratoriums on nuclear testing of three nuclear-weapon States, the pursuit by China and France of their respective nuclear test programmes⁷ aroused widespread attention from Governments around the globe, as well as from the media, civil organizations and the public at large.

On 27 January, France conducted its sixth, and what was to be its final, test of the series it had begun in September 1995 at the Fangataufa Atoll.⁸ President Chirac declared two days later that the French testing programme had come to a permanent close and that France would spare no effort to achieve the signature in 1996 of a treaty completely and definitively banning nuclear tests.⁹

The conclusion of the French testing programme was applauded worldwide and was greeted by States in the region of the testing as "a great relief", according to the Secretary-General of the South Pacific Forum.¹⁰ Nevertheless, concerns persisted about the impact of past nuclear testing on the health of the population and the natural environment of the South Pacific.

⁶ CD/PV.721, pp. 5-7.

⁷ Data from the tests was reported by Australia to the United Nations and circulated in document A/52/88.

⁸ Seven months earlier, on 13 June 1995, President Chirac had announced plans to conduct a series of eight nuclear tests between September 1995 and May 1996 at the Mururoa and Fangataufa Atolls in French Polynesia. France thus cancelled two of the eight nuclear test explosions originally planned.

⁹ CD/PV.723, p. 15.

¹⁰ Remark conveyed to the CD by Australia (CD/PV. 723, p. 16).

In March, the International Atomic Energy Agency (IAEA), acting on a request by France made in September 1995, began a study at the Mururoa and Fangataufa Atolls in French Polynesia that would provide an overview of the current radiological situation there as well as examine possible scenarios in the medium or longer term. The final report of the scientific investigation, the findings of which will be publicly available, is expected to be completed in early 1998.¹¹

In the course of the year, progress was made in banning nuclear-weapon testing in the South Pacific and in Africa through the consolidation or establishment, respectively, of nuclear-weapon-free zones (see page 41). On 22 February, President Chirac reiterated the pledge made in 1995¹² that France would sign the protocols to the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga),¹³ which comprised a commitment, in Protocol 3, not to carry out tests in the zone.¹⁴ On 25 March, France, the United Kingdom and the United States signed the Protocol. Thus all five nuclear-weapon States have fore-sworn any testing in that region.¹⁵ On 11 April, 45 African States, in signing the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty), committed themselves not to test nuclear explosive devices

¹¹ The study is being carried out under the guidance of an International Advisory Committee of distinguished scientists from ten countries, and includes *ex officio* representatives of the South Pacific Forum, the United Nations Scientific Committee on the Effects of Atomic Radiation, the World Health Organization, and the European Commission. *Source*: IAEA.

¹² See the joint statement issued by France, the United Kingdom and the United States on 20 October 1995 (A/50/665-S/1995/877, annex). See also footnote 5; para. 7 of decision 2 affirms that the nuclear-weapon States' support of protocols is necessary for the effectiveness of nuclear-weapon-free zones.

¹³ On 20 October 1995, France, the United Kingdom and the United States jointly announced their intention to sign the protocols to the South Pacific Nuclear Free Zone Treaty in the first quarter of 1996.

¹⁴ Article 1 of Protocol 3 of the Treaty of Rarotonga reads as follows: "Each Party undertakes not to test any nuclear explosive device anywhere within the South Pacific Nuclear Free Zone."

¹⁵ China and Russia signed Protocol 3 in 1987 and 1986 respectively, and ratified it in 1988.

on their territories.¹⁶ At the same time, China, France, the United Kingdom and the United States signed Protocol II to the Treaty, making a corresponding commitment.¹⁷ Later in the year the Russian Federation also signed the Protocol, and France ratified it.

In the second quarter of the year, international efforts at the highest political level intensified, aimed at reaching agreement on the scope of the future CTBT. The European Union (EU) issued a declaration stating that it attached the highest priority to the conclusion of negotiations before the end of the spring session of the CD to allow for signature by autumn and called upon those countries that had not yet agreed to the zero-yield to do so.¹⁸

At the Moscow summit on Nuclear Safety and Security, held in April, Russia joined France, the United Kingdom and the United States in pledging to conclude and sign a "zero-yield" test-ban treaty by September,¹⁹ thereby fulfilling a commitment made by President Yeltsin in October 1995 at a meeting with President Clinton.²⁰

At its summit in Lyon in June, the G-7²¹ affirmed their undertaking to conclude the treaty so that it could be signed in September, and called on all the members of the CD to agree that the CTBT

¹⁶ Article 5 of the Treaty, "Prohibition of testing of nuclear explosive devices".

¹⁷ Article 1 of Protocol II of the Treaty of Pelindaba reads as follows: "Each Protocol Party undertakes not to test or assist or encourage the testing of any nuclear explosive device anywhere within the African nuclear-weapon-free zone."

¹⁸ The European Free Trade Association countries members of the European Economic Area, the Central and Eastern European countries associated with the European Union and the associated countries, Cyprus and Malta, aligned themselves with the declaration, which was circulated as a document of the General Assembly (A/51/123).

¹⁹ A/51/131.

²⁰ At a summit in Hyde Park, the presidents announced that they would "work together to succeed in getting a zero-yield comprehensive test ban treaty". (Office of the Press Secretary of the White House, document number 10149.)

²¹ The final documents of the meeting of the G-7 (Canada, France, Germany, Italy, Japan, United Kingdom and United States) were circulated as United Nations document A/51/208-S/1996/543.

Comprehensive Nuclear-Test-Ban Treaty

must “prohibit any nuclear weapon test explosion or any other nuclear explosion”.

Another important breakthrough in the negotiations came on 6 June, when China announced that it would go along with a temporary ban on peaceful nuclear explosions (PNEs), provided that the future treaty contained a provision to allow for a review conference of the States parties to consider permitting them.²² That being acceptable, the last obstacle to agreement on a broad scope of application of the future treaty—a ban on any nuclear weapon test explosion or any other nuclear explosion—was removed.²³

Two days later, on 8 June, China conducted a nuclear test at its testing site at Lop Nor.²⁴ The Ministry of Foreign Affairs explained that the continued existence of huge nuclear arsenals and the threat of a nuclear war caused by the policy of first use of nuclear weapons required that China conduct a “minimal number of necessary nuclear tests”. China also announced that it would conduct one last test to ensure the safety of its nuclear weapons before September, and thereafter would declare a unilateral moratorium on further nuclear tests.²⁵ A further test was conducted on 29 July.²⁶ As announced in June, China declared that it would start a moratorium effective the next day, 30 July. The moratorium, it said, was a concrete act to promote nuclear disarmament in response to the appeals made by a vast number of non-nuclear-weapon States. China reasserted that it was striving for the conclusion of the CTBT on a consensus basis in 1996.²⁷

Meanwhile, in rendering its advisory opinion on 8 July on the question of the legality of the threat or use of nuclear weapons²⁸ (see page 45), the International Court of Justice (ICJ) decided unanimously

²² Article VIII of the Treaty.

²³ China rejected the terminology “zero-yield”, used by the other four nuclear-weapon States, on scientific grounds.

²⁴ China confirmed the nuclear test explosion on 12 June (A/51/163). The explosion was also reported by Australia in document A/52/88.

²⁵ A/51/163.

²⁶ A/52/88.

²⁷ See document A/51/262.

²⁸ Submitted to the General Assembly in a note by the Secretary-General (A/51/218, annex).

that “there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control”.²⁹ In the view of many States, that part of the Court’s opinion constituted a timely call upon all States to take an important step towards nuclear disarmament by seizing the opportunity to conclude the CTBT that year.

By the time the final compromise texts on the outstanding points of controversy had been presented to the CD’s Ad Hoc Committee on 9 August, it had become clear that there would be no agreement within the Committee to adopt the text of the treaty and transmit it to the plenary of the Conference and thence to the General Assembly. Many States were nonetheless increasingly insistent that the draft convention, albeit in an imperfect form, be adopted.³⁰ On 8 August, for example, President Mandela of South Africa and Prime Minister Bolger of New Zealand announced their joint intention to “sign the Treaty at the earliest opportunity” and called “on all other countries to give their prompt support to the Treaty”.³¹

In order to bring the draft treaty into the framework of the plenary session of the CD, Belgium converted the text into a national submission to the Conference. Australia subsequently took up the relay and, after determining that the treaty text enjoyed nearly universal support, submitted a text—identical to that presented by Belgium—to the President of the General Assembly, together with a request to resume the fiftieth session of the Assembly to consider it and a draft resolution calling for its adoption.³²

The spotlight of world attention became trained on the resumed meetings of the General Assembly. On 10 September, the CTBT was

²⁹ “Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons” A/51/218, p. 37.

³⁰ See documents submitted by: Argentina (CD/1416), European Union (CD/1420), France (CD/1413), and Russia and the United States (CD/1417).

³¹ See the memorandum of cooperation and arms control circulated as document CD/1424.

³² For a more detailed account of the events that led to the transmittal of the treaty text from the CD to the General Assembly, see “Conference on Disarmament, 1996”, below.

adopted by an overwhelming majority.³³ India, as it had stated on many occasions, voted against, citing the lack of a prohibition in the draft treaty on further qualitative improvements of nuclear weapons and the provision that required India, among other countries, to ratify the Treaty in order for it to enter into force.

The Secretary-General as depositary opened the Treaty for signature on 24 September at the United Nations in New York, where the issue had been highlighted in the General Assembly for more than 30 years. The signing of the Treaty, said the Secretary-General, was the first step towards making it a part of international legislation, a process that in time would "confirm by the full force of international law the Treaty's objective of putting a permanent end to all nuclear test explosions anywhere on the planet".³⁴ Seventy-one States signed the Treaty on the first day, including the five nuclear-weapon States and 32 of the other 44 States required by article XIV to ratify it to allow it to enter into force.

During the general debate at the fifty-first session of the Assembly and in the First Committee, many States seized the occasion to underline the significance of the Treaty to the strengthening of international security, while supporters and non-supporters alike reiterated their previously expressed objections, reservations or concerns in its regard. No action, however, was required by the Assembly at that session.

Upon the request of Canada as organizer of the process preparing for the first session of the Preparatory Commission for the CTBT Organization (CTBTO), the Secretary-General as depositary convoked a Meeting of States Signatories on 19 November that established the Preparatory Commission.³⁵ The Commission held the first part of its first session in New York during the following three days, from 20 to 22 November, under the chairmanship of Jacob Selebi of South Africa. Owing to a lack of time, the Preparatory Commission decided

³³ Resolution 50/245.

³⁴ SG/SM/6062 of 24 September.

³⁵ The meeting adopted one resolution, entitled "Text on the Establishment of a Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization" (CTBT/MSS/RES/1).

to suspend the first session and resume the session in Geneva early in 1997.³⁶

Conference on Disarmament, 1996

At the very beginning of its annual session,³⁷ on 23 January, the Conference on Disarmament re-established the Ad Hoc Committee on a Nuclear Test Ban with the same mandate as in 1994 and 1995,³⁸ and appointed Mr. Jaap Ramaker of the Netherlands as its Chairman.

First part of the session

In accordance with its mandate, the Ad Hoc Committee continued, and further intensified, negotiation of the draft treaty with a view to enabling its signature by the outset of the fifty-first session of the General Assembly, as requested in resolution 50/65. In discharging its mandate, the Committee established two working groups: Working Group 1, on verification, chaired by Mr. Grigori Berdennikov of the Russian Federation, and Working Group 2, on legal and institutional issues, chaired by Mr. Mounir Zahran of Egypt. In the course of the negotiations, the Committee appointed twelve Friends of the Chair and five Moderators to deal with specific issues in private and open-ended consultations.

At the first meeting of the Ad Hoc Committee, India provided new language on the preamble, entry into force and review, which emphasized the total elimination of nuclear weapons within a time-bound framework. In its plenary statement, the United States responded to the proposed "linkage" of a CTBT to the complete elimination of nuclear weapons by saying that the CTBT was an indispensable step if the elimination of nuclear arms was to be achieved. It also said that holding one goal hostage to another was a sure way to fail at both. The debates revealed a polarization of views. While Australia,

³⁶ At its resumed session, from 3 to 7 March 1997, the Preparatory Commission appointed Mr. Wolfgang Hoffmann as the Executive Secretary and established its Provisional Technical Secretariat in Vienna.

³⁷ The session of the Conference is divided into three parts. In 1996 it met from 22 January to 29 March, from 13 May to 28 June, and from 29 July to 13 September.

³⁸ CD/1238.

Canada, Italy, the Russian Federation, the United Kingdom and the United States called for avoiding inclusion in the treaty of language which did not enjoy international consensus, many members of the Group of 21 strongly supported the thrust of the Indian proposal, stressing that the CTBT was the first multilateral nuclear disarmament treaty, not another non-proliferation treaty. For this reason they wanted to enshrine in the preamble the commitment of all States to the goal of complete elimination of nuclear weapons in a time-bound form.

Working Group 1 made intensive efforts towards finalizing treaty language on the verification regime in the rolling text. The Friends of the Chair held consultations with delegations on the International Monitoring System (IMS), the International Data Centre (IDC) and on-site inspections (OSI). As a result, at the end of March, the Chairman of the Working Group presented revised draft language on provisions on verification issues for inclusion in the rolling text.

Working Group 2 focused its attention on legal and institutional aspects of the future organization to be entrusted with implementing the treaty. It considered, *inter alia*, the issues of entry into force, duration and withdrawal, review, composition of the Executive Council, measures to redress a situation contravening the treaty, national implementation measures including compliance, funding and the seat of the organization and its possible relationship to the IAEA. Following the discussion on these issues, the treaty language in the rolling text was substantially revised and refined.

Negotiations continued on the basis of the rolling text of 26 September 1995³⁹ and subsequently that of 22 January 1996.⁴⁰ In February draft treaty texts were submitted by both the Islamic Republic of Iran and Australia that were used by the Ad Hoc Committee as resource papers. At the end of the first part of the session, on 28 March, the Chairman submitted for the first time a working paper entitled "Outline of a draft comprehensive nuclear-test-ban treaty",⁴¹ which was structured in treaty format, beginning with a preamble followed by 17 articles. The paper pointed out some of the most contentious areas (e.g., scope, entry into force, elements of on-site inspection

³⁹ CD/1364.

⁴⁰ CD/1378.

⁴¹ CD/NTB/WP.321.

and the composition of the Executive Council) and retained most of the brackets contained in the existing rolling text. The Chairman indicated that his aim was to show what a CTBT could look like and to highlight the key issues needing decisions. Various countries, including China and India, stressed nonetheless that they expected the Chairman to present a new rolling text at the second part of the session.

Second part of the session

At the opening meeting, on 13 May, the Chairman announced that there would not be another version of the rolling text, but rather a treaty. He also suggested changing the working methods of the Committee, i.e., holding a number of meetings on unresolved political issues in an attempt to find compromise and take decisive action.

On 28 May, underscoring that presentation of a complete draft text of the treaty constituted an essential and indispensable step towards finalizing their work within the time-frame set by the international community, the Chairman brought such a text before the Committee. Some delegations such as China, India and Pakistan, however, felt that they could not accept the draft text as a basis for negotiations and expressed the view that the rolling text should remain the basic document.

Following the presentation of the draft text, the Committee shifted into a new negotiating framework under the guidance of the Chairman and the Moderators—a change that China, India and Pakistan expressed concern about. Nevertheless, this methodology opened up a period of renewed political conceptual discussions of the main outstanding issues.

On 20 June, India stated that the Chairman's draft treaty text did not meet its concerns about nuclear disarmament within a time-bound framework. It also said that it could not accept the language in the Chairman's text requiring it and 43 other countries to ratify the treaty for it to enter into force and that it would not accept any language that would affect its sovereign right to decide in the light of its national interest whether to accede to a treaty.

On 24 June, the Chairman introduced changes to his text, emphasizing that the work of the Ad Hoc Committee should draw to a close on 28 June.

His amendments drew mixed reactions. India reiterated that it would not be able to sign the treaty if its concerns were not met. It stressed that if there was an attempt to include India, even in a disguised form, in the formula on entry into force, it would withdraw its monitoring stations from the list. It stated, however, that it would not block consensus on the negotiations. Pakistan strongly reacted to the Indian statement, saying that those who opted not to join the treaty should be prepared to bear full responsibility for its failure. The Russian Federation stated that it could live with the Chairman's text on entry into force; however, if stations were deleted from the IMS list, it would consider a formula of ratification by all members of the expanded CD (which includes India). A number of other countries also supported the ratification by all members of the expanded CD for entry into force.

In their preliminary remarks, Western countries⁴² welcomed the efforts of the Chairman and pledged their full support to his attempt to conclude negotiations by the end of June.

Brazil, Egypt, the Islamic Republic of Iran, Mexico and Pakistan regretted that they had been excluded from some private consultations in which mainly nuclear-weapon States were involved and stated that their concerns had not been taken fully into account.

The United States said that the revised text failed to tighten up the verification regime and, to its regret, further restricted on-site inspections.

China, along with some members of the Group of 21, while reaffirming its commitment to the earliest conclusion of the negotiations, reiterated that the treaty should achieve two objectives—non-proliferation of nuclear weapons and disarmament. As to the issue of entry into force, it stressed that the consensus formula should include nuclear-capable countries as well as a sufficient number of other States parties.

⁴² Australia, Belgium, Canada, France, Germany, Israel, Italy, Japan and United States.

Canada, on behalf of a number of delegations,⁴³ read out a declaration urging all countries to come to a compromise agreement by the end of June.

On the closing day of the second part of the session, 28 June, the Chairman of the Ad Hoc Committee presented a revised draft treaty, expressing his conviction that convergence had reached its peak and recommending the draft treaty for serious consideration to delegations and to their capitals. Several States expressed their support for this text, though only France voiced its full acceptance outright. A number of others reaffirmed their willingness to continue the negotiations until an agreement was reached on a consensus draft treaty. The Chairman also presented a revised "Draft text on the establishment of a preparatory commission", which had been prepared by one of the Friends of the Chair.

Third part of the session

At the outset of the third part of the session, at the end of July, a considerable number of countries⁴⁴ stated that in spite of reservations (some of which were quite strong), they could accept the Chairman's text as is, and that the Conference should seize the opportunity to forward it to the General Assembly for signature in September. A number of them expressed concern that any further negotiations might lead away from consensus down the "dangerous road to failure". The Russian Federation, for its part, reserved the right to propose additional amendments if the negotiations were restarted.

China stressed that the Chairman's draft was by no means the result of consensus among all negotiating parties, and that it was premature and arbitrary to declare "the end of the negotiations".

India singled out the article on entry into force as totally unprecedented and unacceptable because the text would force it into signing

⁴³ Australia, Austria, Belgium, Bulgaria, Canada, Chile, Czech Republic, Denmark, Finland, Germany, Hungary, Ireland, Italy, Japan, New Zealand, Norway, Poland, Romania, Slovakia, Spain, Sweden, Switzerland, Turkey and Ukraine.

⁴⁴ Argentina, Australia, Austria, Bulgaria, Canada, Chile, Finland, Germany, Hungary, Israel, Italy, Japan, Norway, Poland, Republic of Korea, Romania, Russian Federation, Sweden, Turkey, United Kingdom and United States.

a treaty it had already announced it would not sign, and suggested a reformulation on the basis of the text in the Chemical Weapons Convention.⁴⁵ It objected to the current text being forwarded to the plenary of the Conference for consideration.

Pakistan accepted the Chairman's text as a basis for further negotiation of contentious issues like definition of national technical means (NTMs), the OSI trigger mechanism and decision-making, and protection of national security concerns during the OSI. It circulated changes to six paragraphs of the text.

Egypt and Cuba expressed serious reservations that the text did not contain strong commitments to nuclear disarmament and considered that further negotiations were needed on verification, OSI, entry into force and the status of NTMs. The Islamic Republic of Iran repeated that it could not accept the current text as there was no commitment to nuclear disarmament and because it deviated from the geographical regions used by the United Nations, creating a separate group, "Middle East and South Asia", in the composition of the Executive Council.

The Chairman conducted informal consultations and, on 9 August, reported that there was a general appreciation of the time constraints faced by the Committee for concluding a CTBT if it was to be signed at the outset of the fifty-first session of the General Assembly and that the margins for improving the treaty were extremely narrow. Thus, he had taken the approach of consulting on the outstanding points, *inter alia*, the issue of nuclear disarmament and the preamble, the composition of the Executive Council, entry into force, and some issues related to verification, rather than reopening negotiations.

During those consultations, many members of the Group of 21 had wished to see a more prominent role for nuclear disarmament in the preamble. However, the Chairman clarified that the draft reflected the mandate of the negotiations and gave due weight to the process of nuclear disarmament and to the prevention of the proliferation of nuclear weapons. He concluded that further improvements to the preamble were not feasible.

⁴⁵ The first paragraph of article XXI, "Entry into Force", of the Chemical Weapons Convention reads as follows: "1. This Convention shall enter into force 180 days after the date of the deposit of the 65th instrument of ratification, but in no case earlier than two years after its opening for signature."

With regard to the the concern expressed about one of the geographical regions represented on the Executive Council, the Chairman explained that the composition of the six regions was CTBT-specific. The purpose of the annex listing the States within the six geographical regions was to define the regions in geographical terms in order to underscore the consensus principle that no State party should be permanently excluded from a seat on the Council.

On the issue of entry into force, the Chairman expressed his personal conviction that the current language of the article (article XIV) did not impinge on the sovereign right of any State to take its own decision about whether or not to sign and ratify the treaty. Nor did the article impose any legally binding obligations on a State not party to the treaty—whether or not ratification by that State was a condition for entry into force of the treaty. More than that, in his understanding, the second paragraph of article XIV did not refer to United Nations Security Council measures taken in accordance with Chapter VII of the Charter.

Regarding the concerns related to verification, and specifically pertaining to the potential abuse of NTMs, the Chairman maintained that the draft treaty contained a set of safeguards against abuse, such as those that provide that:

Verification activities shall be based on objective information, limited to the subject-matter of the treaty, and carried out on the basis of full respect for the sovereignty of States parties and in the least intrusive manner possible consistent with the effective and timely accomplishment of their objectives. Each State party shall refrain from any abuse of the right of verification.

The sole purpose of an on-site inspection shall be to clarify whether a nuclear-weapon test explosion or any other nuclear explosion has been carried out in violation of article I and, to the extent possible, to gather any facts which might assist in identifying any possible violator.

The requesting State party shall be under the obligation to keep the on-site inspection request within the scope of the treaty and shall refrain from unfounded or abusive inspection requests.

It was also understood that the submission of any abusive or frivolous on-site inspection request would amount to a violation of a State party's rights under the treaty. The Executive Council would have sufficient powers at various stages in the decision-making process to prevent and deal with abusive requests. The Chairman concluded

therefore that the draft treaty contained a strong deterrent against submitting abusive on-site inspection requests.

The round of consultations by the Chairman had by and large confirmed his earlier conviction that convergence had reached its peak. Nevertheless, he felt that in one area there was still room for further modifications. At the request of various States the Chairman proposed revising a provision in article IV, on on-site verification, so that the sentence would read: "The decision to approve the on-site inspection shall be made by at least 30 affirmative votes of [instead of 'a majority of all'] members of the Executive Council." This modification seemed essential to bring final agreement on the draft treaty within reach.

Subsequently, nearly all the members of the Committee made statements, expressing support, reservations or objections to the Chairman's text and to the proposal to transmit it to the Conference, which were recorded in the report of the Ad Hoc Committee.⁴⁶

India opposed transmittal. In its view, the text was only a "nuclear weapons test explosion ban treaty" and not comprehensive. It left open the possibility of non-explosive testing and thus the qualitative improvement of nuclear weapons, risking another nuclear weapons technology race. The draft did not ensure that the CTBT would be an irreversible step in a time-bound process of nuclear disarmament. Moreover, India was adamant that the language in the article on entry into force was unprecedented in treaty negotiating practice and would require it to sign against its will "under implied threats", the comments of the Chairman and bilateral assurances notwithstanding.

The Ad Hoc Committee therefore concluded that no consensus for transmittal could be reached and thus referred its report to the Conference on Disarmament without the treaty attached.

Thereupon, the delegation of Belgium, in its national capacity, undertook, on 22 August, to issue the treaty as a document of the Conference on Disarmament.⁴⁷

⁴⁶ *Official Records of the General Assembly, Fifty-first session, Supplement No. 27 (A/51/27)*, part VI, paras. 18–35.

⁴⁷ CD/1427.

Ad Hoc Group of Scientific Experts

The Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events (GSE)⁴⁸ submitted a report⁴⁹ on the Third Technical Test (GSETT-3) it had been carrying out since January 1995, focusing on its relevance to the seismic monitoring component of the IMS to be established under the treaty. The report contained recommendations to facilitate a smooth transition from the experimental network to the future IMS. While the emphasis during GSETT-3 was on seismic monitoring, the Group reported that the system design proved flexible enough to handle data from the other techniques that would be relevant to the IMS.

In its progress report,⁵⁰ the Group recommended that it continue GSETT-3 until the Preparatory Commission for the CTBTO assumed responsibility for the evolving IMS, including the prototype IDC. After 20 years of activities, including two previous global technical tests in 1984 and 1991, the GSE succeeded in designing and developing an international seismic network, the core monitoring technique of the future IMS.

General Assembly, 1996

In a letter dated 22 August,⁵¹ Australia requested the President of the fiftieth session of the General Assembly to make arrangements for the Assembly to meet in plenary session to consider and take action on a CTBT pursuant to resolution 50/65 of 12 December 1995. In that resolution, adopted without a vote, the Assembly had declared "its readiness to resume consideration of this item, as necessary, before its fifty-first session in order to endorse the text of a comprehensive nuclear-test-ban treaty". Australia also submitted to the Secretary-General for circulation as official documents⁵² of the Assembly the text of a draft treaty, identical to the one circulated by Belgium in

⁴⁸ The Group held its forty-fifth and last session from 5 to 15 August.

⁴⁹ CD/1423.

⁵⁰ The Group submitted its progress report, CD/1422, annexing an executive summary of its detailed report on GSETT-3.

⁵¹ A/50/1024.

⁵² A/50/1027 (text of the CTBT) and A/50/L.78 (draft resolution).

the Conference on Disarmament, and a draft resolution calling for adoption of the treaty and its opening for signature at the earliest possible date.

On 29 August, India submitted a letter⁵³ to the President of the Assembly in which it noted that resolution 50/65 referred to the text of a CTBT that was to be concluded by the Conference on Disarmament and that the treaty text submitted by Australia "as a national paper" had not been adopted by consensus at the Conference. India considered therefore that the endorsement of any national document containing the non-consensus text would be contrary to the relevant provisions of resolution 50/65. In another letter⁵⁴ to the President, India suggested changes in the preamble and in the provisions on basic obligations and entry into force.

Argentina, Japan and the Russian Federation addressed letters⁵⁵ to the Secretary-General or the President of the Assembly declaring their support for the draft treaty text and the procedure for its consideration. The Russian Federation added that the course of action chosen for the adoption of the treaty was a departure from the existing practice for the elaboration of multilateral agreements in the CD, but that it had agreed to it owing to the "exceptional nature of the situation that has arisen with regard to the treaty".

On 9 September, the Assembly agreed to Australia's request to resume consideration of the item dealing with the CTBT and proceeded immediately to its consideration in plenary session. Upon introducing the draft resolution, which had garnered 127 co-sponsors,⁵⁶ Australia

⁵³ A/50/1030.

⁵⁴ A/50/1036.

⁵⁵ A/50/1031 (Argentina), A/50/1026 (Japan) and A/50/1032 (Russian Federation).

⁵⁶ Albania, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Rep, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-

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explained the reasons for the procedural arrangement made to submit the draft treaty to the Assembly, namely, that the treaty had been overwhelmingly agreed to in the Conference on Disarmament and that only one State had not agreed to transmit it to the Assembly. Australia also underlined that those "particular or exceptional circumstances" should not set a precedent, and expressed support for the operating procedures of the CD—a point stressed by a large number of States.

Speaking after the introduction of the draft resolution, the two nuclear-weapon States that had not sponsored it, China and the Russian Federation, declared their support for the treaty text and for its adoption by the Assembly. For its part, China also expressed its reservations to the text, as referred to above.

India reiterated its objections to the draft treaty text, which it had made clear in the CD. The draft did not place the CTBT firmly in the disarmament context by including in it a commitment to eliminate nuclear weapons within a time-bound framework; it was not comprehensive in scope; it did not end all nuclear testing; it would not stop the development and qualitative improvement of nuclear weapons; and it contained a provision contrary to international law and practice with respect to its entry into force. Instead of being the intended historic step towards a nuclear-weapon-free world, India maintained, the draft treaty would perpetuate the discriminatory status quo.

Pakistan was prepared to adopt the text of the resolution, but would not be able to sign the treaty as long as it experienced a security threat in its own region. It was ready to accept the draft treaty text as a basis for consensus. It was, however, concerned that the draft treaty did not represent a comprehensive ban on nuclear tests and shared the frustration of non-nuclear-weapon States at the reluctance

Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mauritania, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen and Zaire.

of the nuclear-weapon States to agree to more categorical commitments to nuclear disarmament. Pakistan also expressed serious concerns about the danger of the abuse of on-site inspections by the use of NTMs.

A very large number of delegates made statements, supporting the adoption of the resolution and the draft CTBT and reiterating a variety of reservations concerning the treaty text itself, many of which had already been expressed during the negotiations in the CD. The following themes were mentioned: (a) the procedure for submission of the draft text to the Assembly; (b) the treatment of nuclear disarmament in the preamble; (c) the fact that the scope of the prohibition does not include non-explosive nuclear testing; (d) the provisions regarding entry into force; (e) the possible dangers of allowing the use of NTMs to trigger on-site inspections; (f) the designation of the Middle East and South Asia as a geographical region in the composition of the Executive Council; and (g) the financial burden that would fall upon the least developed States parties as a result of the establishment of the Preparatory Commission, the Technical Secretariat and the IMS.

The Assembly adopted the draft resolution by 158 votes to 3, with 5 abstentions, thereby adopting the CTBT.⁵⁷ (For the main provisions of the Treaty, see annex to this chapter, page 24.) For the text of *resolution 50/245, Comprehensive nuclear-test-ban treaty*, and the voting patterns, see pages 241 and 327, respectively.

A number of delegations explained their positive votes.⁵⁸

Two delegations explained their negative votes. India declared that it would never sign this unequal treaty—not now, not later and considered the draft resolution to be “as flawed as the treaty text it proposes for adoption”. The Libyan Arab Jamahiriya believed that the draft treaty fell short of the aspirations of peoples to the complete and comprehensive elimination of all nuclear weapons and tests because it did not include a time-frame for the destruction of the nuclear arsenals possessed by the few. It perpetuated the status quo and pre-empted the progress of towards a world free of any nuclear threat.

⁵⁷ The text of the CTBT is reproduced in *Status*, 5th edition: 1996 (United Nations publication, Sales No. E.97.IX.3).

⁵⁸ Algeria, China, Ghana, Iran (Islamic Republic of), Pakistan, Sudan and Viet Nam.

Lebanon, Mauritius, the Syrian Arab Republic and the United Republic of Tanzania abstained on the resolution because of their dissatisfaction along the same lines as referred to by India and the Libyan Arab Jamahiriya. The Syrian Arab Republic and the United Republic of Tanzania also objected to the procedure used to bring the Treaty to the Assembly, and Syria and Lebanon objected to the inclusion of Israel within a regional framework.

Following the explanations of vote on the draft resolution, the United States applauded its adoption, stating that it reflected the conviction of nuclear and non-nuclear Powers alike that the time to approve a CTBT had come and that the hopes of people from around the world should at last be realized.

Conclusion

The relative speed with which the Conference on Disarmament negotiated and concluded the CTBT (January 1994–August 1996) was a testament to the yearning of the international community to capture the spirit of the post-cold war and to end the age of nuclear weapons. The Treaty thus posted a decisive victory towards that goal.

France ended its nuclear testing at the Mururoa and Fangataufa atolls in January, and China ceased its programme at Lop Nor in July, thereby establishing a de facto halt to testing among the five nuclear-weapon States. There would be no better time for the non-nuclear-weapon States to turn the unilaterally declared cessations of nuclear testing by the nuclear-weapon States into a legal commitment in the framework of a treaty. The CD, propelled by a massive outpouring of international sentiment to conclude a treaty in 1996, seized the day by negotiating a draft comprehensive nuclear-test-ban treaty.

The painstakingly elaborated draft treaty, however, could not command full consensus at the close of the negotiations. Neither could the CD agree to transmit it to the General Assembly. The final language for the most contentious provisions—the preambular language on nuclear disarmament and the articles dealing with scope, entry into force and on-site inspections—embodied for the majority of the negotiators as much agreement as was politically possible. Moreover, the symbolic and practical value of the draft treaty and its unique development also overrode the reservations of many Member States. The actions

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that followed the failure of the CD to transmit the draft treaty to New York—the submission and overwhelming adoption of the treaty by the Assembly, the large number of States that signed soon after its opening for signature, the convening of the Meeting of States Signatories and the Preparatory Commission for the Treaty's Organization—seemed to flow from a sense of historical imperative in the struggle for nuclear disarmament and the fight against nuclear proliferation.

The divergence of views that arose during the negotiations between the nuclear and non-nuclear-weapon States in the treatment of nuclear disarmament in the Treaty—which the majority of States decided to put aside in the interest of adopting it in 1996—was nevertheless heightened during the debates in the fifty-first session of the Assembly, which followed the adoption of the CTBT. Those differences will most likely shape the tone and substance of disarmament debates and negotiations at the multilateral level for the foreseeable future.

On the one hand, the scope provision in the Treaty satisfied those States that called for a zero-yield ban on all nuclear-test explosions, including hydronuclear (low yield) tests. It also closed the decades-long debate over whether to keep the option open for States to conduct peaceful nuclear explosions. On the other hand, the scope as adopted left open concerns among other States that technologically-advanced States could improve existing arsenals by conducting laboratory and non-explosive (subcritical) nuclear tests.

The Treaty's complex control regime, when it enters into force, will put into place a web of four highly sophisticated technologies aimed at deterring any form of nuclear test explosions. The establishment of the Preparatory Commission of the CTBTO has already begun that process by setting in motion a seismic network that had been not only theoretically, but also technically, realized by the long-standing Group of Scientific Experts.

Furthermore, the success of the negotiations on a test-ban treaty in 1996 was considered a crucial element to the success of the substantive preparations for the next review conference of the NPT, in the year 2000. A rapidly negotiated text in Geneva, a widely signed Treaty in New York, and a quick start to its implementation by the CTBT Organization in Vienna were the best tribute to the 40 years of persevering efforts of the international community in favour of the eventual accomplishment of a world free of all nuclear weapons.

ANNEX

The main provisions of the Treaty, its annexes and Protocol

The Treaty consists of the preamble, 17 articles, an annex containing a list of States in respect to equitable geographical distribution for membership in the Executive Council (article II, paragraph 28), an annex containing a list of States in relation to the entry into force provision (article XIV), and a protocol, together with its annexes, setting out the detailed provisions for verification, on-site inspections and confidence-building. The annexes to the Treaty and the Protocol and its annexes form an integral part of the Treaty.

Preamble

Of particular importance, the *preamble* expresses the conviction that the most effective way to achieve an end to nuclear testing is through the conclusion of a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty, one of the highest priority objectives of the international community in the field of disarmament and non-proliferation. It affirms the purpose of attracting the adherence of all States to the Treaty and its objective to contribute effectively to the prevention of the proliferation of nuclear weapons and to the process of nuclear disarmament.

Basic obligations (article I)

Each State party undertakes "not to carry out any nuclear-weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under its jurisdiction or control". Each State party also undertakes "to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear-weapon test explosion or any other nuclear explosion".

The Organization (article II)

Article II establishes the Comprehensive Nuclear-Test-Ban Treaty Organization to ensure the Treaty's implementation, including verification of compliance, and to provide a forum for consultation and cooperation. With its seat in Vienna, it will comprise three organs: a *Conference of the States Parties*, which shall be the principal decision-making body and will oversee the Treaty's implementation, review compliance, and oversee the activities of the other two organs; an *Executive Council*, with a membership of 51 States parties representing six geographical regions as set out in annex 1 to the Treaty, will be the executive body of the Organization and supervise the activities of the Technical Secretariat; a *Technical Secretariat*, headed by a Director-

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General, will assist States parties to implement the Treaty and carry out verification and other functions. It will supervise and coordinate the operation of the International Monitoring System (IMS) and operate the International Data Centre (IDC) at Vienna.

National implementation measures (article III)

Each State party is required to take any necessary measures to implement its obligations under the Treaty, including the establishment of a National Authority for liaison with the Organization and other States parties.

Verification (article IV)

The verification of compliance regime set out in article IV and the Protocol comprises (1) IMS, (2) IDC, (3) consultation and clarification, (4) on-site inspections and (5) confidence-building measures. The regime shall be capable of meeting the verification requirements of the Treaty at its entry into force.

(1) International Monitoring System

The purpose of the IMS is to detect and identify nuclear explosions prohibited under article I. As set out in annex 1 to the Protocol, the IMS will consist of 50 primary and 120 auxiliary seismological stations equipped to detect seismic activity and distinguish between natural events—such as earthquakes—and nuclear explosions. It will also include 80 radionuclide stations, (40 of which will be capable of detecting noble gases) designed to identify radioactive particles released during a nuclear explosion. The radionuclide stations will be supported by 16 laboratories. In addition, 11 hydroacoustic and 60 infrasound stations will be designed to pick up the sound of a nuclear explosion under water or in the atmosphere, respectively.

(2) International Data Centre

The monitoring stations will transmit data to the IDC, which is an integral part of the Technical Secretariat. As set out in part I of the Protocol, the IDC will receive, collect, process, analyse, report on and archive data from the IMS facilities, including results of analysis conducted at certified laboratories. Both raw and processed information will be available to all States parties, and shall be without prejudice to final judgements with regard to the nature of any event, which shall remain the responsibility of States parties.

(3) Consultation and clarification

The consultation and clarification component of the verification regime encourages States parties to attempt to resolve, either among themselves or

with or through the Organization, ambiguous events before requesting an on-site inspection. A State party must provide clarification of an ambiguous event within 48 hours of receiving such a request from another State party or the Executive Council.

(4) On-site inspection

If the matter cannot be resolved through consultation and clarification, each State party may request an on-site inspection. The decision to approve the on-site inspection shall be made by at least 30 affirmative votes of members of the Executive Council. The procedures for on-site inspections are established in part II of the Protocol.

(5) Confidence-building measures

To reduce the likelihood that verification data may be misinterpreted, each State party will voluntarily notify the Technical Secretariat of any single chemical explosion using 300 tonnes or more of TNT-equivalent blasting material on its territory. In order to calibrate the stations of IMS, each State party may liaise with the Technical Secretariat in carrying out chemical calibration explosions or providing information on chemical explosions planned for other purposes.

*Measures to redress a situation and to ensure compliance,
including sanctions (article V)*

To redress and remedy any situation which contravenes the provisions of the Treaty, the Conference is empowered to revoke a State's rights under the Treaty, to recommend to States parties collective measures in conformity with international law, or, alternatively, if the case is urgent, to bring the issue to the attention of the United Nations.

Settlement of disputes (article VI)

The mechanisms are described by which disputes concerning the application or interpretation of the Treaty may be settled. Subject to certain conditions, the International Court of Justice may be requested to give an advisory opinion.

Amendments (article VII)

Each State party has the right to propose amendments to the Treaty, the Protocol or the annexes to the Protocol at any time after the Treaty's entry into force. The proposed amendment requires the approval of a majority of

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States parties at an amendment conference with no party casting a negative vote.

Review of the Treaty (article VIII)

A conference to review the operation and effectiveness of the Treaty will be held 10 years after its entry into force, unless otherwise decided by a majority of the States parties. Such review shall take into account any new scientific and technological developments. Further review conferences may be held with the same objective at intervals of 10 years thereafter, or less, if the Conference so decides in the preceding year.

At the request of any State party, the Conference may consider the possibility of permitting the conduct of underground nuclear explosions for peaceful purposes. If it permits such explosions by consensus, then the Review Conference shall commence work without delay, with a view to recommending to States parties an appropriate amendment to this Treaty that shall preclude any military benefits of such nuclear explosions.

Duration and withdrawal (article IX)

The Treaty is of unlimited duration, and a State has the right to withdraw if it decides that extraordinary events relating to the subject matter of the Treaty have jeopardized its supreme interests.

Other provisions (articles X, XI, XII and XIII)

These four articles deal with the status of the Protocol and the annexes, signature, ratification and accession.

Entry into force (article XIV)

The Treaty will enter into force 180 days after the 44 States listed in annex 2 to the Treaty have deposited their instruments of ratification with the Secretary-General of the United Nations, but in no case earlier than two years after its opening for signature. The list comprises the States that formally participated in the 1996 session of the Conference on Disarmament and that appear in table 1 of the December 1995 edition of "Nuclear Research Reactors in the World" and table 1 of the April 1996 edition of "Nuclear Power Reactors in the World", both compiled by the International Atomic Energy Agency (IAEA).

If the Treaty has not entered into force three years after the date of its opening for signature, the Secretary-General of the United Nations, as depositary, shall convene a Conference of the States that have ratified the Treaty,

upon the request of a majority of them. That Conference will examine the extent to which the States listed in the annex have ratified the Treaty. It may then decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process in order to facilitate the Treaty's early entry into force.

Reservations (article XV)

The Treaty's provisions are not subject to reservations.

Depositary (article XVI)

The Secretary-General of the United Nations is designated depositary.

Authentic texts (article XVII)

The Treaty texts in Arabic, Chinese, English, French, Russian and Spanish are equally authentic.

Protocol

Part I describes the IMS and outlines the functions of the IDC. Annex 1 to the Protocol contains the lists of stations and laboratories that form part of the four monitoring systems.

Part II sets out the procedures for on-site inspections. It specifies the process of designation of inspectors and inspection assistants, their privileges and immunities, points of entry, arrangements for use of non-scheduled aircraft, approved inspection equipment, contents of on-site inspection requests, inspection mandate and notification of inspection. Pre-inspection activities and the conduct of inspections are described in detail.

Part III gives further details with respect to confidence-building measures.

CHAPTER II

Nuclear non-proliferation and disarmament

Introduction

QUESTIONS CONCERNING NUCLEAR WEAPONS have been considered within and outside the United Nations since the very beginning of the nuclear age, and a number of bilateral, regional and multilateral agreements have been signed to limit and reduce them. In the past few years, significant progress has been made in reducing nuclear weapons and in preventing their proliferation.

With respect to reductions, the bilateral negotiations, known as strategic arms reduction talks (START), conducted by the Russian Federation and the United States, led to the signing of two treaties: START I and START II. The former, signed on 31 July 1991, provides for a significant reduction of the Russian and United States strategic nuclear weapons over seven years.¹ The latter, signed on 3 January 1993, provides for the elimination of MIRVed ICBMs² and for the reduction of strategic nuclear warheads to no more than 3,000 to 3,500 each by the year 2003.³

With respect to non-proliferation, the parties to the Nuclear Non-Proliferation Treaty (NPT), meeting at their Review and Extension

¹ For the text of the Treaty, see *The Yearbook*, vol. 16: 1991, appendix II.

² MIRV: Multiple independently targetable re-entry vehicle; ICBM: Intercontinental ballistic missile.

³ The text of the Treaty is reproduced in *The Yearbook*, vol. 18: 1993, appendix II.

Conference in 1995,⁴ decided to extend the Treaty indefinitely, thereby strengthening efforts to curb the horizontal proliferation of nuclear weapons, and work has continued on reinforcing the safeguards system of the International Atomic Energy Agency (IAEA), which undergirds the non-proliferation regime. Most recently, in 1996, the conclusion of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) (see chapter I) and its opening for signature constituted important steps towards curbing the vertical spread and qualitative improvements of these weapons.

However, efforts to advance on other nuclear issues, specifically, a cut-off convention on the production of fissile material, security assurances to non-nuclear-weapon States and multilateral negotiations on the broad subject of nuclear disarmament have not progressed in the international community's multilateral negotiating body, the Conference on Disarmament (CD), because of strong differences of view regarding priority and approach.

A number of regions have had considerable success in promoting non-proliferation and consolidating nuclear-free status through the establishment of nuclear-weapon-free zones: Latin America and the Caribbean, through the Treaty of Tlatelolco (concluded in 1967); the South Pacific, through the Treaty of Rarotonga (concluded in 1985); Southeast Asia, through the Bangkok Treaty (concluded in 1995); and Africa, through the Pelindaba Treaty (concluded in 1995). (For the status of these treaties, see appendix I.) Proposals for other zones, some long-standing and some new, are being considered by members of a number of regions and by interested States.

⁴ The Review and Extension Conference (referred to hereafter as the 1995 NPT Conference) adopted three decisions: "Strengthening the review process for the Treaty" (decision 1), "Principles and objectives for nuclear non-proliferation and disarmament" (decision 2), and "Extension of the Treaty on the Non-Proliferation of Nuclear Weapons" (decision 3). In addition, it adopted a resolution on the Middle East. These decisions by the Conference are contained in the *Final Document of the 1995 Review and Extension Conference* and are reproduced in *The Yearbook*, vol. 20: 1995, chapter 1, annex. The decision number and relevant paragraph are cited in the present chapter in references to these decisions.

This chapter deals with a wide range of issues relating to nuclear disarmament and non-proliferation, such as the START treaties, a fissile material cut-off, IAEA safeguards, nuclear-weapon-free zones and security assurances, and other approaches, among them the legal aspect of the use of nuclear weapons, as considered by the International Court of Justice.

Developments and trends, 1996

The CTBT negotiations dominated the deliberations on nuclear issues within the CD and greatly influenced the tenor of discussions on these issues outside it and in the United Nations in general. It was felt by many States that the outcome of the 1995 NPT Conference had created momentum for nuclear disarmament and that the prospect of achieving a CTBT—the first element in its programme of action as set out in decision 2 of the Final Document of that Conference—in 1996 created promising conditions for further steps. As the year progressed, however, it became apparent that the disagreement over the relative priority of the various elements of a programme of nuclear disarmament *vis-à-vis* the goal of nuclear disarmament itself raised formidable obstacles, as it led to the creation of de facto links between the commencement of work in the various areas and, finally, to the inability to establish any ad hoc committees other than a committee on the CTBT. Controversy over this matter was reflected later in the year in the General Assembly. (See pages 49 to 50 for explanations of vote on resolution 51/45 O, “Nuclear disarmament”, and pages 51 to 53 for the explanations on resolutions 51/45 I and 51/45 R, both entitled “Bilateral nuclear-arms negotiations and nuclear disarmament”.)

On 14 March in the CD, the Group of 21 submitted a proposal⁵ for an ad hoc committee to be established “to commence negotiations on a phased programme for the eventual elimination of nuclear weapons within a specified framework of time”, and subsequently, 28 non-aligned States submitted a “Programme of action for the com-

⁵ CD/1388.

plete elimination of nuclear weapons",⁶ in three phases. The first phase (1996–2000) comprised measures aimed at reducing the nuclear threat and measures of nuclear disarmament; the second phase (2000–2010) comprised measures to reduce the nuclear arsenals and to promote confidence between States; and the third phase (2010–2020) focused on consolidation of a nuclear-weapon-free world.

Issues related to START and other bilateral agreements

START I, which entered into force on 5 December 1994, is at present halfway through its implementation phase. The actual dismantling and destruction, at the rate of approximately 2,000 warheads a year, had begun before the Treaty entered into force. By the end of 1996 the United States had achieved 60 per cent of its target, and both parties had reduced their nuclear-delivery vehicles below the limits set for December 1999. Russia encountered some delays, however, in dismantling its nuclear-powered submarines.

With respect to START II, on 26 January the United States Senate ratified the Treaty with an overwhelming majority and without amendment.⁷ The Russian Federation delayed ratification because of concerns over the ratio of land-based, sea-based and airborne nuclear strategic missiles to be destroyed within the established quotas as well as over proposals in the United States Senate to develop and deploy theatre missile defence (TMD).

With regard to the first concern, according to START II, not only would nuclear warheads be reduced to 3,000 to 3,500 on each side, but all MIRVed ICBMs, considered to be the most destabilizing of all weapons, would be eliminated. Thus, Russia's 400 land-based

⁶ CD/1419, submitted by: Algeria, Bangladesh, Brazil, Cameroon, Colombia, Cuba, Democratic People's Republic of Korea, Egypt, Ethiopia, India, Indonesia, Iraq, Iran (Islamic Republic of), Kenya, Mexico, Mongolia, Morocco, Myanmar, Nigeria, Pakistan, Peru, Senegal, Sri Lanka, Syrian Arab Republic, Venezuela, Viet Nam, Zaire and Zimbabwe. (The document was also circulated as document A/C.1/51/12.) Subsequently, Morocco submitted an explanatory note (CD/1421) to the effect that, while subscribing to the general approach taken in the document, it could not be considered bound by the mechanisms and time limits proposed therein.

⁷ A statement by the president and a White House release from the Office of the Press Secretary were circulated as document CD/1382.

ICBMs would be destroyed, leaving it with 1,700 missiles deployed on submarines and 300 on aircraft. In order to build up to the ceiling of 3,000, Russia would have to build 600 mono-block (one warhead) missiles until the year 2003 at a rate of 100 per year. The Russian strategic forces, however, do not have sufficient financial means to develop at such a pace.⁸

With regard to the second concern, by a bill introduced in the United States Congress in February, the United States would be required to withdraw from the 1972 Anti-Ballistic Missile (ABM) Treaty in order to clear the way for deployment of a national missile defence system. The Administration, however, continued its discussions on theatre missile defence with Russia,⁹ and on 23 September, it was announced that they had reached agreement on the first part of an understanding¹⁰ that would allow the United States to proceed with efforts to build a defence against shorter-range missiles, while preserving the ABM Treaty. However, on 30 October, Russia withdrew from the agreement.¹¹

It was considered by some that the proposed expansion of the North Atlantic Treaty Organization (NATO) could impede and further delay Russia's ratification of START II. To alleviate Russian security concerns, NATO and the United States suggested a number of measures: a pledge by NATO not to station nuclear weapons or alliance troops on the soil of new members; slashing the limits set on conventional forces in Western Europe; and creation of a permanent

⁸ As part of its Nunn-Lugar programme of financial assistance, the United States provided \$230 million in 1996 to facilitate early deactivation and the elimination of strategic offensive arms in Russia. At the Russian-United States summit in Helsinki in March 1997, the United States offered guidelines for a new strategic arms reduction treaty, START III, which would save Moscow the expense of building up to START II limits and still preserve nuclear parity between the two parties.

⁹ Russia and the United States had been engaged in discussions on the subject since 1993.

¹⁰ The first part of the understanding was to deal with low-velocity systems; the second part was to deal with higher-velocity systems.

¹¹ Subsequently, the issue of TMD was discussed at the summit in Helsinki in March 1997.

council for consultation with Russia, providing it with a special status as well as access to military planning and exercises.¹²

There were some important developments during 1996 in other countries that are parties to the Lisbon Protocol.¹³ On 1 June the process of withdrawing strategic nuclear warheads from the territory of Ukraine to the Russian Federation for subsequent destruction under the supervision of Ukrainian observers was completed.¹⁴ Moreover, a United States–Ukrainian facility to dismantle 130 deactivated SS-19 missiles at a rate of at least four a month was opened. In June, Belarus signed an agreement with Germany according to which Germany agreed to help Belarus remove, before the end of 1996, 18 nuclear-armed SS-25 intercontinental missiles from its territory. By 27 November, the removal of nuclear weapons from the territory of Belarus was complete.¹⁵ Both Belarus and Ukraine viewed the withdrawal of all nuclear armaments from their territories as important steps towards the establishment of a nuclear-weapon-free zone in Central Europe (see page 43).

Kazakstan, which had closed its nuclear testing site in 1991 and had had all nuclear warheads withdrawn from its territory in 1995, continued in 1996 its nuclear-weapon dismantlement programme and completed it in September. At the end of that month,

¹² The enlargement of NATO took place in July 1997; the Founding Act, the charter between NATO and the Russian Federation, was signed in Paris on 27 May 1997.

¹³ By the Lisbon Protocol to START I, signed in 1992 by the four successor States to the former Soviet Union and by the United States, the four States—Belarus, Kazakstan, Russia and Ukraine—assumed the obligations of the former Soviet Union under the Treaty. The Protocol entered into force on 5 December 1994; the text is reproduced in *The Yearbook*, vol. 17: 1992, appendix II.

¹⁴ See the statement of the president of Ukraine, circulated as a General Assembly document (A/51/157, annex), and statements by the Russian Federation (A/51/159-S/1996/417) and the United States (A/51/169-S/1996/444).

¹⁵ See the letter of the president of Belarus addressed to the Secretary-General (A/51/708, annex).

the president reported that the last nuclear missile launchers in the territory of Kazakstan had been eliminated.¹⁶

Significant developments were also registered as a result of unilateral actions by other nuclear-weapon States. In February the president of France announced new unilateral cuts in the nuclear arsenals of France: the closure of the Plateau d'Albion missile base in southern France and the dismantling of the 30 Hades missiles that had been mothballed. This action entailed structural reductions as well, as France was thereby abandoning the land-based component of its deterrent and the short-range missiles it possessed. The United Kingdom proceeded with its programme of reductions; it projected that, by the end of 1998, its nuclear forces would be limited to a single system deployed on submarines.

Fissile material

The impasse in the Conference on Disarmament with respect to negotiations on a fissile material cut-off, which had developed in 1995, persisted in 1996, a year in which, in any event, the Conference concentrated its efforts on concluding a CTBT.¹⁷ Addressing the question in plenary meetings, some delegations spoke of the commencement of negotiations on a cut-off as the next logical step for the Conference to take once it had concluded a CTBT, as envisaged at the 1995 NPT Conference,¹⁸ and believed the subject was ripe for immediate negotiation. Most non-aligned States, however, saw a cut-off as an element of their programme of action for the elimination of nuclear weapons,¹⁹ and sought to ensure that the Conference would deal with it in that context before agreeing to begin negotiations on a cut-off. Egypt called for an ad hoc committee on nuclear disarmament that would begin negotiations on a cut-off and, in parallel, undertake con-

¹⁶ A/C.1/51/5, annex.

¹⁷ Although the Conference on Disarmament had agreed, in 1995, to establish an ad hoc committee with a mandate to negotiate a treaty banning the production of fissile material for nuclear weapons and that the mandate would not preclude any delegation from raising issues relating to scope, negotiations were not begun because establishment of that committee became linked with establishment of a committee on nuclear disarmament.

¹⁸ See footnote 4. The reference is to decision 2, para. 4(b).

¹⁹ See footnote 6.

sultations on a mandate that would outline a time-bound framework for the committee's future work on nuclear disarmament. In the end, although no delegation opposed negotiating a cut-off convention, it was not possible to undertake focused work at the 1996 session of the CD.

Some progress at the unilateral level was made. Early in the year, France, which had already halted the production of plutonium for military purposes, reported its decision to close down its Pierrelatte plant that was capable of producing highly enriched uranium for national defence purposes. The Russian Federation, which had ceased producing weapons-grade uranium, announced that its national programme to cease producing weapons-grade plutonium would be implemented by 1998.

On 17 September, the Secretary of Energy of the United States and the Minister of Atomic Energy of the Russian Federation met with the Director General of the IAEA in Vienna to discuss IAEA verification of fissile material transferred from military use to peaceful nuclear activity.²⁰ Following the meeting, a trilateral statement²¹ was issued, in which the Russian Federation and the United States agreed to discuss how to protect sensitive nuclear weapons information and to prevent its disclosure, and to hold appropriate consultations with the IAEA thereon; to form a joint group to address the various technical, legal and financial issues associated with implementing IAEA verification and to report on progress within nine months; and to visit two sites in the United States to examine how IAEA safeguards had been implemented at plutonium facilities under existing United States voluntary offer agreements with the Agency.

IAEA safeguards

In early 1996, the IAEA began to implement under its existing legal authority new measures, principally the collection of environmental

²⁰ The two States had committed themselves on a number of occasions to address this and related matters, most recently at the 1995 NPT Conference (see *The Yearbook*, vol. 20: 1995, chap. I, annex, decision 2, para. 13 (see also footnote 4)) and at the summit meeting in Moscow in May (see *The Yearbook*, vol. 20: 1995, chap. V, and document CD/1327).

²¹ Trilateral statement to the Press, 17 September (IAEA General Conference Press Release, PR 96/19).

samples and unannounced inspections, contained in Programme 93+2.²² Then, at its regular mid-year meeting in Vienna, held from 10 to 14 June, the Board of Governors decided to move ahead with concrete steps that would increase the authority of the inspectorate. It agreed to establish a Committee on Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System²³ that would draw up a draft model protocol to supplement the existing safeguards inspection agreements between the IAEA and non-nuclear-weapon States, and to define the nature of additional information and additional access to nuclear-related locations that are to be inspected. In general, the protocol will aim at additional verification objectives and an increased ability to detect possible undeclared activities. The Board emphasized that the new measures should strike a balance between the Agency's need for information and access on one hand, and the State's need to protect its legitimate interests and to respect its institutional obligations, on the other. It was also emphasized that the implementation of these measures should be subject to strict rules of confidentiality with regard to information received and the entire process of verification itself.

The Committee met twice during the year, in July and in October. It examined the proposals concerning measures requiring additional authority that had been put forward by the IAEA secretariat and amendments that had been submitted by delegations. As of the end of the year, the bracketed rolling text reflected the degree of agreement reached, and intensive multilateral consultations were under way to facilitate progress in the session scheduled for January 1997.²⁴

In the case of safeguards with the Democratic People's Republic of Korea (DPRK), the information and access provided to the IAEA were insufficient to give a comprehensive picture of DPRK's nuclear

²² The Programme consisted of two parts: part 1 concerned measures for which the IAEA already had authority, and part 2 concerned measures that would require additional authority. See *The Yearbook*, vol. 20: 1995, chap. V, p. 93.

²³ See the resolution entitled "Strengthening the effectiveness and improving the efficiency of the safeguards system", adopted by the General Conference of the IAEA at its 40th session, in September (GC(40)RES/16).

²⁴ The Model Protocol Additional to existing safeguards agreements was adopted on 16 May 1997 (IAEA Press Release, PR 97/9).

programme and to answer questions about the completeness of its initial declaration of nuclear activities. The verification arrangements currently in place, however, gave confidence that the graphite-moderated reactors and related facilities subject to a freeze under the Agreed Framework between the United States and the DPRK were actually frozen.²⁵

With respect to Iraq, the Agency continued to implement its ongoing plan for monitoring and verifying Iraq's compliance with relevant Security Council resolutions through its Nuclear Monitoring Group, assisted by and in coordination with the United Nations Special Commission. In September, Iraq re-issued its "full, final and complete declaration", the completeness and correctness of which the Agency was still assessing at the end of the year. The IAEA General Conference adopted, in September, a resolution²⁶ on the implementation of Security Council resolutions relating to Iraq, by which it demanded that Iraq hand over any undisclosed nuclear-weapon-related equipment, material and information and grant IAEA inspectors unconditional and unrestricted rights of access in accordance with Security Council resolution 707 (1991).

Nuclear safety; Moscow summit

The end of the cold war has provided the international community with real possibilities for cooperation in the field of nuclear safety and security. The Moscow meeting of 19 and 20 April, jointly chaired by France and the Russian Federation, was an important step in the achievement of these objectives. Leaders of the Group of Seven (G-7)

²⁵ The Agreed Framework was concluded in October 1994. See *The Yearbook*, vol. 19: 1994, chap. I. The text of the Framework is reproduced in *Disarmament: A Periodic Review by the United Nations*, vol. XVII, No. 2 (1994), pp. 136–140. At its 40th session, the General Conference of the IAEA adopted a resolution on the implementation of the agreements between it and the DPRK (resolution GC(40)/RES/4).

²⁶ GC(40)/RES/21. See also the consolidated reports of the Director General of the IAEA (S/1996/261, S/1996/833 and S/1997/297).

and the Russian Federation (at a later stage joined by Ukraine) agreed to closely cooperate in improving nuclear safety worldwide.²⁷

In their declaration on nuclear safety and security, the participating countries recognized that security of all nuclear material is an essential part of the responsible and peaceful use of nuclear energy and, in particular, that the safe management of fissile material, including material released from the dismantling of nuclear weapons, is an absolute imperative. The participants pledged to increase cooperation in the field of nuclear non-proliferation and disarmament by promoting universal adherence to the NPT, working to strengthen the IAEA safeguards system and implementing effective and responsible export control measures. On the subject of the safety of civilian nuclear reactors, they called upon all countries to join the International Convention on Nuclear Safety (see below) and noted the need for the countries of Central and Eastern Europe and the newly independent States to continue their efforts, often in cooperation with multilateral and bilateral programmes, to improve nuclear safety. Regarding nuclear waste management and ocean dumping issues, the participants called on national authorities to ensure that radioactive waste be managed safely and that provision be made for its proper handling, storage and ultimate disposal, and stated that the development of a convention on the safety of radioactive waste, based on these principles, was of paramount importance. They affirmed the responsibility of nations to ensure that nuclear material in their possession was subject to effective systems of accounting, control and physical protection, and the responsibility of nuclear-weapon States to ensure the effective management of weapons-grade fissile material no longer required for defence purposes.

The programme for preventing and combating illicit trafficking in nuclear material that was agreed upon at the summit recognized the risk of global proliferation and potential danger to public health and safety posed by trafficking. International efforts to suppress the

²⁷ The five texts agreed upon at the Conference and circulated as a document of the General Assembly (A/51/131) are: (a) declaration on nuclear safety and security, (b) programme for preventing and combating illicit trafficking in nuclear material, (c) statement on the CTBT, (d) statement on Ukraine and (e) statement by participants concerning Lebanon and the peace process.

phenomenon would have to address, *inter alia*, safe and secure storage and effective material protection; cooperative intelligence, customs and law enforcement efforts to prevent the sale of diverted material; and joint efforts to identify illicit supply and to deter potential traffickers. In addition, nuclear material released through the nuclear weapon dismantling process should be placed under international safeguards as soon as possible. The programme included a system of measures designed to strengthen a collective response, on the part of the participating countries, to illicit trafficking.²⁸

On 24 October, the International Convention on Nuclear Safety, of which the IAEA is the depositary, entered into force. Its aim is to commit States operating land-based nuclear power plants to maintain a high level of safety; obligations cover such aspects as siting, design, construction, operation, the availability of adequate financial and human resources, the assessment and verification of safety, quality assurance and emergency preparedness. The Convention obliges parties to submit reports on the implementation of their obligations for peer review at meetings of the parties to be held at the IAEA. At its 40th session, the General Conference of the IAEA adopted a number of resolutions²⁹ affirming IAEA activities in the areas of nuclear safety and waste disposal.

Related export controls

The Nuclear Suppliers Group (NSG) held its annual plenary meeting in Buenos Aires on 25 and 26 April. It was the first plenary meeting of the Group in Latin America and was attended by representatives of 34 member States; Brazil, the Republic of Korea and Ukraine

²⁸ At their meeting in Lyon on 29 June, the G-7 agreed that France, on their behalf, would undertake *démarches* in order to encourage more countries to adopt the programme (A/51/208-S/1996/543).

²⁹ GC(40)/RES/10 on the Convention on Nuclear Safety, GC(40)/RES/17 on measures against illicit trafficking in nuclear materials, GC(40)/RES/11 on a convention on the safety of radioactive waste management and GC(40)/RES/12 on measures to resolve international radioactive waste management issues.

attended for the first time as members.³⁰ Responding to the decision on principles and objectives for nuclear non-proliferation adopted at the 1995 NPT Conference, the Group agreed to promote openness and transparency through further dialogue and cooperation with non-member countries and established a working group to advance this objective.

The eleventh plenary session of the Missile Technology Control Regime (MTCR),³¹ held in Edinburgh from 7 to 10 October, focused on regional aspects of missile proliferation. The meeting stressed the importance of controlling the trans-shipment of missile-related technology and acknowledged the need to strengthen the MTCR through cooperation with non-members. The proceedings of this meeting reflected the progressive shift of the regime's focus from harmonizing the export controls of the major exporters of missile-related technology to the challenges posed by the export behaviour of non-members. It was made clear that the MTCR would devote greater attention to strengthening the understanding between the regime and non-members and address the missile threat regionally rather than on a nation-by-nation basis.

Nuclear-weapon-free zones

Growing recognition on the part of both nuclear-weapon and non-nuclear-weapon States of the contribution that nuclear-weapon-free zones could make to international peace and security—which had been noted at the 1995 NPT Conference—was very evident in 1996. A number of existing zones were strengthened, efforts to establish

³⁰ At the time of its meeting, the membership of the NSG was as follows: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, South Africa, Slovak Republic, Spain, Sweden, Switzerland, Ukraine, United Kingdom and United States. The European Commission attended as a permanent observer.

³¹ The membership of the MTCR as of its October meeting was as follows: Argentina, Australia, Austria, Belgium, Brazil, Canada, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Russian Federation, South Africa, Spain, Sweden, Switzerland, United Kingdom and United States.

new zones were made, and there was a call to consolidate the status of the nuclear-weapon-free southern hemisphere and adjacent areas.

France, the United Kingdom and the United States, acknowledging that the cooperation of all nuclear-weapon States and their respect and support for relevant protocols of nuclear-weapon-free zone treaties was necessary for the maximum effectiveness of the zones, signed, on 25 March, the three Protocols to the *South Pacific Nuclear Free Zone Treaty*. (China and Russia had signed the two Protocols for which they were eligible in 1987 and 1986, respectively, and had ratified them in 1988.) Moreover, at a ceremony in Cairo in April,³² 45 African States signed the *African Nuclear-Weapon-Free Zone Treaty*, and China, France, the United Kingdom and the United States signed the Protocols for which they were eligible. In September, France ratified the Protocols, and in November, Russia signed those for which it was eligible. By the end of the year, several more States had signed the Treaty, and two had become parties. The *Treaty on the Southeast Asia Nuclear Weapon-Free Zone*, which had opened for signature at the end of 1995, was strengthened by five ratifications in the course of 1996. It was not possible, however, to allay the concerns of the nuclear-weapon States over inclusion of continental shelves and exclusive economic zones in the zone of application and over the negative security assurance contained in the Protocol, or to resolve the conflicting territorial claims in the zone. As a result, none of the nuclear-weapon States had signed the Protocol by the end of the year, although talks aimed at overcoming these difficulties continued throughout the year between various nuclear-weapon States and the members of the Association of Southeast Asian Nations (ASEAN). With respect to the oldest zone, established by the *Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean*, the process of consolidation continued.

Efforts were also made to begin building support in the international community for the creation of new zones in areas adjacent to nuclear-weapon States or on territory recently freed of nuclear weapons. A draft resolution calling upon the five nuclear-weapon States to support the idea of establishing a zone in the Central Asian region was circulated in the First Committee by Kyrgyzstan and Mon-

³² See the Cairo Declaration, adopted on the occasion of the opening for signature of the Treaty (CD/1390).

golia, but after consultations with interested delegations and other potential sponsors, was withdrawn from further action at that session. With the removal of nuclear weapons from Belarus and Ukraine (see page 34), and intensive discussion about the evolving security arrangements in Europe, in particular the enlargement of NATO, the very old proposal³³ to establish a nuclear-weapon-free zone in Central Europe was revived by those two Eastern European States. In their view, the de facto nuclear-free zone stretching from the Baltic to the Black seas that had just been created could and should be given the force of law. Consultations on this matter should begin with neighbouring and interested countries, and also within the Organization for Security and Cooperation in Europe (OSCE), NATO and the European Community (EC).

The varying perspectives and concerns of Member States *vis-à-vis* the very concept of nuclear-weapon-free zones, specific instances of such zones and the relationship between this subject and the very broad issue of nuclear disarmament were reflected in the Disarmament Commission and the First Committee. The possibility of placing an item on the agenda of the Commission on general principles and guidelines for nuclear-weapon-free zones or zones of peace was supported by most non-aligned States and by Western and Eastern European States, but presented serious difficulties for India. Another formulation that would have placed the subject in the context of global efforts aimed at nuclear disarmament was not acceptable to some nuclear-weapon States, in particular the United States. As no consensus could be reached, the item was not included; however, later in the year, during the First Committee, it was agreed that the 1997 agenda of the Commission would include an item on nuclear-weapon-free zones (see page 156.) In the First Committee, a large number of States, drawn principally from members of the four existing nuclear-weapon-free zones, stressed that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba were gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons. The resolution on the subject of the nuclear-free status of the southern hemisphere, which

³³ The proposal had first been made in the mid-1950s and had been put forward again by Belarus at the 1995 NPT Conference (see document NPT/CONF.1995/MC.II/1, para. 48).

was subsequently adopted as resolution 51/45 B, sparked considerable debate (see pages 59 to 61).

There was no progress with respect to two long-standing proposals for zones in South Asia and the Middle East.

Security assurances

The situation with respect to negative security assurances to non-nuclear-weapon States remained virtually unchanged. No ad hoc committee was established in the Conference on Disarmament to undertake negotiations, but the subject was actively debated within the framework of negotiations on the test-ban treaty. Both China and Ukraine advocated inclusion of a separate article on assurances, and China tabled a textual proposal that was later withdrawn. In general, the non-aligned States held that the unilateral commitments given in Security Council resolution 984 (1995) by the five nuclear-weapon States fell far short of expectations since they had not been negotiated multilaterally and were not legally binding or comprehensive, and that the Conference on Disarmament should consider the further steps that might be taken, referred to in the 1995 NPT document on principles and objectives.³⁴ The Western nuclear-weapon States, however, maintained that their assurances were legally valid and adequate. Nevertheless, at the end of the session, it was recognized that an ad hoc committee on assurances could be set up and its mandate updated.

New action on security assurances was taken by the nuclear-weapon States in connection with their signature and ratification of relevant protocols to the treaties of Rarotonga and Pelindaba, as noted on page 41, but no broader commitments were undertaken thereby. The commitment embodied in the Protocol to the Bangkok Treaty, whereby the nuclear-weapon States would undertake not to use or threaten to use nuclear weapons within the Southeast Asia zone, was considered too sweeping, particularly by France, and contributed to the reluctance of the nuclear-weapon States to adhere to the Protocol as drafted.

³⁴ See footnote 4. The reference is to decision 2, para. 8.

Advisory opinion of the International Court of Justice

Responding to the question "Is the threat or use of nuclear weapons in any circumstance permitted under international law?", posed by General Assembly resolution 49/75 K of 1994, the International Court of Justice issued its advisory opinion on the legality of the threat or use of nuclear weapons on 8 July 1996.³⁵ The texts of the six decisions of the Court are reproduced in the annex to this chapter, on page 66.

The Court addressed the question in the light of the provisions of the Charter relating to the threat or use of force; it then turned to the law applicable in situations of armed conflict, first addressing the question whether there are specific rules in international law regulating the legality or illegality of recourse to nuclear weapons *per se* and then examining the question in the light of the principles and rules of humanitarian law and the law of neutrality. Given the difficulties arising from this examination and considering that international law and the stability of the international order were bound to suffer from the continuing difference of views with regard to the legal status of nuclear weapons, the Court expressed the view that it was important to put an end to this state of affairs and that complete nuclear disarmament appeared to be the most appropriate means of achieving that result.

In its decision, the Court agreed unanimously that the threat or use of force by means of nuclear weapons that was contrary to Article 2, paragraph 4 (refraining from the threat or use of force) of the Charter and did not meet the requirements of Article 51 (inherent right of individual or collective self-defence) was unlawful, and that such threat or use of force should be compatible with international law applicable in armed conflict. It split evenly, in favour and

³⁵ The case before the Court generated a great deal of interest. Twenty-eight States filed written statements, and twenty-two States presented oral statements. See *The Yearbook*, vol. 20: 1995, chap. V. The advisory opinion was submitted to the General Assembly in a note by the Secretary-General (A/51/218, annex). The Court refused a related request dating from 1993 from the World Health Organization (WHO), finding that "an essential condition of its jurisdiction in the present case is absent", namely, that it was not within the "competence" of the WHO to request an opinion on a legal (as opposed to a health-related) question.

against, on the decision that it could not conclude definitively whether the threat or use of nuclear weapons would be lawful in all circumstances. It decided unanimously, however, that "there exists an obligation to ... bring to a conclusion negotiations leading to nuclear disarmament".

The ICJ advisory opinion gave rise to considerable discussion, since it has ramifications for both those who deny and those who uphold the legality of the threat or use of nuclear weapons.

Report of the Canberra Commission

In November 1995, the Australian Government established the Canberra Commission on the Elimination of Nuclear Weapons as an independent commission to propose practical steps towards a nuclear-weapon-free world, including how to maintain stability and security during the transitional period and after this goal is achieved. The report of the Commission was issued on 14 August 1996 and was formally presented to the General Assembly on 30 September.³⁶

The authors of the report came to the conclusion that national and global security could no longer be dependent upon military doctrines based on the possibility of the threat or use of nuclear weapons. Consequently, a nuclear-weapon-free world must be secured and maintained through political commitment and anchored in an enduring and binding legal framework. The commissioners used the following arguments: the end of bipolar confrontation has not removed the danger of nuclear catastrophe and, in some respects, the risk of use by accident or miscalculation has increased; nuclear weapons have long been understood to be too destructive and non-discriminatory to secure discrete objectives on the battlefield; no nuclear-weapon State has been or is prepared to declare as a matter of national policy that it would respond to the use of chemical or biological weapons with nuclear weapons; and finally, despite the impact of the international nuclear non-proliferation regime, the possession of nuclear weapons by any State is a constant stimulus to other States to acquire them, and several States have made, and some continue to make, clandestine efforts to develop nuclear arsenals.

³⁶ The Executive Summary was circulated as a document of the Conference on Disarmament (CD/1429).

Nuclear non-proliferation and disarmament

The commissioners suggested immediate measures and a number of reinforcing steps aimed at phased, verified reductions of nuclear weapons that would allow States to satisfy themselves regarding compliance at each stage. Implementation would require a commitment on the part of the five nuclear-weapon States to eliminate nuclear weapons and an agreement to start working on practical steps to achieve that. The following measures were suggested: taking nuclear forces off alert; removing warheads from delivery vehicles; ending deployment of non-strategic nuclear weapons; ending nuclear testing; initiating negotiations to further reduce the arsenals of the United States and Russia; and agreement among the nuclear-weapon States of reciprocal non-first-use undertakings, and of non-use undertakings by them in relation to the non-nuclear-weapon States. These measures are to be accompanied by the following reinforcing steps: action to prevent further horizontal proliferation; development of the verification arrangements for a nuclear-weapon-free world; and cessation of the production of fissile material for weapons purposes. The commissioners stated that it was necessary to fully protect the integrity of the ABM Treaty, and that nuclear-weapon-free zones were part of the architecture that could usefully encourage and support a nuclear-weapon-free world. They did not propose any time-frame for these efforts, other than to say that the elimination of nuclear weapons should be achieved as soon as possible.

General Assembly, 1996

The General Assembly took action on 17 draft resolutions dealing with the subjects discussed in this chapter. All resolutions were adopted on 10 December.

Nuclear disarmament and related issues

As in 1995, two draft resolutions on nuclear disarmament that reflected two different approaches to the subject were introduced by Japan and by non-aligned States, respectively.

The representative of Japan, on 6 November, introduced a draft resolution entitled *Nuclear disarmament with a view to the ultimate*

elimination of nuclear weapons on behalf of the sponsors.³⁷ On 11 November, the First Committee took action, adopting the seventh preambular paragraph (welcoming the adoption of the CTBT), by a recorded vote of 133 to 1 (India), with 6 abstentions; operative paragraph 1 (referring to the importance of universal adherence to the NPT) by a recorded vote of 138 to 2 (India and Israel), with 2 abstentions; and the draft resolution as a whole by a recorded vote of 132 to none, with 11 abstentions.

A number of States explained their abstentions. India voted negatively on the separate paragraphs because of its position regarding the two treaties concerned and abstained on the text as a whole because of its emphasis on the NPT as the route to the elimination of nuclear weapons. Cuba felt that the substance of the draft text, emphasizing non-proliferation issues and the reduction of weapons, was at variance with the title—a view shared by Algeria, India and the Islamic Republic of Iran. These States and Nigeria preferred the draft text submitted by Myanmar, which, reflecting the general non-aligned position, called for multilateral negotiations on nuclear disarmament within the Conference on Disarmament. Brazil abstained mainly because the text ignored the importance of regional agreements for the promotion of nuclear non-proliferation.

Pakistan and Viet Nam voted in favour of the draft resolution because they supported its objective. However, both felt that, in spite of its title, the draft text did not focus on nuclear disarmament. With reference to operative paragraph 1, Pakistan stated that it would be prepared to accede to the NPT simultaneously with India. Viet Nam stressed that it stood for the total elimination of nuclear weapons, the sooner the better.

On 10 December, the General Assembly adopted the seventh preambular paragraph by a recorded vote of 161 to 1, with 5 abstentions; operative paragraph 1 by a recorded vote of 161 to 3, with 2 abstentions; and the draft resolution as a whole by a recorded vote of 159 to none, with 11 abstentions. At that meeting, the DPRK explained that it had abstained because the resolution, in its view, did

³⁷ Subsequently sponsored by: Australia, Austria, Canada, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Romania, Spain, Sweden, United Kingdom and Venezuela.

not clarify at all the question of how to eliminate nuclear weapons and feared it might mislead the world public. For the text of *resolution 51/45 G, Nuclear disarmament with a view to the ultimate elimination of nuclear weapons*, and the voting pattern, see pages 264 and 338, respectively.

On 11 November, Myanmar introduced a draft resolution, entitled *Nuclear disarmament*, on behalf of the sponsors.³⁸ At a meeting later that day, the First Committee adopted the draft resolution by a recorded vote of 87 to 38, with 20 abstentions.

The United States, explaining, at an earlier meeting, that it would vote negatively, stated that it was committed to continuing progress in the nuclear arms reduction and disarmament contexts, but not according to arbitrary dictates regarding substance, form and timing and not before all five nuclear-weapon States were prepared to negotiate reductions among themselves. The approach taken in the draft—total elimination within a time-bound framework through negotiation of a nuclear weapons convention in the CD—was a recipe for stalemate. Australia, which also voted negatively, believed that a restrictive, time-bound approach was not realistic and that a patient pursuit of the various interlocking steps on the path to the complete elimination of nuclear weapons was required.

Among those abstaining, Japan noted that the draft text was not the product of coordination with the nuclear-weapon States and that it did not refer to the review process established for the NPT, which would, it felt, provide a realistic and solid framework for the promotion of nuclear disarmament. Both Japan and New Zealand believed that the setting of a time-bound framework for the negotiations would not be conducive to advancing the common objective of eliminating nuclear weapons. South Africa, which had supported the corresponding text in 1995 despite misgivings, felt obliged to

³⁸ Algeria, Angola, Bangladesh, Cambodia, Colombia, Costa Rica, Cuba, Ecuador, Egypt, Ethiopia, Fiji, Ghana, India, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Malaysia, Marshall Islands, Mexico, Mongolia, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Pakistan, Papua New Guinea, Philippines, Samoa, Sri Lanka, Sudan, Thailand, United Republic of Tanzania, Venezuela, Viet Nam, Zaire, Zambia and Zimbabwe. Subsequent sponsors: Burundi, El Salvador and Lesotho.

abstain on the 1996 text because it referred to the proposal³⁹ of 28 non-aligned members of the Conference on Disarmament to link the immediate and concurrent commencement of negotiations on a number of nuclear disarmament issues. Such a position, South Africa feared, would block progress on all fronts.

Two States that voted in favour expressed their views. China reaffirmed that it would not evade its responsibilities with regard to nuclear disarmament and was ready to join with other nuclear-weapon States and non-nuclear-weapon States to bring about a nuclear-weapon-free world at an early date; it called upon the nuclear-weapon States to revise their obsolete theories of nuclear deterrence and urged those with the most sophisticated weapons to continue to reduce them. Brazil, as a signatory of the CTBT and convinced that that Treaty constituted an effective measure of nuclear disarmament and non-proliferation, dissociated itself from the sixth preambular paragraph of the draft resolution.

The General Assembly adopted the draft resolution by a recorded vote of 110 to 39, with 20 abstentions. For the text of *resolution 51/45 O, Nuclear disarmament*, and the voting pattern, see pages 277 and 344, respectively.

On 4 November, the representative of India introduced, on behalf of the sponsors,⁴⁰ a draft resolution entitled *Convention on the Prohibition of the Use of Nuclear Weapons*, which was subsequently slightly revised. On 11 November, the First Committee adopted the revised draft text by a recorded vote of 76 to 26, with 24 abstentions.

The United States, which voted against the draft resolution as it has traditionally done, stated that the provision in the current version, by which the entry into force of the Convention would depend upon ratification by the nuclear-weapon States, constituted an attack on its sovereignty. Among those that abstained, Australia, Japan and New

³⁹ CD/1419, also circulated as a document of the First Committee (A/C.1/51/12).

⁴⁰ Bhutan, Bolivia, Botswana, Brunei Darussalam, Colombia, Costa Rica, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Ethiopia, Haiti, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mexico, Myanmar, Nepal, Nigeria, Sudan and Viet Nam. Subsequent sponsors: Bangladesh, El Salvador, Lesotho and Malaysia.

Zealand explained their positions. All three felt a step-by-step approach was more practical than premature attempts to conclude a convention prohibiting nuclear weapons. New Zealand pointed out that such a convention would have to be supported by all nuclear-weapon States—a requirement that had clearly not yet been met. Australia and Japan stressed the importance to nuclear disarmament of steady progress in nuclear non-proliferation. China and Pakistan explained why they had voted in favour. The former believed that the draft convention provided a basis for future negotiations. However, it had reservations regarding some of the wording of the draft, noting that it was China's understanding that all States had the right of legitimate self-defence. The latter based its support on the prohibition of the use or threat of force in the Charter and on the recent advisory opinion of the International Court of Justice.

The General Assembly adopted the draft resolution by a recorded vote of 114 to 31, with 27 abstentions. For the text of *resolution 51/46 D, Convention on the Prohibition of the Use of Nuclear Weapons*, and the voting pattern, see pages 293 and 350, respectively.

Also as in 1995, two draft resolutions entitled *Bilateral nuclear-arms negotiations and nuclear disarmament*, reflecting the divergence of approach between the non-aligned States, on the one hand, and the nuclear-weapon States, on the other, were adopted by the General Assembly.

The representative of Colombia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced the first draft resolution on 4 November. On 12 November, the First Committee adopted it by a recorded vote of 83 to 36, with 21 abstentions. A number of States explained their positions at the time of voting.

Both the Russian Federation and the United States voted against the draft resolution, calling it a "counter-draft" to the one they had submitted. They noted that the non-aligned draft did not refer to the indefinite extension of the NPT and that the seventh preambular paragraph did not accurately reflect the position adopted at the 1995 NPT Conference. The United States declared that the implication that the nuclear-weapon States would reduce their nuclear weapons within a time-bound framework was "patently untrue". The Russian Federation pointed out that the draft text did not refer to the Moscow Summit

on Nuclear Safety and Security and that it included a highly selective reference to the advisory opinion of the International Court of Justice. The United States warned that the voting results on the two draft resolutions on bilateral nuclear-arms negotiations would have an impact on its attitude towards the holding of a fourth special session of the General Assembly devoted to disarmament.

Ukraine explained that it had abstained because the practical achievements in the sphere of nuclear disarmament, specifically the removal of nuclear warheads from its territory, were not recognized in the draft resolution. Moreover, it was clear from its own experience that such an important and complex process as nuclear disarmament should not be burdened by a time-bound framework.

The representative of the United States, on 7 November, introduced on behalf of the Russian Federation and the other sponsors⁴¹ the second draft resolution on bilateral nuclear-arms negotiations. On 12 November the First Committee adopted the draft resolution by a recorded vote of 129 to none, with 12 abstentions.

Four States that abstained—India, Indonesia, the Islamic Republic of Iran and the Syrian Arab Republic—explained their positions. All expressed their support for the bilateral negotiations, but favoured the approach taken in the non-aligned draft resolution. India pointed to apparent setbacks in recent bilateral efforts, noting that those efforts pertained to arms control and did not encompass the other nuclear-weapon States, and expressed the belief that bilateral reductions needed to be part of multilateral and comprehensive negotiations leading to the total elimination of nuclear weapons within a time-bound framework. Iran and the Syrian Arab Republic took exception to the reference to the indefinite extension of the NPT in 1995, with the former stating that so long as the decisions of the Conference were not implemented, it could not appreciate its outcome.

⁴¹ Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakstan, Kyrgyzstan, Liechtenstein, Luxembourg, Marshall Islands, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom and United States. Subsequent sponsors: Latvia and Monaco.

Iran and Indonesia noted that the draft text made no reference to the ICJ's advisory opinion.

Six States that voted in favour explained their positions. Algeria, Burundi, Pakistan, Thailand, and Viet Nam, although dissatisfied with some aspects of the draft resolution, in particular the omission of a time-bound framework for the elimination of nuclear weapons and a role for the Conference on Disarmament, felt that the bilateral process had to be encouraged and intensified, and that all measures aimed at nuclear disarmament had to be supported. Several of these States urged that the sponsors of the two draft resolutions work to achieve a single text at the next session. Ukraine stated that the draft text failed to reflect adequately the contribution to the process of nuclear disarmament that it and a number of other States had made through their voluntary renunciation of nuclear weapons.

The General Assembly adopted the two draft resolutions on bilateral nuclear-arms negotiations and nuclear disarmament. The non-aligned-sponsored text was adopted by a recorded vote of 107 to 37, with 24 abstentions, and the United States–Russian draft by a recorded vote of 160 to none, with 11 abstentions. For the text of the former, *resolution 51/45 I, Bilateral nuclear-arms negotiations and nuclear disarmament*, and the voting pattern, see pages 267 and 340, respectively. For the text of the latter, *resolution 51/45 R, Bilateral nuclear-arms negotiations and nuclear disarmament*, and the voting pattern, see pages 282 and 347, respectively.

Non-proliferation and related issues

The representative of Sri Lanka, on 6 November, introduced on behalf of the States parties to the NPT a draft resolution entitled *Treaty on the Non-Proliferation of Nuclear Weapons: 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee*. On 15 November, the First Committee adopted the draft resolution by a recorded vote of 142 to none, with 2 abstentions (India and Israel).

Three non-parties to the NPT made explanations of vote. India abstained because it believed that the draft resolution, despite its procedural nature, sought to enhance the status of the provisions and processes of the NPT, a treaty to which it was opposed for fundamental reasons. Both Cuba and Pakistan, on the other hand, voted in favour

because they considered that the draft resolution was basically procedural.

The General Assembly adopted the draft resolution by a recorded vote of 167 to none, with 2 abstentions. For the text of *resolution 51/45 A, Treaty on the Non-Proliferation of Nuclear Weapons: 2000 Review Conference of the Parties to the Treaty*, and the voting pattern, see pages 255 and 334, respectively.

The representative of Mexico, on 15 November, introduced a draft decision entitled *Non-proliferation of weapons of mass destruction and of vehicles for their delivery in all its aspects*. At the same meeting, the First Committee adopted it by a recorded vote of 92 to none, with 53 abstentions.

The General Assembly adopted the draft decision by a recorded vote of 121 to none, with 52 abstentions. For the text of *decision 51/414, Non-proliferation of weapons of mass destruction and of vehicles for their delivery in all its aspects*, and the voting pattern, see pages 310 and 354, respectively.

A draft resolution entitled *Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament*, was introduced in the First Committee by the representative of Belarus on behalf of the sponsors⁴² on 4 November. On 11 November the First Committee adopted the draft resolution without a vote.

Subsequently, the General Assembly adopted the draft resolution without a vote. For the text of *resolution 51/37, Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons*, see page 241.

On 4 November, the representative of Pakistan introduced a draft resolution entitled *Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat*

⁴² Afghanistan, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Costa Rica, Czech Republic, Denmark, Finland, Germany, Greece, Hungary, India, Indonesia, Italy, Kazakstan, Kyrgyzstan, Luxembourg, Mongolia, Netherlands, Russian Federation, Slovakia, Slovenia, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom, Uruguay and Viet Nam. Subsequent sponsors: Bangladesh, Chile, Egypt, El Salvador, Estonia, Iceland, Lithuania, Nigeria and Sri Lanka.

of use of nuclear weapons on behalf of the sponsors.⁴³ The First Committee took action on the draft on 11 November, adopting it by a recorded vote of 100 to none, with 43 abstentions.

The Republic of Korea abstained because it believed that the draft text did not properly take into account recent developments regarding security assurances and that such assurances should be provided only to parties fully complying with the NPT; it noted that the parties to that Treaty had, in 1995, considered that assurances could take the form of an international legally binding instrument. Australia, while voting in favour, underlined its belief that only States willing to assure the security of others by joining the international non-proliferation regime should benefit from negative security assurances.

The General Assembly adopted the draft resolution by a recorded vote of 125 to none, with 45 abstentions. For the text of *resolution 51/43, Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons*, and the voting pattern, see pages 250 and 332, respectively.

On 7 November, the representative of Egypt, on behalf of the States Members of the United Nations that are members of the League of Arab States, introduced a draft resolution entitled *The risk of nuclear proliferation in the Middle East*.⁴⁴ The sponsors, later joined by Malaysia, carried out a number of revisions,⁴⁵ among them, the merging of two operative paragraphs and the replacement of "Israel" with the phrase "the only State in the region". On 18 November, the First Committee took action on the draft resolution as follows. It first took a separate recorded vote on the sixth preambular para-

⁴³ Bangladesh, Brunei Darussalam, Colombia, Democratic People's Republic of Korea, Ghana, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Myanmar, Pakistan, Philippines, Sri Lanka, Sudan and Viet Nam. Subsequent sponsors: Cuba, Egypt, Guatemala and Zaire.

⁴⁴ The First Committee also had before it a report of the Secretary-General entitled "The risk of nuclear proliferation in the Middle East" (A/51/446), in which he stated that he had no additional information since his last report (A/50/513) on the subject, and referred to the relevant resolution of the IAEA (GC(40)/RES/22), which was annexed to his report.

⁴⁵ See document A/51/566/Add.14, paras. 3 and 4.

graph, which referred to the 1995 NPT Conference decision urging universal adherence to the Treaty, adopting it by a vote of 118 to 2 (India and Israel), with 10 abstentions. It then adopted the draft resolution as a whole by a recorded vote of 98 to 2, with 32 abstentions.

Israel voted negatively because the text singled it out by name, was, in its view, devoid of any subject not included in other resolutions and omitted any reference to the peace process. It believed that the draft resolution would serve the cause of neither non-proliferation nor confidence-building in the Middle East. Three States that abstained explained their positions. Costa Rica did so in the light of the IAEA's adoption of resolution GC(40)RES/22, *Application of IAEA safeguards in the Middle East*, in September. India and Uruguay did not favour the singling out of any State. In addition, India voted negatively on the preambular paragraph referring to universal adherence to the NPT. Although Australia had reservations about the singling out of a State, it voted in favour because the text was consistent with its objective of universal adherence to the NPT, the application of full-scope safeguards on nuclear facilities, and its support for a zone free of weapons of mass destruction in the Middle East. Iran, voting likewise, believed that the draft resolution was more relevant than ever before and that the accession of Israel to the NPT would facilitate the establishment of such a zone.

The General Assembly took action on the draft resolution on 10 December. It adopted the sixth preambular paragraph by a recorded vote of 155 to 2, with 8 abstentions, and the draft text as a whole by a recorded vote of 129 to 3, with 32 abstentions. For the text of *resolution 51/48, The risk of nuclear proliferation in the Middle East*, and the voting pattern, see pages 302 and 352, respectively.

Nuclear-weapon-free zones

The General Assembly adopted two draft resolutions that pertained to existing nuclear-weapon-free zones: Latin America and the Caribbean, and Africa. It also adopted traditional proposals for the establishment of zones in the regions of the Middle East and South Asia. In addition, it adopted a draft resolution regarding a nuclear-weapon-free southern hemisphere.

The draft resolution entitled *Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)* was introduced by Mexico on behalf of the sponsors⁴⁶ on 4 November. On 11 November, the First Committee adopted the draft resolution without a vote.

On 10 December, the General Assembly also adopted the draft resolution without a vote. For the text of *resolution 51/52, Consolidation of the regime established by the Treaty of Tlatelolco*, and the voting pattern, see pages 305 and 354, respectively.

The representative of South Africa, on behalf of the Group of African States, introduced a draft resolution entitled *African Nuclear-Weapon-Free Zone Treaty* on 7 November. On 11 November, the draft was orally revised by the insertion of the words "and regional" after the word "global" in the third preambular paragraph, and on the same day the First Committee adopted the draft resolution, as orally revised, without a vote.

On that occasion, Spain, the Islamic Republic of Iran and Israel made explanations of position. Spain's support reflected its conviction that the establishment of nuclear-weapon-free zones on the basis of consensus of the States of a region would strengthen international peace and security and recalled a decision of the Congress of Deputies on the non-nuclearization of Spain, which applied to all its territories. Spain's support of the draft resolution did not prejudice its final decision regarding the signing of Protocol III to the Treaty. Israel registered its reservations on the third and fifth preambular paragraphs, which referred to a possible nuclear-weapon-free zone in the Middle East, saying that a zone had to be tailored to the specific characteristics of the region concerned. Iran, too, had reservations regarding the third preambular paragraph, specifically, its designation of the Middle East as a region of tension. In Iran's view, all areas of the world are areas of tension.

⁴⁶ Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay and Venezuela.

On 10 December, the General Assembly adopted the draft resolution without a vote. For the text of *resolution 51/53, The African Nuclear-Weapon-Free Zone Treaty*, and the voting pattern, see pages 307 and 354, respectively.

The draft resolution entitled the *Establishment of a nuclear-weapon-free zone in the region of the Middle East* was introduced by the representative of Egypt on 7 November. The text was twice revised through the deletion of a number of preambular paragraphs and parts thereof, and operative paragraph 4 was replaced with the following text:

“Notes the importance of the bilateral Middle East negotiations and the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone”.

On 18 November, Israel introduced an amendment consisting of the insertion, in operative paragraph 4, of the words “ongoing” before “bilateral”, “peace” before “negotiations” and “the activities of” before “the multilateral”, thus making the paragraph identical with the corresponding paragraph of resolution 50/66 of 1995. The amendment was adopted by a recorded vote of 61 to 28, with 33 abstentions. Subsequently, the draft resolution, as amended, was adopted without a vote.

Egypt, Jordan, Morocco and the Syrian Arab Republic voted against the amendment, expressing the view that the unamended text reflected better the realities prevailing in the Middle East in 1996. Jordan and Morocco referred, however, to their traditional support for the draft resolution on a nuclear-weapon-free zone in the Middle East. The Islamic Republic of Iran, which likewise voted against the amendment, explained that it had not sponsored the draft resolution because of its principled reservations regarding the peace process. For the same reason, Iraq opposed the amendment. Ireland explained, on behalf of the EU, associated States and Iceland, that they had voted in favour of the amendment and joined the consensus on the draft resolution as a whole because they were of the view that it dealt with the question of a nuclear-weapon-free zone in the Middle East and was not a draft resolution on the peace process as such. Israel reiterated its long-held position that it identified with the goal of establishing the Middle East as a mutually and effectively verifiable

nuclear-weapon-free zone after peace was sealed, but that it dissociated itself from the modalities contained in the draft resolution.

The General Assembly adopted the draft resolution without a vote. For the text of *resolution 51/41, Establishment of a nuclear-weapon-free zone in the region of the Middle East*, and the voting pattern, see pages 246 and 331, respectively.

On 7 November, the representative of Brazil, on behalf of the sponsors,⁴⁷ introduced a draft resolution entitled *The nuclear-weapon-free southern hemisphere and adjacent areas*. At the time of introduction, the text had already been revised with the insertion of a new fifth preambular paragraph, by which the General Assembly recalled "the applicable principles and rules of international law relating to rights of passage through maritime space", and a rewording of operative paragraph 2, regarding efforts to facilitate adherence to the protocols of existing nuclear-weapon-free zone treaties. Brazil stated that the draft text did not create new legal obligations nor contradict any norm of international law applicable to ocean space.

On 13 November, Pakistan introduced an amendment by which a reference to the proposal for a nuclear-weapon-free zone in South Asia was inserted into operative paragraph 3. The Committee first took action on the amendment, adopting it by a recorded vote of 89 to 1 (India), with 51 abstentions. It then took action on the draft resolution itself, as amended, adopting operative paragraph 3 by a recorded vote of 100 to 1, with 43 abstentions, and the text as a whole by a recorded vote of 111 to 4, with 36 abstentions.

The United Kingdom, explaining the abstentions on operative paragraph 3 and the negative votes on the draft resolution as a whole

⁴⁷ Algeria, Angola, Argentina, Bahamas, Benin, Bolivia, Botswana, Brazil, Cambodia, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Jamaica, Kenya, Lesotho, Liberia, Malaysia, Marshall Islands, Mexico, Micronesia (Federated States of), Mongolia, Mozambique, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Samoa, Sierra Leone, Singapore, Solomon Islands, South Africa, Suriname, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Zaire and Zimbabwe. Subsequent sponsors: Belize and Brunei Darussalam.

cast by itself, France and the United States, stated their concern that— notwithstanding assertions to the contrary—the aim of some of the sponsors was to create a new zone covering international waters, since almost all land territory in the southern hemisphere was already or soon would be covered by nuclear-weapon-free zones, that it was premature to welcome the Treaty of Bangkok since efforts were continuing to amend its Protocol, and that operative paragraph 3 quoted selectively from article VI of the NPT.

India, Israel and Japan explained their abstentions. India objected to the implication in the first preambular paragraph that the prevention of proliferation was the primary means of strengthening international peace and security and to the reference to South Asia and the phrase “to strengthen the nuclear non-proliferation regime” in operative paragraph 3. However, because the sponsors had emphasized that no new legal obligations were contained in the text, India had abstained on the resolution as a whole. Japan believed that the draft resolution should clearly state its relationship to principles of international law applicable to ocean space, including the freedom of the high seas. Israel, because of its position that each region should freely negotiate the establishment of a zone, took exception to the fourth preambular paragraph, which singled out the region of the Middle East as a region of tension.

Six States that voted in favour also explained their positions. China consistently supported the establishment of nuclear-weapon-free zones, as evidenced by its ratification or signature of relevant protocols, and hoped to be in a position to sign the Protocol of the Treaty of Bangkok. China pointed out that the geographical delineation of a zone was a sensitive issue and that when countries outside the zone were involved, they must be fully consulted. It took note of the statement of Brazil regarding norms of international law. Australia and Sweden both stated that their understanding that the draft resolution was without prejudice to the body of principles governing the law of the sea and—in the case of Australia—did not seek to extend the legal or geographic scope of existing zones had been critical to their support. Australia also noted with satisfaction that the draft text was consistent with its position as a member of a zone, welcomed relevant recent developments and looked towards further cooperation between the southern hemisphere and other States to advance the

shared objectives of zonal treaties. The Islamic Republic of Iran abstained on operative paragraph 3 because it believed that the concept of a non-proliferation regime should have been formulated so as to limit it to existing disarmament and arms control treaties. It would also have preferred a formulation such as "regions under the threat of nuclear weapons" to the phrase "especially in regions of tension" in the fourth preambular paragraph. Burundi, though considering the text far from perfect, stated that one must be satisfied with slow but positive steps. Viet Nam, though an original co-sponsor of the draft resolution, abstained on the separate vote on amended operative paragraph 3.

On 10 December, the General Assembly adopted the draft resolution as follows: operative paragraph 3 by a recorded vote of 118 to 1, with 46 abstentions, and the resolution as a whole by a recorded vote of 129 to 3, with 38 abstentions. At that meeting, Canada explained that although it had voted against the resolution in the First Committee, it had decided to now move to an abstention, as its concerns had been considerably alleviated by subsequent discussions with the principal sponsors. For the text of *resolution 51/45 B, The nuclear-weapon-free southern hemisphere and adjacent areas*, and the voting pattern, see pages 256 and 335, respectively.

On 4 November, the representative of Pakistan, on behalf of the sponsors,⁴⁸ introduced a draft resolution entitled *Establishment of a nuclear-weapon-free zone in South Asia*. The draft was adopted by the First Committee on 11 November by a recorded vote of 130 to 3, with 8 abstentions. A number of States explained their positions. India stated that the text did not take into account the full range of security concerns of all the States of the region, that the arrangement was not likely to be arrived at freely among those States, and that it did not see South Asia as a region in the context of disarmament or international security. Indonesia abstained because no agreement on the proposal had been reached by the States of the region. Israel and the United States, which voted affirmatively, explained their positions. The former, while noting its support for the concept of nuclear-weapon-free zones, stressed that each zone had to be tailored to its own characteristics, should include mutual verification regimes and should originate from within the region and be accepted by all parties

⁴⁸ Bangladesh and Pakistan.

involved. The latter attached great importance to nuclear non-proliferation initiatives in South Asia; its support for the draft resolution did not constitute a blanket endorsement of nuclear-weapon-free zones.

On 10 December, the General Assembly adopted the draft resolution by a recorded vote of 156 to 3, with 8 abstentions. For the text of *resolution 51/42, Establishment of a nuclear-weapon-free zone in South Asia*, see page 248.

In addition to adopting the five resolutions on nuclear-weapon-free zones, the General Assembly adopted, by a recorded vote of 131 to 3, to 37, resolution 51/51, *Implementation of the Declaration of the Indian Ocean as a Zone of Peace*. By the resolution, the Assembly requested the Ad Hoc Committee on the Indian Ocean to examine its future work, taking into account the Chairman's briefing on consultations held with France, the United Kingdom and the United States, during the course of which they had confirmed their intention not to rejoin the Committee.⁴⁹

International Court of Justice

On 6 November, the representative of Malaysia, on behalf of the sponsors,⁵⁰ introduced a draft resolution entitled *Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons*. On 14 November, the First Committee took action on the draft resolution as follows: operative paragraph 3 (on the existing obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament) was adopted by a recorded vote of 115 to 7, with 19 abstentions; operative paragraph 4 (on the commencement of multilateral negotiations on a nuclear weapons convention), by a recorded vote of 87 to 27, with 27 absten-

⁴⁹ See A/AC.159/SR.443.

⁵⁰ Colombia, Costa Rica, Fiji, Ghana, Indonesia, Iran (Islamic Republic of), Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Marshall Islands, Mexico, Mongolia, Myanmar, Namibia, Niger, Philippines, Samoa, Solomon Islands, Uruguay, Viet Nam and Zimbabwe. Subsequent sponsors: Afghanistan, Algeria, Bangladesh, Belize, Brazil, Burundi, Ecuador, El Salvador, Guatemala, Guyana, India, Iraq, Nigeria, Papua New Guinea, Paraguay, Peru, Qatar, San Marino, Singapore, Sri Lanka, Thailand and United Republic of Tanzania.

Nuclear non-proliferation and disarmament

tions; and the draft resolution as a whole by a recorded vote of 94 to 22, with 29 abstentions.

Four nuclear-weapon States—France, Russia, the United Kingdom and the United States—reaffirmed the high regard in which they held the Court while explaining their negative votes on the draft resolution. With respect to the question of legality, all stated that the draft text was unbalanced since it quoted selectively from the advisory opinion. Russia noted that the ICJ had found no comprehensive and universal prohibition against the threat or use of nuclear weapons, and France and the United Kingdom stressed that it had not reached a definitive conclusion regarding the legality of such threat or use in circumstances of self-defence. With regard to the question of the pursuit and conclusion of negotiations, all four considered the proposal in operative paragraph 4 unrealistic: in the view of the United States, a large multilateral forum such as the Conference on Disarmament could not achieve the kind of real arms reductions that it envisaged in the bilateral process. France declared that the 1995 NPT decision on principles and objectives provided the appropriate context for promoting collective security, arms reduction and non-proliferation. Both the United Kingdom and the United States commented that article VI of the NPT was only partially quoted in two preambular paragraphs, with the latter stating that the omission of the reference to general and complete disarmament appeared to relieve non-nuclear-weapon States of any disarmament responsibilities.

Other States—the Benelux countries, Germany, Greece, Portugal and Spain—also explained their negative votes, primarily in terms of perceived selectivity in the draft text. In addition, the Benelux countries and Spain expressed doubts about the efficacy of embarking, at this point, on multilateral negotiations on a convention prohibiting nuclear weapons, cautioning that they might work against the bilateral negotiations. Spain stressed the need to focus on specific measures such as negotiations on a cut-off and further reductions in nuclear stockpiles. Germany noted that it fully shared the conclusion of the Court quoted in operative paragraph 3, and voted in favour of that paragraph.

Among those abstaining, Argentina and Iceland criticized the draft text for not accurately reflecting the complexity of the advisory opinion. With regard to the question of negotiations, both Austria

and Japan stressed their full agreement with the Court's opinion that there exists an obligation to pursue and conclude nuclear disarmament negotiations, and Iceland and Norway, believing that the primary responsibility for this process lies with the nuclear-weapon States, found the text's focus on multilateral negotiations unhelpful. In general, these States were convinced that—in the words of Australia—Member States should focus attention on the immediate and intermediate steps to take forward the process of nuclear disarmament.

China, which voted in favour, stated that the advisory opinion did not in itself provide a solution; what was more important was to start negotiations on legal instruments on the non-first-use and on the non-use and non-threat of use of nuclear weapons, and on a complete prohibition of such weapons.

Three other States that voted in favour of the resolution as a whole explained their positions. Ireland, Sweden and New Zealand believed that the consensus opinion of the Court concerning the obligation to pursue and conclude negotiations provided an authoritative impetus for the international community to undertake such a task. In the view of the first two, which abstained in the vote on operative paragraph 4, the choice of means or forum to be utilized for this purpose was not the focus of attention; New Zealand, which voted in favour of that paragraph, stressed that the draft text allowed for a phased programme of nuclear disarmament that did not impose any unrealistic time-bound framework on the negotiations.

On 10 December, the General Assembly took action as follows: it adopted operative paragraph 3 by a recorded vote of 139 to 7, with 20 abstentions; operative paragraph 4 by a recorded vote of 110 to 27, with 29 abstentions; and the draft resolution as a whole by a recorded vote of 115 to 22, with 32 abstentions. For the text of *resolution 51/45 M, Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons*, and the voting pattern, see pages 274 and 343, respectively.

Radioactive waste

On 7 November, the representative of Nigeria introduced, on behalf of the sponsors,⁵¹ a draft resolution entitled *Prohibition of the dumping of radioactive wastes*. On 11 November, the First Committee adopted the draft resolution without a vote. At the time that the Committee acted on the draft, two States explained their positions. Australia noted that it had attempted without success to have a reference to the Waigani Convention⁵² of the South Pacific Forum inserted in the preamble and would pursue this objective the following year. The United States reiterated its position that the First Committee was not the appropriate forum for dealing with what was essentially an environmental issue.

On 10 December, the General Assembly adopted the draft resolution without a vote. For the text of *resolution 51/45 J, Prohibition of the dumping of radioactive wastes*, see page 269.

Conclusion

While the long-standing objective of a CTBT was finally realized in 1996, there was no comparable progress in negotiations on other fronts in the nuclear field. Reductions in the arsenals of the two major Powers continued on the basis of existing agreements, while START II remained unratified by the Russian Federation and no new reduction talks got under way. Steps towards dismantlement and force reduction were taken by France and the United Kingdom, and by the end of the year the territories of Belarus, Kazakstan and Ukraine were free of nuclear weapons. Although the prospects for work on a fissile material cut-off convention had seemed promising at the beginning of the year, work on this issue and on other nuclear issues became mired in procedural and substantive controversies in the CD. However, some advances were made with regard to non-proliferation. Significant steps were taken by the IAEA to strengthen its safeguards system,

⁵¹ France, Russian Federation, Burundi (on behalf of the States Members of the United Nations that are members of the African Group of States), Monaco, Mongolia and Nigeria.

⁵² Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region.

and the G-7 and Russia affirmed the necessity of ensuring the safety and security of nuclear material and combating nuclear trafficking.

At the regional level, the opening for signature of the Pelindaba Treaty, the signing of its Protocols by the five nuclear-weapon States and France's ratification of them, and the signing of the Protocols to the Rarotonga Treaty by France, the United Kingdom and the United States affirmed not only the importance of the existing nuclear-weapon free zones to their members, but also the commitment of the nuclear-weapon States to respect them. In addition, an initiative to promote common goals and ways and means of cooperation among the parties to nuclear-weapon-free zones was launched with a view to consolidating the status of the nuclear-weapon-free southern hemisphere and adjacent areas.

ANNEX

Advisory opinion of the International Court of Justice*

THE COURT,

(1) By thirteen votes to one,

Decides to comply with the request for an advisory opinion;

IN FAVOUR: *President* Bedjaoui; *Vice-President* Schwebel; *Judges* Guillaume, Shahabuddeen, Weeramantry, Ranjeva, Herczegh, Shi, Fleischhauer, Koroma, Vereshchetin, Ferrari Bravo, Higgins;

AGAINST: *Judge* Oda.

(2) *Replies* in the following manner to the question put by the General Assembly:

A. Unanimously,

There is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons;

B. By eleven votes to three,

There is in neither customary nor conventional international law any comprehensive and universal prohibition of the threat or use of nuclear weapons as such;

IN FAVOUR: *President* Bedjaoui; *Vice-President* Schwebel; *Judges* Oda, Guillaume, Ranjeva, Herczegh, Shi, Fleischhauer, Vereshchetin, Ferrari Bravo, Higgins;

AGAINST: *Judges* Shahabuddeen, Weeramantry, Koroma.

* A/51/218.

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C. Unanimously,

A threat or use of force by means of nuclear weapons that is contrary to Article 2, paragraph 4, of the United Nations Charter and that fails to meet all the requirements of Article 51, is unlawful;

D. Unanimously,

A threat or use of nuclear weapons should also be compatible with the requirements of the international law applicable in armed conflict, particularly those of the principles and rules of international humanitarian law, as well as with specific obligations under treaties and other undertakings which expressly deal with nuclear weapons;

E. By seven votes to seven, by the President's casting vote,

It follows from the above-mentioned requirements that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law;

However, in view of the current state of international law, and of the elements of fact at its disposal, the Court cannot conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence, in which the very survival of a State would be at stake;

IN FAVOUR: *President* Bedjaoui; *Judges* Ranjeva, Herczegh, Shi, Fleischhauer, Vereshchetin, Ferrari Bravo;

AGAINST: *Vice-President* Schwebel; *Judges* Oda, Guillaume, Shahabuddeen, Weeramantry, Koroma, Higgins.

F. Unanimously,

There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

CHAPTER III

Chemical and biological weapons

Introduction

THE ERADICATION OF TWO CATEGORIES OF MASS DESTRUCTION WEAPONS is provided for through the Biological Weapons Convention (BWC)¹ and the Chemical Weapons Convention (CWC).² Ever since these multilateral agreements were concluded, in 1972 and 1993, respectively, the United Nations has sought to promote universal participation in, and compliance with, them. (The Nuclear Non-Proliferation Treaty (NPT), which curbs the spread of nuclear weapons, is discussed in chapter II.) For the status of all three treaties, see appendix I of this volume.

The BWC does not include specific verification provisions. Between 1986 and 1991, in an effort to prevent and reduce the occurrence of ambiguities, doubts and suspicions and to improve international cooperation in peaceful biological activities, the parties to the Convention agreed upon and elaborated confidence-building measures involv-

¹ The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (General Assembly resolution 2826 (XXVI), annex). Concluded in 1971, the BWC was opened for signature in 1972 and entered into force in 1975.

² The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Concluded in 1992, the CWC was opened for signature in 1993 and entered into force in 1997.

ing data exchange. Then, at a review conference in 1991,³ they decided to establish an open-ended Ad Hoc Group of Governmental Experts (VEREX Group) to identify and examine potential verification measures from a scientific and technical standpoint. At the request of a majority of States parties, the depositary Governments (Russian Federation, United Kingdom and United States) convened a special conference in September 1994 to consider the VEREX report. That conference resulted in the establishment of an ad hoc group, open to all States parties "to consider appropriate measures including possible verification measures and draft proposals to strengthen the Convention to be included as appropriate in a legally binding instrument". The Ad Hoc Group met for three sessions in 1995.

In 1992, after long and intensive negotiations, the CWC was concluded—the first treaty negotiated primarily in a multilateral context to ban an entire category of weapons of mass destruction. Its scope, the obligations assumed by States parties and the system of verification envisaged for its implementation were unprecedented. The Convention was opened for signature in Paris, in 1993, and since that date, its Preparatory Commission has worked to pave the way for the Convention's effective implementation once it enters into force.

Developments and trends, 1996

In Geneva, much work was done to strengthen the BWC through the elaboration of verification and confidence-building and transparency measures, and in The Hague, efforts were undertaken to prepare for the first session of the Conference of the States Parties to the CWC. At the same time, under the authority of the Security Council, the United Nations Special Commission (UNSCOM) continued its efforts to identify and dispose of Iraq's chemical and biological weapons, and to monitor its compliance with its obligation not to acquire proscribed weapons and capabilities.

³ Four review conferences of the BWC have been held: 1980, 1986, 1991 and 1996. See *The Yearbook*, vol. 5: 1980, vol. 11: 1986 and vol. 16: 1991.

Biological weapons

The Ad Hoc Group of Experts, established by the Special Conference, met twice in Geneva, from 15 to 26 July and from 16 to 27 September.⁴ At the end of the year, from 25 November to 6 December, the Fourth Review Conference of the parties to the Biological Weapons Convention was held.

Work of the Ad Hoc Group

The Ad Hoc Group continued the work it had begun the previous year, considering four areas: (a) definitions of terms and objective criteria, such as lists of bacteriological (biological) agents and toxins and their threshold quantities, and equipment and types of activities, where relevant for specific measures designed to strengthen the Convention; (b) the incorporation of existing and further enhanced confidence-building and transparency measures, as appropriate, into the regime; (c) a system of measures to promote compliance with the Convention, including, as appropriate, measures identified, examined and evaluated in the VEREX report; and finally, (d) specific measures designed to ensure effective and full implementation of article X, which would also avoid any restrictions incompatible with the obligations undertaken under the Convention with regard to the transfer of scientific knowledge, technology, equipment and materials.

Work was conducted in four groups, each led by a Friend of the Chair who assisted the Chairman in consultations and negotiations in the four areas listed above. The evaluation of discussions and the

⁴ The first three sessions of the Ad Hoc Group were held in 1995; thus the 1996 sessions were the fourth and fifth. As in 1995, Mr. Tibor Tóth of Hungary chaired the two 1996 sessions. The following States parties participated in both sessions: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Mexico, Mongolia, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Kingdom and United States. Bangladesh and Sierra Leone participated only in the fourth session, and Malta and the Philippines only in the fifth session. The following States signatories also participated: Morocco (both sessions); Syrian Arab Republic (fourth session); and Egypt and Myanmar (fifth session).

exchange of views on those issues resulted in papers by the Friends of the Chair, which were annexed to the procedural reports of the sessions.

At the end of the fifth session, the Ad Hoc Group recognized that it had made significant progress towards fulfilling its mandate by identifying a preliminary framework and elaborating potential basic elements of a legally binding instrument to strengthen the Convention. Nevertheless, it was not able to complete its work and submit a draft instrument to the States parties for consideration at the Fourth Review Conference. Among other things, it also noted that the cumulative period allocated to substantive negotiations since its establishment was only eight weeks,⁵ with a total of 40 meetings held in 1996. Besides time constraints, the major factor in the inability of the Group to fulfil its mandate was a wide divergence of views on such central elements of the future regime as institutional, legal and financial arrangements, modalities, safeguards and limitations under article X, and initiation of investigations, post-investigation reviews and tools for investigations in the area of compliance measures.

The Group on *definitions of terms* considered various proposals that had been identified at previous sessions, but differences of approach persisted. Some delegations were of the view that the Group should attempt to define all terms appearing in the BWC. Other countries, mostly Western, emphasized that attempts to define terms in article I were contrary to the mandate of the Group and could lead to a weakening of the provisions of the Convention. Furthermore, there were differences of view on the applicability of definitions to specific measures designed to strengthen the Convention. For instance, the Western Group emphasized the importance of definitions for declaration purposes, while others, most notably the Russian Federation, felt efforts should focus on the application of definitions for inspection purposes. Despite these differences, the Group was able to draft defini-

⁵ In addition to allocating meetings to each of the four areas mentioned above, the Ad Hoc Group devoted three meetings to consultations with international organizations on their activities relevant to the work of the Group: the World Health Organization (WHO), the United Nations Industrial Development Organization (UNIDO), the World Organization for Animal Health (OIE) and the International Centre for Genetic Engineering and Biotechnology (ICGEB). The United Nations Educational, Scientific and Cultural Organization (UNESCO) also made a written contribution.

tions of 12 terms, *inter alia*, genetic modification/manipulation, military medical programme, biological defence programme, and biological defence facility, without, however, reaching agreement on any of them. It was emphasized that such terms required further consideration, especially in the context of specific measures designed to strengthen the Convention.

As was the case in 1995, there was a divergence of views on the issue of threshold quantities of agents and toxins for specific measures. The delegation of the Russian Federation presented a method of determining threshold quantities of biological agents that can be stored at facilities for the purposes of developing and testing means of protection against biological weapons. A number of Western States, among them the United States and the United Kingdom, were of the view that the establishment of quantitative threshold limits could limit the scope of the Convention and they continued to question the utility of threshold quantities for pathogens due to their ability to self-replicate relatively quickly. In this connection, some States envisaged the usefulness of developing threshold quantities for toxins.

The Group on *confidence-building and transparency measures* focused on issues related to multilateral information-sharing and confidence-building visits. In particular, it refined modalities for the visits, so that their strictly voluntary character was further emphasized. With regard to multilateral information-sharing, the confidence-building measures were expanded by including possible contributions of international organizations.

As before, the discussions on *article X* revealed differences in approach to the transfer of technology and know-how and to free access to the results of scientific research. The participants did not present any new arguments for or against the case. Rather, they repeated their well-known positions on issues such as existing supplier regimes, their place and role; the maintenance and strengthening of cooperation between individual States in technology transfers and exchange of scientific information; and the creation of new global frameworks to facilitate such cooperation in the future.

Deliberations on *compliance measures*, as during previous sessions, were subdivided into four independent categories: declarations, on-site measures, other measures and investigations of alleged use. Here again, the participants restated their long-held positions. As before, the major difficulty seemed to be to reconcile two apparent-

ly contradictory needs: the need for a high-level of openness and transparency, on the one hand, and the need to prevent problems that could be created by the intrusiveness of the challenge inspections, on the other.

All these issues are vital to the States parties and the process of striking a proper balance of interest, although not impossible, proved to be neither easy nor quick. In order to fulfil its mandate, the Ad Hoc Group decided to intensify its work in 1997, to complete it as soon as possible, and to submit its consensus report to the States parties, to be considered at a special conference.

To intensify its work, the Group decided to hold three sessions of two to three weeks each in 1997, and two sessions of the same duration in 1998, building upon materials contained in the papers of the Friends of the Chair, which were updated after every session and attached to the relevant procedural reports.⁶

Preparatory process for the Fourth Review Conference of the Biological Weapons Convention

At the request of a majority of the States parties, as noted in General Assembly resolution 50/79 of 12 December 1995, it was decided that the Fourth Review Conference of the Biological Weapons Convention would be held in Geneva in November–December 1996 and that a Preparatory Committee for the Conference would meet in April.

The Preparatory Committee convened in Geneva from 9 to 10 April under the chairmanship of Sir Michael Weston of the United Kingdom, with 65 States parties participating.⁷ In the course of its session, it took a number of decisions, among them: the dates and venue of the Review Conference, a request for background documentation, a recommendation regarding the presidency of the Review

⁶ See the procedural reports of the fourth session (BWC/AD HOC GROUP/31) and the fifth session (BWC/AD HOC GROUP/32).

⁷ Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Ethiopia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Luxembourg, Malta, Mexico, Mongolia, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation,

Conference, and a recommendation that the provisional agenda of the Conference be the agenda of the Third Review Conference, with the addition of a new item: "Consideration of the work of the Ad Hoc Group established by the Special Conference in 1994". The Preparatory Committee adopted its report⁸ at its last meeting, on 10 April.

Fourth Review Conference

The Fourth Review Conference convened in Geneva on 25 November under the presidency of Sir Michael Weston, with 77 States parties participating,⁹ and it concluded on 6 December after adopting by

Saudi Arabia, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, Turkmenistan, United Kingdom, United States and Viet Nam. In addition, upon their request, two signatory States, Egypt and Morocco, were invited to participate in discussions of the Committee without the right to take part in decision-making.

⁸ BWC/CONF.IV/1. The report, without its annexes, was later annexed to the Final Document of the Fourth Review Conference (BWC/CONF.IV/9, annex II). The Preparatory Committee requested the Secretary-General to prepare background information documents on (a) participation of States parties in the agreed confidence-building measures, (b) compliance, compiled from information received from States parties and (c) new scientific and technological developments relevant to the Convention, compiled from information received from States parties. The requested material was subsequently issued as documents of the Review Conference (BWC/CONF.IV/2 and Corr.1-5; BWC/CONF.IV/3 and Add.1-3 and Corr.1-2; and BWC/CONF.IV/4 and Add.1-2, respectively).

⁹ Albania, Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ethiopia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Malaysia, Malta, Mauritius, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukraine, United Kingdom, United States and Viet Nam. In addition, in accordance with rule 44 of the rules of procedure, other States and bodies attended. Three States signatories—Egypt, Morocco and Myanmar—participated without the right to take part in decision-

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consensus a Final Declaration.¹⁰ At its opening meeting, the President made a brief statement and a message of the Secretary-General of the United Nations was delivered. The Conference then proceeded to adopt its agenda, as recommended by the Preparatory Committee and on the understanding that consultations would be held concerning the amendment proposed by the Islamic Republic of Iran at that very meeting (see below), and to adopt its indicative programme of work, which had been agreed in the course of informal consultations in New York the previous month. Among other procedural matters dealt with was the election of officers, in particular the Chairmen of the Committee of the Whole, the Credentials Committee and the Drafting Committee, as called for in the rules of procedure of the Conference.¹¹

At the opening meeting, Iran presented a paper in which it proposed two amendments to the Convention that would stipulate specifically the ban on use, and would entail the addition of the word "use" to the title and the phrase "to use biological weapons" to article I. Following consultations, it was decided to include the proposal in the agenda under the item on "other matters" and to reflect it under article XI in the Declaration that was being drafted.¹² The subject

making, and four States that were not signatories—Algeria, the former Yugoslav Republic of Macedonia, Israel and Kazakstan—were granted observer status. The United Nations, the United Nations Institute for Disarmament Research (UNIDIR) and the Special Commission (UNSCOM) attended, the International Committee of the Red Cross (ICRC), upon its request, was granted observer status, and 16 non-governmental organizations and research institutes also attended.

¹⁰ The Final Declaration is contained in the Final Document of the Conference (BWC/CONF.IV/9), part II. It is reproduced in appendix II of this volume.

¹¹ The Conference elected Mr. Jorge Berguño (Chile) to chair the Committee of the Whole, Ms. María Francisca Arias Castaño (Colombia) to chair the Credentials Committee, and Mr. Tibor Tóth (Hungary) to chair the Drafting Committee, and it confirmed the nomination of Mr. Ogunsola Ogunbanwo of the Centre for Disarmament Affairs as Secretary-General of the Conference.

¹² In accordance with article 40 (2) of the Vienna Convention on the Law of Treaties, the proposed amendment would have to be notified to all States parties, each of which has the right to take part in any decision or negotiation regarding it, and thus no decision could be taken by the Fourth Review Conference itself; see the communication from the Office of the Legal Counsel on this matter (BWC/CONF.IV/7).

of use was commented upon by many delegations in various contexts throughout the Conference.

In the course of the *general debate*,¹³ 31 States parties, one signatory and the ICRC made statements covering a wide range of issues—scope, compliance, confidence-building, the work of the Ad Hoc Group, export control, technical cooperation, the Geneva Protocol and the Chemical Weapons Convention.

In discussing *scope*, States parties commented upon the proposal of Iran. All confirmed their understanding that, although the Convention did not contain an explicit reference to prohibition of use, it did, in fact, ban use, and some, for instance, India, expressed support for the proposal in principle. There was a general feeling, however, that the question of amendment could not be decided upon hastily. South Africa, noting that the lack of an explicit reference could be problematic when cases of alleged use would be investigated under a future verification protocol, felt that that difficulty could be addressed through a statement in the Final Declaration, setting forth the common understanding on prohibition of use, rather than through amendment. Another aspect of scope that received much attention in view of the rapid pace of research in the biosciences¹⁴ concerned the applicability of article I to developments subsequent to conclusion of the Convention. In this connection, a number of States, among them Slovakia and the United States, cautioned against the elaboration of definitions or objective criteria such as threshold quantities for biological agents, fearing such an approach might limit the scope of the Convention.

With regard to *compliance*, delegations stated that their respective Governments were in full compliance with the provisions of the

¹³ Australia, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, China, Cuba, Czech Republic, France, Hungary (in its capacity of Chairman of the Ad Hoc Group), India, Indonesia, Iran (Islamic Republic of), Ireland (on behalf of the European Union), Japan, Malta, Mexico, New Zealand, Nigeria, Pakistan, Republic of Korea, Romania, Russian Federation, Slovak Republic, South Africa, Switzerland, United Kingdom and United States. In addition, Egypt, a signatory, made a statement.

¹⁴ See the background document on scientific and technological developments (BWC/CONF.IV/4 and Add.1–2). The following States responded: Cuba, Finland, Germany, Sweden, Switzerland, United Kingdom and United States.

Convention and in many instances provided information on the national bodies and legislation that served as the legal framework for the implementation of their obligations. A very large number noted the importance of strict national oversight in excluding the possible use of biological agents for terrorist purposes. In commenting on past compliance and discussing the need for strict verification measures, several delegations referred to the development of biological weapons programmes in violation of the Convention in Iraq, as reported by UNSCOM, and in the former Soviet Union, as reported by President Yeltsin in 1992.¹⁵ Looking to the work of the Ad Hoc Group, Nigeria stated that the present procedure for initiating investigations through the Security Council was unsatisfactory, given the veto power of its five permanent members, and that a future organ of the Convention should be enabled to take decisions pertaining to investigations before the Security Council became involved.

Most speakers commented upon the low level of participation in reporting on *confidence-building* measures, although India pointed out that this should not be ascribed automatically to lack of interest on the part of some developing countries, but rather to technical difficulties. All urged greater commitment to this politically binding mechanism pending the conclusion of a legally binding instrument.

Delegations spoke of the *Ad Hoc Group* mainly in terms of the progress that it had made in the elaboration of the verification protocol and the pace of its future work. Most welcomed the Group's decision to intensify its work. However, there were different views regarding the urgency of completing the protocol. The target dates suggested ranged from mid-1998 (advocated by the European Union, Sweden and the United States), to well before the Fifth Review Conference (advocated by Bangladesh, Bulgaria, Canada, Nigeria and South Africa), or by the time of that Conference. The Russian Federation and a number of non-aligned countries cautioned against artificial deadlines. Brazil and Mexico, in particular, emphasized that timeliness in completing the protocol should not be substituted for advances in other areas of disarmament, most notably nuclear disarmament. Canada and the Republic of Korea pointed to the need to secure the participation and cooperation of industry in the negotiating process so as to ensure that the eventual regime would be effective.

¹⁵ See *The Yearbook*, vol. 17: 1992, chap. IV, p. 94.

The subjects of *technical cooperation and export controls* roused a great deal of controversy, although many stated that, in principle, there was no contradiction between articles III and X. In general, the technologically advanced countries held that restrictions on the transfer of technology in compliance with their article III obligations in no way hampered economic development, while the developing countries argued that the opposite was true. Bangladesh warned that if preoccupation with verification led to restrictive measures beyond those clearly called for in article III, many developing countries would see little merit in a protocol, and Brazil, India and Mexico urged that export control procedures be negotiated within the compliance regime being negotiated.

Parties stressed the importance of promoting technical cooperation and, in the case of Brazil and Slovakia, suggested that a body be established under the Convention to act as a catalyst in this respect. The subject was viewed from different perspectives, for example, in terms of the transfer of technology between parties, which would assist developing countries, and in terms of the need to protect the proprietary rights of biotechnological industries.

There were a large number of comments on the two treaties very closely associated with the BWC: the *Geneva Protocol* of 1925 and the *Chemical Weapons Convention*. In the case of the former, interest focused on the withdrawal of statements reserving the right of retaliatory attack with chemical or biological weapons that many parties to the Protocol had made at the time of their ratification. France, the depositary of the Protocol, announced that it was withdrawing its reservations and called upon others who had done so to inform it without delay. In referring to the CWC, speakers noted with satisfaction that it would enter into force on 29 April 1997, but expressed concern that the two major possessors of such weapons had not yet ratified it.

At the conclusion of the general debate, the *Committee of the Whole* met for six meetings and some informal consultations, during which it reviewed the articles of the Convention and received proposals concerning the text for the Final Declaration. These proposals and a summary of the discussions prepared by the Chairman of the Committee were annexed to the report of the Committee of the

Whole.¹⁶ The *Drafting Committee*,¹⁷ which, following the conclusion of the Committee of the Whole, held 11 meetings and informal consultations, worked on the basis of the proposals put before the Committee of the Whole and drew on the language of the Final Declaration of the Third Review Conference where there were no new proposals. As is customary, compromise and package deals played an important role in finally achieving a consensus document.

At its last plenary meeting, on 6 December, the Conference concluded its work with the adoption by consensus of its Final Document, which contains the *Final Declaration*. The Declaration consists of a preamble, an article-by-article review of the Convention, and a section on the Ad Hoc Group. The following paragraphs highlight some parts of the Final Declaration that drew particular attention at the Conference. The entire Declaration is reproduced in appendix II (see page 216).

The Declaration stresses the prohibition of use at several points in the article-by-article review. As a result of general concern over this matter and with the submission of the Iranian proposal, it was decided to state explicitly, both under article I and article IV, that the use of bacteriological and toxin weapons was prohibited. Moreover, under article VIII, the Conference adopted very strong language to the effect that reservations to the Geneva Protocol concerning retaliation through the use of any of the objects prohibited by the Convention were "totally incompatible" with the Convention and stressed, as it had in 1991, the importance of withdrawal of all reservations to the Protocol relating to the Convention. In addition, under article II, on the initiative of Iran and other non-aligned countries, the Conference specified that the destruction of prohibited items required under that article would have to be completed upon a State's accession, that it should be carried out completely and effectively, and that submission of information on destruction could enhance confidence in the Convention.

The texts under articles V and particularly VI reflect events since 1991 and the fact that the Ad Hoc Group had not yet completed

¹⁶ BWC/CONF.IV/6 and Add.1. The report was later incorporated into the Final Document of the Fourth Review Conference (BWC/CONF.IV/9, part III).

¹⁷ BWC/CONF.IV/DC/2.

its work. The texts under both these articles refer briefly to the Group, but it was decided, after considerable discussion and compromise, to deal with the subject primarily in a separate section. In reviewing the sensitive subject of the handling of complaints, the parties had to negotiate a balance between the view that all cases of alleged use must necessarily be dispatched to the Security Council and the view that the parties themselves have a role to play in such situations. Thus the Declaration notes the provisions for lodging a complaint with the Security Council, as set out in the Convention under article VI, affirms that the procedure is without prejudice to the prerogative of parties to consider jointly such cases and to make decisions, and notes that the matter is under consideration in the Ad Hoc Group. The Declaration contains no references to specific cases of alleged violation.

In its review of article IX, the Declaration incorporates language identical with some paragraphs of the draft resolution that had been painstakingly negotiated in the First Committee at the end of November and adopted without a vote. The draft was subsequently adopted, likewise without a vote, by the General Assembly as resolution 51/45 T (see page 286).

The Conference covered article X in substantially the same way that it had in 1991, though with a few additions. Among them were paragraphs recalling parties' legal obligation to facilitate and right to participate in technological exchange and emphasizing that provisions of the Convention should not be imposed to restrict transfers consistent with its objectives.

Consideration of the work of the Ad Hoc Group falls at the end of the Declaration. In negotiating the text it was necessary to resort to the procedural language of the fifth report of the Group and the report of the 1994 Special Conference to obtain consensus in a number of sensitive areas. Thus the Declaration does not set a target date for the completion of the work of the Group. However, going beyond the language of the two above-mentioned reports, the Conference agreed to encourage the Group "to review its method of work and to move to a negotiating format". In addition, under article XIV, the Declaration contains an appeal to parties to participate actively in the Ad Hoc Group.

Chemical weapons

In 1996, the CWC celebrated the third anniversary of its opening for signature. At that time, the Secretary-General, as depositary of the Convention and in consultation with three chairmen (past, current and incoming) of the Preparatory Commission of the Organisation for the Prohibition of Chemical Weapons (OPCW), sent out letters urging all States that had not yet done so to ratify the Convention as soon as possible. The highlight of the year was the deposit of the 65th instrument of ratification, by Hungary on 31 October. According to article XXI of the Convention, the Convention shall enter into force 180 days after the deposit of the 65th instrument of ratification. Thus, it will enter into force on 29 April 1997.

By the end of December 1996, two more of the 161 signatory States, Swaziland and the Philippines, had deposited instruments of ratification. It was, however, a matter of great concern—expressed in various forums—that the two largest declared chemical weapons possessor States, the United States and the Russian Federation, were not among the first 67 States parties. Nevertheless, both countries expressed their commitment to the CWC on many occasions, and it was hoped that they would deposit their instruments of ratification before its entry into force or shortly thereafter. There was also concern that signatory States such as China, Pakistan and the Islamic Republic of Iran had not ratified,¹⁸ and that there were a number of Middle Eastern States that had not signed (for the status of the Convention at the end of year, see appendix I).

Although the United States Senate agreed in June to vote on the Convention on 14 September, it later postponed consideration until 1997. Critics questioned whether the Convention was verifiable and insisted that it would harm American business interests. Supporters, on the other hand, argued that the United States failure to ratify would not only hurt its authority and leadership in the field of disarmament, but also have a negative impact on its commercial interests, as the chemical industry—a very large exporter—would be severely affected once the CWC's provisions on trade became effective. Moreover, if the United States did not ratify before 29 April 1997, it would lose its right to participate in decisions on the final scope of the Convention and to be represented in its executive deci-

¹⁸ On 25 April 1997, China and the United States ratified.

sion-making body. In spite of the Senate's postponement, President Clinton reaffirmed his strong commitment to the CWC. (The United States, which under a 1985 Congressional law was committed to destroying its entire stockpile of chemical weapons by 2004, had reduced it by approximately three per cent by 1996, and estimated that it would cost about \$12 billion to destroy its remaining stock of 31,000 tons.)

The situation in the Russian Federation was different. While the CWC enjoyed broad support, it had not been presented to the Duma by the end of the year. The principal problem was the high cost of the chemical weapons demilitarization programme. The Russian Federation put together a comprehensive programme for destruction of its chemical weapons stockpile (estimated to be 40,000 tons), including the identification of destruction sites, the technology needed for destruction, protection of the environment, the agencies responsible and the overall financial requirements, which were approved by President Yeltsin. This programme, which was adopted by the Russian Government in March but authorization for which was pending before the Duma, was estimated to cost \$3.3 billion. The US Cooperative Threat Reduction Programme had allocated \$68 million to assist Russia in chemical demilitarization. Other countries, including the Netherlands, Germany and Sweden, are also providing financial assistance or technical collaboration to Russia.

Consequently, the possibility that the Russian Federation and the United States would not ratify before the CWC's entry into force dominated the three sessions of the Preparatory Commission held in 1996. Although all States parties expressed their wish to see both declared possessor States among the original parties, they had divergent views as to how to approach the situation, with some stressing the importance of successful implementation of the Convention and proposing postponement of its entry into force, limitation on its scope, or even suspension of implementation until both declared possessor States had ratified the treaty, and others rejecting such measures. The Commission had to defer the discussion of this question to its sixteenth session, scheduled for 1997, agreeing that, at that time, it would review "the status of ratification of the Convention by all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, and in this context the status of ratification in the Russian Federation and the United States of America

and the implications of that to the universal and comprehensive nature of the Convention, and to make appropriate recommendations to the First Session of the Conference of the States Parties.”

While such issues were dominant themes of the Preparatory Commission, issues of verification also received much attention. Progress was made in developing procedures to implement the inspection and declaration provisions of the Convention. About 400 inspections were foreseen for the first year after entry into force, and practical arrangements for the General Training Scheme for inspectors were worked out. The OPCW Laboratory and Equipment Store was inaugurated in Rijswijk, the Netherlands, and proficiency tests involving a number of laboratories in different parts of the world got under way with a view to creating a worldwide network of laboratories that would meet OPCW analytical standards. Addressing concerns that the 1990 bilateral agreement between the United States and the former Soviet Union,¹⁹ under which national teams of the two States would verify each other's destruction programme, would not be in force at the time of entry into force of the Convention itself, the Secretariat submitted estimates of the additional resources for inspection that would be required. Moreover, the Secretariat continued to assist States, as far as possible, in establishing their national implementation programmes—a crucial element in ensuring the effectiveness of the CWC.

A number of important tasks were left pending at the end of the year, among them, agreement on some declaration issues related to the chemical industry and chemical weapons facilities, and verification measures to be applied to inspections of chemical weapons and chemical weapons production facilities converted to civilian use, as well as to old and abandoned chemical weapons sites. The question of the timing of a harmonization of export controls with the provisions of article XI, on economic and technological development, remained unresolved. In addition, it was evident that, before the first session of the Conference of States Parties, scheduled for May 1997, a number of political understandings would have to be worked out concerning

¹⁹ Agreement between the United States and the USSR on Destruction and Non-Production of Chemical Weapons and on Measures to Facilitate the Multilateral Convention on Banning Chemical Weapons. The text is reproduced in *The Yearbook*, vol. 15: 1990, appendix IV.

the composition of the Executive Council, the future Director-General and the top management structure of the OPCW.

UNSCOM²⁰

Although Iraq is required, by resolutions 687 and 707 (1991), to provide declarations containing full, final and complete disclosures of its proscribed chemical, biological and missile programmes, over the years, inadequacies, incompleteness and lack of documentation in many areas of its declarations have delayed the verification process. In addition, in the first half of 1996, the Commission's inspection teams had experienced serious problems in gaining access to sites designated for inspection. At the request of the Security Council, the Executive Chairman of UNSCOM visited Baghdad in June 1996 to address these problems. His visit resulted in a joint statement with the Deputy Prime Minister, which provides an undertaking on the part of Iraq to provide access to sites while, on its part, UNSCOM shall respect the sovereignty, dignity and legitimate security concerns of Iraq. In an effort to add impetus to the resolution of outstanding issues, the two sides agreed upon a joint programme of action which identified four fundamental areas that needed to be addressed if UNSCOM were to be able to verify Iraq's declarations. Later in the year UNSCOM decided that it would present to Iraq, at the political level, its detailed findings and assessment of the outstanding problems, and meetings would then take place at the technical level, with Iraqi and UNSCOM experts. Through this programme, the Commission hoped to bring the reality at the technical level into congruence with the statements of full cooperation at the political level.

The technical problems that remained unsettled between UNSCOM and Iraq included Iraq's inability to account fully for the weapons of mass destruction it had itself declared that it had acquired; UNSCOM was unable to verify that Iraq had destroyed everything as it claimed to have done. Questions remained over the disposition of both chemical and biological agents, munitions and warheads, and production equipment, as well as a number of long-range missiles.

²⁰ See the most recent consolidated reports of the Executive Chairman of UNSCOM: S/1996/258, S/1996/848 and S/1997/301. For information regarding the monitoring of Iraq's nuclear activities, see page 38.

However, during the latter part of the year, the joint programme of action and procedures agreed to in June proved helpful in narrowing outstanding issues such as those mentioned above to a manageable number. It was the assessment of UNSCOM that a solid framework for effective work was now in place; that the remaining problems could not be solved through a technical process only, but would require the major political decision by Iraq's leadership to renounce, once and for all, all capabilities and ambition to retain or acquire the proscribed weapons. In the meantime, UNSCOM would continue its inspection activities, exposing step-by-step the various elements of Iraq's weapons programmes.

Australia Group

Meeting in Paris from 14 to 17 October, members of the Australia Group²¹ welcomed the approach of the entry into force of the CWC. They emphasized that their export controls were intended to prohibit proliferation of activities banned by the Convention and maintained that the controls allowed trade and the exchange of technology for peaceful purposes to flourish. They agreed to continue to hold export control briefings for non-members.

General Assembly, 1996

The General Assembly adopted three resolutions within the context of biological and chemical weapons, dealing with: the Biological Weapons Convention, the Chemical Weapons Convention, and the 1925 Geneva Protocol.

Two draft resolutions entitled *Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction* were circulated, one sponsored by the Islamic Republic of Iran and the other introduced

²¹ Argentina, Australia, Austria, Belgium, Canada, Czech Republic, Denmark, European Commission, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Republic of Korea, Slovak Republic, Spain, Sweden, Switzerland, United Kingdom and United States.

by the representative of Poland, on behalf of the sponsors,²² on 7 November. Following consultations to merge the two drafts, a revision of the second text was submitted by Poland and the same sponsors, joined by Iran. The revision consisted in the addition of a new operative paragraph 6, by which the General Assembly would urge the Preparatory Commission to intensify efforts to complete its remaining work.

On 18 November, the revised draft resolution was adopted without a vote and Iran withdrew its draft resolution. A number of delegations made statements at that time.

Three countries that had not signed the Convention did not participate in the consensus. Egypt expressed sympathy with the overall concept of the revised draft resolution, but cautioned against a selective application of the three treaties—the BWC, the CWC, and the NPT—that form the legal regime for weapons of mass destruction. Such an approach would not address the security concerns of all the States in the Middle East. Egypt would not sign the Chemical Weapons Convention until Israel joined the NPT, and thus had reservations with regard to operative paragraph 4, which called upon States that had not yet done so to sign and/or ratify the Convention. The Libyan Arab Jamahiriya associated itself with Egypt's position. The Syrian Arab Republic referred to what it termed weaknesses in the Convention: (a) its provisions were not sufficient to guarantee against improper verification or inspection, (b) its implementation could have an adverse impact on the economic or technical development of the developing countries, and (c) there were no security guarantees to penalize any use or threat of use of chemical weapons.

Two States that had signed but not ratified the CWC also spoke. Israel believed that the CWC would be beneficial if treated on its own merit, and urged all countries in the region of the Middle East to accede to it in order to achieve stability and comprehensive peace. Pakistan stressed the importance of operative paragraph 2, concerning ratification by the declared possessors of chemical weapons. Pakistan's decision to ratify would take into account the positions of all relevant States regarding ratification so as to ensure that the CWC remained a truly disarmament treaty.

²² Canada, India and Mexico; and subsequently the Islamic Republic of Iran.

Algeria and Romania indicated that they would have liked to co-sponsor the revised draft resolution, but had refrained from doing so to avoid a duplication of efforts.

On 10 December, the General Assembly adopted the revised draft resolution without a vote. For the text of *resolution 51/45 T, Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction*, see page 286.

On 4 November, the representative of Colombia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced the draft resolution entitled *Measures to uphold the authority of the 1925 Geneva Protocol*.

The First Committee adopted the draft resolution by a recorded vote of 132 to none, with 10 abstentions on 11 November.

On 10 December, the General Assembly adopted the draft resolution by a recorded vote of 165 to none, with 7 abstentions. For the text of *resolution 51/45 P, Measures to uphold the authority of the 1925 Geneva Protocol*, and the voting pattern, see pages 280 and 345, respectively.

On 22 October, the representative of Hungary, on behalf of the sponsors,²³ introduced the draft resolution entitled *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction*.

On 11 November, the Committee adopted the draft resolution without a vote.

Israel, which joined the consensus, supported the objective of a global prohibition of biological weapons that would include all the States in its region and the establishment of a credible verification

²³ Argentina, Armenia, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Greece, Guatemala, Hungary, India, Ireland, Italy, Japan, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Romania, the Russian Federation, Singapore, Slovakia, South Africa, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom and United States. Subsequent sponsors: Bangladesh, Croatia, Cuba, El Salvador, Estonia, Iceland, Kenya, Kyrgyzstan, Luxembourg, Mauritius, Republic of Korea, Republic of Moldova, Slovenia and Spain.

regime. It stated that, on the regional level, verification arrangements should be on a mutual basis.

On 10 December, the General Assembly adopted the draft resolution without a vote. For the text of *resolution 51/54, Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction*, see page 308.

Conclusion

The proceedings of the Fourth Review Conference of the BWC reflected world events since the Third Review Conference: the end of bipolarity in international relations, disclosure of biological weapons programmes in some States, the conclusion of the CWC with its intrusive system of verification, increasing recognition of the inadequacy of the politically binding confidence-building measures elaborated in 1991, submission of the VEREX Group's report and a growing sense that it was feasible to strengthen the BWC through a protocol on verification. Although work on the protocol had not advanced as quickly as had originally been envisaged, and it was evident that some fundamental differences of view persisted, there was general acceptance that the Convention would indeed be strengthened through verification provisions, and the Conference welcomed the decision of the Ad Hoc Group to intensify its work and encouraged it to move to a negotiating format in order to fulfil its mandate.

By October, with the conditions for entry into force of the CWC fulfilled, the world came a step closer to eliminating this category of weapons of mass destruction. This event was, however, clouded by doubts whether or not the two major—and declared—possessors of chemical weapons, the Russian Federation and the United States, would in fact be among the original parties and fears that their absence could alter fundamentally the nature of the Convention that had been so laboriously negotiated four years before. Despite these uncertainties, the Preparatory Commission continued its task of working out detailed procedures for implementation of the Convention and succeeded in laying the foundation for a reliable infrastructure for the OPCW, which would come into being upon entry into force, in April 1997.

CHAPTER IV

Conventional weapons: global and regional approaches

Introduction

THE FREQUENT OUTBREAK OF DEVASTATING, INTRA-STATE CONFLICTS over the past six or seven years, in which conventional weapons are used, points to the need for the international community to reach some agreement on how to deal with such weapons. In an effort to address this situation, a number of approaches have been tried: confidence-building, the regulation of arms transfers, the actual reduction of arms, as in the case of the Treaty on Conventional Armed Forces in Europe (CFE), and practical disarmament measures in the context of peace-building. Since it is the conditions in their respective regions that determine most States' perception of security and their policies and requirements in the military field, there has been a marked trend in recent years to devise and implement appropriate measures at the regional level.

This chapter deals with conventional issues at the global level, principally the United Nations Register of Conventional Arms,¹ established in 1992 as a transparency measure to improve security relations among States and thus help prevent excessive accumulations of arms; the new work being carried out in the area of small arms, in particular efforts to curb their proliferation; and the Guidelines on arms transfers adopted by the Disarmament Commission. (Developments pertaining to the Convention on Certain Conventional Weapons, and especially

¹ Submissions to the Register, provided by States on a voluntary basis, cover seven categories of major weapons systems: battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, and missiles and missile launchers. The first submissions, covering the calendar year 1992, were made in April 1993.

to global efforts regarding anti-personnel landmines, are dealt with in chapter V.) This chapter also discusses the main events taking place in the various regions that reflect the growing interest in confidence- and security-building and in practical disarmament.

Developments and trends, 1996

The principal vehicle, at the global level, for creating transparency in military matters remained the Register of Conventional Arms, which renders transparent the vast majority of transfers in the categories it covers.² There were indications of some interest in fostering transparency through the establishment of regional or subregional arms registers as well.³ Efforts were also made, mainly by Western countries,⁴ to revitalize an older transparency measure, the standardized form for reporting military expenditures,⁵ which gives an overview of national defence policies through the disclosure of spending on military personnel, operations and maintenance, procurement, and

² According to the *SIPRI Yearbook 1997: Armaments, Disarmament and International Security* (Oxford, Oxford University Press, 1997), deliveries of major conventional weapons in 1996 were estimated at \$23 billion, with the United States accounting for 44% of deliveries, and the Russian Federation, 20%.

³ See the report of the Secretary-General on regional confidence-building measures, reporting on the work of the Standing Advisory Committee on Security Questions in Central Africa (A/51/287), para. 12; and the report of the Secretary-General on the Regional Centre in Kathmandu (A/51/445), para. 6.

⁴ See the report of the Secretary-General on objective information on military matters, including transparency of military expenditures, transmitting the views submitted by Italy, on behalf of the European Union and the countries of Central and Eastern Europe associated with it (Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia), as well as of the associated countries (Cyprus and Malta) (A/51/179).

⁵ See the report of the Secretary-General on the standardized reporting of military expenditures (A/51/209). Reports were submitted by: Argentina, Australia, Austria, Brazil, Bulgaria, Canada, Chile, Colombia, El Salvador, Estonia, Finland, France, Germany, Hungary, Jordan, Malta, Mauritania, Netherlands, New Zealand, Norway, Poland, Republic of Moldova, Slovakia, Slovenia, Spain, Sweden, Switzerland and United Kingdom.

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research and development.⁶ Upon the initiative of Germany, the General Assembly unanimously adopted resolution 51/38, calling for recommendations on changes to the content and structure of the reporting instrument in order to broaden participation in it.

As no ad hoc committee on transparency in armaments was established in the Conference on Disarmament, the issue was dealt with in plenary meetings, mainly by Western and Eastern European members. They viewed it as a means of ensuring a proper balance between the nuclear and conventional items on its agenda and of contributing to the further improvement of the Register. Moreover, within the framework of an ad hoc group, they envisaged the possibility of addressing specific aspects of conventional arms control, such as a ban on anti-personnel landmines. Developing States, however, emphasized the necessity of dealing with transparency in terms of both conventional arms and weapons of mass destruction.

A number of States, especially in Africa and Latin America, suffered from destabilization and outright conflict carried out, to a large extent, with small arms and light weapons. In an effort to address the problem, which is frequently linked to illegal arms trafficking, the United Nations undertook several complementary approaches, including practical disarmament measures. Developments are discussed below in the section on "Small arms" and in the various regional sections.

Register of Conventional Arms

Established in 1992, the United Nations Register of Conventional Arms, which promotes enhanced levels of transparency regarding arms transfers, "has become an accepted and effective method for building regional and international confidence".⁷ After four years of operation, the overall number of participants in the Register continues to increase: 134 States have participated in the Register during this period.

In August 1996, the Secretary-General published the fourth annual report on the Register, containing data and information provided

⁶ *The Military Balance 1996/97* of the International Institute for Strategic Studies, London, indicates a continuation in the drop in defence expenditures in 1995 worldwide, but with fluctuations from region to region.

⁷ Report of the Secretary-General on the work of the Organization (A/51/1), para. 1082.

by Governments for the calendar year 1995.⁸ The composite table of replies submitted by 94 Governments is reproduced on pages 115 to 118.

The level of participation in the Register was similar to that of the preceding three years. A comparative chart of the submissions by Governments from 1992 to 1995, broken down by types of reports on exports and imports, is given below. The majority of replies come from Governments that are not involved in transactions covered by the Register and that, therefore, submit "nil" reports—such reports contribute, nevertheless, to transparency.

**Submissions on exports and imports
1992–1995**

	1992	1993	1994	1995*
Exports:				
Data submitted	24	24	22	22
"Nil" reports	53	59	68	62
No data given	17	10	7	10
Imports:				
Data submitted	38	31	42	42
"Nil" reports	47	57	50	51
No data given	9	5	5	1
Total submissions	94	93	97	94

* Of the 94 Governments submitting data for 1995, 14 reported both exports and imports and 41 reported "nil" for both exports and imports.

Although not all publicly known importers participated in the Register,⁹ the information provided by the major exporters reflected most "import" transactions. Twenty-three States that were identified by exporting States as recipients of arms in 1995—as compared to

⁸ A/51/300 and Add.1–4. Electronic copy of this report is available on the UN web site on the Internet: <http://www.un.org> (link to "Peace and Security—Centre for Disarmament Affairs"). Information for the calendar year 1995 may be submitted until the close of the fifty-first session and will be issued as further addenda to document A/51/300.

⁹ The number of transfers reported on export forms was 154 and the number of transfers reported on import forms was 98.

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19 in 1994, 19 in 1993 and 25 in 1992—did not participate in the information exchange.

In addition to the data and information on international arms transfers in the seven categories of the Register, resolution 46/36 L and subsequent resolutions invited Member States to provide information on their military holdings and procurement through national production, national export and import policies and legislation. The number of Governments submitting such background information for the calendar year 1995 remained at the level of previous years. Of the 32 Governments reporting this information, 27 reported on military holdings and 19 on procurement through national production.

With regard to participation¹⁰ among regions, the submissions for 1995 revealed again high participation from Western Europe and the same level or higher participation from Asia and Eastern Europe. Participation from Latin America and the Caribbean was lower than in previous years. Participation from Africa and the Middle East remained low.

The different perceptions of the Register that had characterized discussions since its establishment were also evident in 1996. Almost all Member States that expressed their views¹¹ on it stressed that its effectiveness as a global confidence-building measure would be enhanced if the widest possible participation could be secured. Their positions with regard to early expansion of its scope, however, still varied. Those who argued for expansion to include data and information on military holdings and procurement through national production believed that such information would increase the Register's value as a confidence-building measure. Others held that the Register should be expanded to include weapons of mass destruction. Still others believed that sweeping changes to the Register process would jeopardize

¹⁰ The Guidelines for international arms transfers adopted by the Disarmament Commission contain a recommendation (paragraph 38) to States to make annual submissions to the Register. The Guidelines are reproduced in the annex to this chapter; see page 118.

¹¹ The views of Member States on the Register were included in the report of the Secretary-General on that subject. The following Member States provided their views: Israel, Italy, on behalf of the European Union and of the countries of Central and Eastern Europe associated with it (Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia), as well as of the associated countries (Cyprus and Malta), and Syrian Arab Republic (A/51/300).

its consolidation and would have adverse effects on the objective of achieving its universality.

The question of the continued operation and further development of the Register will be examined by a Group of Governmental Experts in 1997. It will consider issues related to participation, adjustment of the categories of weapons covered, the addition of new categories of weapons and the possible inclusion of information on military holdings and procurement through national production on the same basis as information on imports and exports.

Wassenaar Arrangement

Following the establishment, in 1995, of the Wassenaar Arrangement¹² to replace the Coordinating Committee for Multilateral Export Controls (COCOM), a series of meetings was held in 1996 to make it operational.¹³ In July, differences of view that had prevented progress in April were narrowed, and the participants succeeded in adopting an "Initial Elements" agreement.¹⁴ That document stated that it was the aim of the new forum to contribute to regional and international security and stability "by promoting transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies, thus preventing destabilizing accumulations". Participants would ensure that their transfers would not enhance military capabilities that would undermine these goals nor be diverted to support such capabilities.

¹² The full name is the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies; the decision to set it up was taken in December 1995.

¹³ As of 31 December, membership was: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States.

¹⁴ The agreement covered: purposes; scope; control lists (of dual-use goods and technologies and of munitions); procedures for the general information exchange, for the exchange of information on dual-use goods and technology, and for the exchange of information on arms; meetings and administration; participation; and confidentiality.

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They also agreed to meet on a regular basis; to exchange, on a voluntary basis, information that would enhance transparency; to work on further guidelines and procedures; and to assess the overall functioning of the arrangement in 1999. In addition, they agreed that the decision to transfer or deny transfer of any item would be the sole responsibility of each participant. Each would notify transfers and denials to non-participants, and would do so within 60 days in cases of approval of a licence that had been denied by another participating State for essentially the same transaction. Members of the Wassenaar Arrangement met again from 12 to 13 December in Vienna.

Small arms

The sense of urgency felt in 1995 to address the problems related to small arms—a relatively recent trend associated with intra-State conflict, violence and criminal activity—was carried forward in 1996.¹⁵ The Panel of Governmental Experts established under resolution 50/70 B (see chapter VIII, page 167) began its task of examining the types of small weapons actually used in conflicts dealt with by the United Nations, the nature and cause of the excessive and destabilizing accumulation and transfer of such arms, including their illicit trade, and ways and means of preventing or reducing the phenomenon.¹⁶

In order to gain a better understanding of the causes and effects of the uncontrolled flow of small arms in some regions, the Panel decided to hold a series of regional workshops, the first of which

¹⁵ See two relevant reports of the Secretary-General on (a) measures to curb the illicit transfer and use of conventional arms, pursuant to resolution 49/75 M (A/51/181) and (b) assistance to States for curbing the illicit traffic in small arms and collecting them, pursuant to resolution 50/70 H (A/51/452). The former contained information from the following Member States: Argentina, Colombia, Ecuador, Germany, Namibia, Poland and Saudi Arabia.

¹⁶ To assist the work of the Panel of Experts, Member States were requested, by resolution 50/70 B, to submit their views and proposals on small arms. The European Union made such a submission; see document A/51/377, annex.

took place in 1996, in Pretoria, South Africa.¹⁷ The participants, believing in the necessity of building up societal resistance to violence as an instrument of political change, declared themselves ready to adopt collective regional measures, such as combating criminal activity, harmonizing national legislation, standardizing licensing procedures for arms possession, pooling relevant intelligence and entering into extradition agreements. They also appealed to the donor community to make provision in their developmental assistance policies for programmes to reintegrate demobilized military personnel into civil society, and called upon the United Nations to ensure that its post-conflict peace programmes include arrangements for destruction and disposal of weapons and for trade-off between weapons and equipment for gainful employment.

In an effort to give further momentum to the work on small arms and, specifically, to find ways to consolidate peace in areas that had suffered from conflict exacerbated by their ready availability, Member States turned their attention to practical disarmament measures such as confidence-building, collection, control and disposal of arms, restraint over production, procurement and transfers, and the demobilization of ex-combatants and their reintegration into civil society. Aware of the potential benefit to be derived from drawing upon a whole range of measures, the General Assembly, in its resolution 51/45 N, unanimously requested the Secretary-General, in the light of experience gained from conflict resolution, to make recommendations for an integrated approach to practical measures and called upon Member States, together with regional arrangements or agencies, to contribute actively to this endeavour. The various ways in which regions sought to apply such measures to their respective situations are described in the following section.

Within the framework of its ongoing disarmament and conflict resolution project, the United Nations Institute for Disarmament Research (UNIDIR) continued to study a number of related issues and

¹⁷ The workshop, held from 23 to 25 September, brought together senior officers in the ministries of defence, the interior and police of Mozambique, Namibia, Sierra Leone, Somalia, Swaziland and Zimbabwe; members of the Rwanda Commission of Inquiry and the Sahara-Sahel Advisory Mission and some members of the Panel. The appeal of the participants is contained in the report of the Secretary-General on small arms that will be submitted to the General Assembly at its fifty-second session.

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carried out several case studies of peace operations in which disarmament tasks were important parts of a wider mission. The project envisages, as a next step, examination of the role of demobilization and disarmament in conflict prevention strategies, focusing on West Africa.¹⁸

Regional

Africa

The signing in April in Cairo of the African Nuclear-Weapon-Free Zone Treaty constituted an important contribution by the African countries to the maintenance of international peace and security (see page 42). The United Nations and the Organization of African Unity (OAU) continued to consult on African security issues of common concern.

In a practical demonstration of peace-building in West Africa and in the framework of the 1992 Pacte National, which ended the fighting between the rebel movements in the north and government forces, Mali organized a "Flamme de la Paix" ceremony on 27 March in Timbuktu, at which nearly 3,000 weapons surrendered by ex-combatants were publicly burnt. The bonfire demonstrated Mali's determination to prevent weapons collected from the cantonment sites from being used again in Mali or in neighbouring States.

Demobilization, collection of arms and the reintegration of military forces into civilian society in Liberia, Sierra Leone and Angola continued, albeit slowly.¹⁹ At a meeting of United Nations, ECOMOG²⁰ and donor representatives in Monrovia on 16 and 17 October, participants noted that the situation in Liberia had improved markedly since the armed confrontation of April and May, but warned that restoration of the peace process continued to be hindered by violations of the cease-fire and the slow pace of disarmament. The disarmament and demobilization processes began on 22 November as scheduled and, despite constraints, made some progress by the end of the year, especially in extending the demobilization exercise to all designated

¹⁸ See the note by the Secretary-General on UNIDIR (A/51/364), annex I).

¹⁹ See the relevant reports of the Secretary-General: S/1997/90 (Liberia), S/1997/80 (Sierra Leone) and S/1996/1000 (Angola).

²⁰ The Economic Community of West African States (ECOWAS) had established a Monitoring Observer Group (ECOMOG).

disarmament sites. With respect to Sierra Leone, a Peace Agreement was signed in Abidjan, Côte d'Ivoire, on 30 November by the newly elected Government and the Revolutionary United Front (RUF), under which the United Nations was requested to lend its assistance, in particular, with demobilization and the reintegration of former combatants. In Angola, the Government and the União Nacional para a Independência Total de Angola (UNITA) continued talks on completing the formation of the Angolan Armed Forces (FAA), and they agreed on a timetable for the quartering of UNITA troops and their incorporation into the FAA. Only limited progress was made, however.

The International Commission of Inquiry into reports of military training and arms transfers to former Rwandan government forces completed its work in March.²¹ Noting that many conflicts dealt with by arms embargoes were fuelled by small arms and landmines, the Commission recommended that, when an embargo was imposed, neighbouring States be encouraged to participate in a data bank of movements and acquisitions of small arms, that they be urged to adhere to the Convention on Certain Conventional Weapons, especially its Protocol II, on landmines, and that suppliers be requested not to transfer such arms to non-State entities.

In tackling the problems of destabilization and armed conflict on the continent, it became apparent that complementary approaches were required: collective, regional efforts to control trafficking in small arms and developmental assistance that would facilitate the reintegration of demobilized soldiers into civilian society and address the security and political dimensions of development as well. Two forums that took place in 1996 examined aspects of these issues: a regional workshop on small arms, convened by the Panel of Governmental Experts on Small Arms, in Pretoria, South Africa, from 23 to 25 September, (see page 97) and a consultation on "Post-Conflict Peace-Building in West Africa: Political and Development Initiatives", held under the auspices of the Secretary-General in New York on 21 October.²²

²¹ See document S/1996/195.

²² The consultation was attended by the members of ECOWAS, donor countries and five multilateral institutions. See the identical letters from the Secretary-General addressed to the presidents of the General Assembly and the Security Council (A/51/730-S/1996/1043).

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Against the backdrop of worsening violence in Central Africa, a summit meeting of the States members of the Standing Advisory Committee on Security Questions in Central Africa was held at Yaoundé on 8 July, at which eight members formally signed a Non-Aggression Pact, designed to prevent future armed conflicts among the States of the subregion.²³ The Final Declaration²⁴ of the summit set out a course of action on subregional security cooperation and outlined a number of specific measures, among them, establishment, under the auspices of the United Nations, of an early warning mechanism, a disarmament programme to deal with the wide proliferation of weapons, and model peace-keeping units within the armed forces of member States. Subsequently, the first training seminar for senior military and civilian officials who would train the specialized peace-keeping units took place in Yaoundé from 9 to 17 September. As tensions heightened in the subregion, especially in eastern Zaire, an extraordinary summit meeting was held at Brazzaville on 2 and 3 December.²⁵

Convinced of the value of coordinating policies in order to strengthen regional stability, the Heads of State or Government of the Southern African Development Community (SADC) meeting in Gaborone, Botswana, in June, established the SADC Organ on Politics, Defence and Security. Among its objectives were: to mediate in inter-State and intra-State disputes, to pre-empt conflict through an early warning system, to develop a collective security capacity and a regional peace-keeping capacity, to encourage and monitor the ratification of international and regional arms control and disarmament conventions, and to promote the development of democratic institutions and to encourage the observance of human rights.²⁶

²³ The Pact was signed by: Burundi, Cameroon, Chad, Congo, Equatorial Guinea, Gabon, Sao Tome and Principe and Zaire. Subsequently, it was also signed by the Central African Republic.

²⁴ A/51/274-S/1996/631, annex. See also the report of the Secretary-General on regional confidence-building measures (A/51/287).

²⁵ See document S/1996/1006.

²⁶ See the communiqué issued by the summit on 28 June, which was annexed to General Assembly document A/50/1001 of 19 July 1996.

Americas

Regional efforts to promote peace and security in the Americas continued throughout 1996 with some significant achievements. The Agreement on a Firm and Lasting Peace was signed on 29 December between the Guatemalan Government and the Unidad Revolucionaria Nacional Guatemalteca (URNG), thus ending a 36-year civil war, the longest conflict in Central America. To support the peace process, the Secretary-General requested the Security Council to approve the establishment of a military component in the existing United Nations Mission for the Verification of Human Rights in Guatemala (MINUGUA) to undertake verification of the cease-fire, the separation of forces and the demobilization of combatants that were called for in the peace accords.²⁷ Regarding the border dispute that had erupted into armed confrontation between Ecuador and Peru in 1995, the parties agreed, in October, to begin substantive talks to reach a complete and lasting solution to their differences.²⁸

As part of its continuing efforts to enhance regional confidence-building measures and transparency in military matters, the Organization of American States (OAS), on 7 June, adopted a resolution entitled "Confidence- and security-building measures in the Americas".²⁹ The resolution urged member States to implement the recommendations of the 1995 Declaration of Santiago on Confidence- and Security-Building Measures,³⁰ and requested them to provide the Secretary-General of the OAS, by 15 May each year, with the same information that they submitted to the United Nations Register of Conventional Arms and to the United Nations standardized system of reporting of military expenditures.

Concerned that there were still approximately 170,000 anti-personnel landmines in Central America, the OAS adopted, on 7 June, a resolution in which member States committed themselves to the

²⁷ S/1996/1045/Add.2.

²⁸ See document A/51/648, annex.

²⁹ AG/RES. 1409 (XXVI-O/96).

³⁰ The Declaration recommended, *inter alia*, prior notification of military exercises, the exchange of military observers and the strengthening of civilian-military communications. It was circulated as a document of the Conference on Disarmament (CD/1371).

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global elimination of anti-personnel landmines and to conversion of the western hemisphere into a mine-free zone.³¹ The resolution urged member States to adhere to the Convention on Certain Conventional Weapons, especially amended Protocol II. It also called for the establishment of a complete and integrated registry of anti-personnel landmines based on information provided annually by member States with respect to the approximate numbers of mines in their stockpiles, the number removed during the past year, and plans for clearance. In addition, it urged members to establish stockpile controls, to adopt domestic legislation to prohibit the private possession and transfer of mines and to inform the Secretary-General of the OAS of such action.

The OAS Committee on Hemispheric Security considered a consultation process on the limitation and control of conventional weapons, which would build on the work of the Rio Group.³² At a high-level meeting in September in Cochabamba, Bolivia, the Group had approved in principle two proposals of Mexico: adoption of a convention to impede the illicit transfer of weapons and adoption of measures to prevent an arms race in Latin America and the Caribbean.

Asia and the Pacific

In the nuclear field, France, the United Kingdom, and the United States signed, on 25 March, the three Protocols to the South Pacific Nuclear Free Zone Treaty, thereby contributing to stability in Asia-Pacific. In addition, consultations continued between members of the Association of Southeast Asian States (ASEAN) and the nuclear-weapon States regarding the Protocol to the Bangkok Treaty. (See page 42 for further information concerning these nuclear-weapon-free zones.)

In addition to developments on nuclear issues, significant confidence-building took place in various subregions. On 26 April, China,

³¹ AG/RES. 1411 (XXVI-O/96).

³² The meeting of the Rio Group, on 3 and 4 September, was attended by officials from Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela, and from Costa Rica, representing the Central American countries, and from Trinidad and Tobago, representing the Caribbean Community (CARICOM). The Declaration, which covered mainly economic and development issues, is contained in document A/51/375.

the Russian Federation, Kazakstan, Kyrgyzstan and Tajikistan signed the Agreement on Confidence-building in the Military Field in the Border Area,³³ in Shanghai. By the 16-article Agreement, the Joint Party (Russia, Kazakstan, Kyrgyzstan and Tajikistan) and China committed themselves to a series of confidence-building measures such as information exchanges on their respective border units, notification of large-scale military activity, invitation of observers to military exercises and increased cooperation between the armed forces in contiguous military districts. The same month, China and Russia reaffirmed their commitment³⁴ to resolve outstanding boundary issues between them and agreed to set up a telephone hotline between their capitals. In November, during a visit to India by the president of China, the two countries signed an agreement identifying confidence-building measures that would enhance peace and tranquillity in border areas and accelerate the process of clarification along the entire line of Actual Control.

The third ASEAN Regional Forum (ARF)³⁵ meeting was held in Indonesia in July with the participation of 21 foreign ministers. The ARF acknowledged its significant role in maintaining peace and security in the Asia-Pacific region but expressed concern over the security situation in the South China Sea and the Korean peninsula. In attempting to facilitate regional cooperation, the ARF pursued a three-stage approach: confidence-building measures, preventive diplomacy and conflict resolution. Its inter-sessional group on confidence-building measures proposed more dialogue on security issues and an exchange of information on defence programmes by way of encouraging the publication and voluntary exchange of "Defence White Papers". Participation in the United Nations Arms Register increased awareness of weapons procurement in the region and, although there was no

³³ A/51/137.

³⁴ The Joint Declaration is reproduced in document A/51/127.

³⁵ The following seven States attended the meeting as members of ASEAN: Indonesia, Malaysia, Singapore, Thailand, Viet Nam, Philippines and Brunei Darussalam. The following four attended as observers: Cambodia, Lao People's Democratic Republic, Myanmar and Papua New Guinea. ASEAN's 10 major trading partners attend the ARF: Australia, Canada, China, India, Japan, New Zealand, Republic of Korea, Russian Federation, United States and the European Union.

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agreement to establish a regional register in the next few years, there was agreement that the Register should be strengthened.³⁶

Despite multilateral efforts to promote peace and regional security, concerns were expressed about increased military spending and arms acquisition—fighter aircraft, missiles and submarines—among Asian States. This trend has been attributed to the growing economic power of many of the States of the region, the desire to possess sophisticated weapons, competition with neighbouring States, and perceived threats within and outside the region. In the South Pacific, members of the South Pacific Forum, meeting in Majuro, Marshall Islands, from 3 to 5 September, recognized the potential seriousness of any increased movement of weapons through the region and called upon Forum members to work together to control such movements.³⁷

Europe

Important confidence-building and international security related issues, such as the projected enlargement of NATO and the modernization of the 1990 CFE Treaty, preoccupied the European continent throughout most of 1996. CFE member States held their first Review Conference³⁸ from 15 to 31 May, in Vienna, at which they reaffirmed the fundamental role of the Treaty in European security and resolved to continue the conventional arms control process. Recognizing that the Treaty had been negotiated and implemented in times of great change and that new challenges to security had emerged, the parties undertook to start “a thorough process aimed at improving the operation of the Treaty in a changing environment and, through that, the security of each State Party, irrespective of whether it belongs to a politico-military

³⁶ At the United Nations Regional Centre for Asia and the Pacific, in Kathmandu, a workshop on the Arms Register was held in February; see page 172.

³⁷ See the communiqué of the twenty-seventh South Pacific Forum (A/51/357), annex, para. 38, attended by: Australia, Cook Islands, Micronesia (Federated States of), Fiji, Kiribati, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

³⁸ The Conference reviewed not only the CFE Treaty, but also the Concluding Act of the Negotiation on Personnel Strength, a politically, not legally, binding document that had been signed on 10 July 1992.

alliance”.³⁹ Addressing Russia’s stated need for changes in the “flank limitations” (the amount of military hardware member States are allowed to station on their borders), the parties decided that certain border areas of that State would be exempted from previous Treaty limits, thus allowing it to keep more military equipment in some of those areas, while providing for extra transparency and specific constraints in them.⁴⁰ As a result of the growing consensus that the Treaty needed to be modernized in order to better reflect post-cold war realities, it was decided to review progress later in the year, in Lisbon.

In the context of regional efforts to deal with arms control issues and plans to enlarge NATO, 54 Heads of State of the Organization for Security and Cooperation in Europe (OSCE) met in Lisbon from 2 to 3 December to assess the situation. In the Lisbon Document, adopted on 3 December,⁴¹ the OSCE articulated a vision of a common security space for Europe in which all member States were equal partners—a concept it elaborated upon in its Declaration on a Common and Comprehensive Security Model for Europe for the Twenty-first Century and the Framework for Arms Control. In the latter document, members stressed that arms control was an integral part of the OSCE’s comprehensive and cooperative concept of security and that the CFE Treaty established a core of military stability and predictability that was fundamental to the security of members of the OSCE.

On the margins of the summit, the CFE parties agreed upon the scope and parameters of the process they would undertake to improve the Treaty and identified specific aspects to be considered in the course of their negotiation: (a) an adjustment of the Treaty’s group structure; (b) the functioning of the zonal provisions to ensure that no destabilizing concentrations of forces could occur; (c) enhancement of verification provisions; and (d) means to ensure the full functioning

³⁹ Final Document of the First Conference to Review the Operation of the CFE Treaty and the Concluding Act, sect. III, para. 19.

⁴⁰ The “flank arrangement” is set out in annex A of the Final Document. The agreement was provisionally applied from 31 May and will enter into force as soon as all States parties have notified their approval to the depositary (the Netherlands). Annex A is reproduced in *Status*, 5th edition: 1997 (Sales No. E.97.IX.3).

⁴¹ A/51/716, annex. The Lisbon Document contains the other documents mentioned in this paragraph.

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of the Treaty in situations of crisis and conflict. The parties agreed to begin negotiations on modernization in Vienna, in January 1997.

In accordance with the Dayton Agreement of 14 December 1995 and under the auspices of the OSCE,⁴² negotiations were conducted among the parties to the conflict in the former Yugoslavia with the aim of achieving a stable military balance at the lowest level of armaments. Over six months, agreement was reached to limit five categories of major weapons systems. The resulting Agreement on Subregional Arms Control, signed in Florence on 14 June, constituted one step in a series of agreements on regional stabilization called for at Dayton. As of the end of the year, some surplus weapons had been destroyed.

Disarmament Commission, 1996

The Disarmament Commission studied the item "International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991" for the third year. The Working Group on the item, chaired by the representative of Romania, took, as a basis for its discussion, the Chairman's working paper of the previous year. After intensive work, the Group agreed on a set of guidelines (see page 118), which the Commission subsequently adopted.⁴³

The scope of the Guidelines covers both licit transfers, which can be addressed through legislative actions and increased transparency, and illicit transfers, which should be eradicated. The Guidelines assign equal responsibility to suppliers and recipients: the former are to seek to ensure that the quantity and level of sophistication of their exports do not contribute to instability and conflict, and the latter that their level of armaments is commensurate with their legitimate self-defence and security requirements. They also recommend a mix of considerations (not purely commercial) with respect to transfers. The Guidelines suggest a number of ways and means, both national and international, to ensure effective control over transfers, and institutional arrangements, including the role of the United Nations.

⁴² See "The agreement on subregional arms control of the 'Dayton Agreement'" by Major Donna Phelan in *Disarmament: A periodic review by the United Nations*, vol. XIX, Number 2, 1996.

⁴³ See *Official Records of the Fifty-first Session of the General Assembly, Supplement No. 42 (A/51/42)*, annex I.

General Assembly, 1996

The General Assembly adopted a total of eight resolutions in the subject-area of conventional disarmament: two concerning transparency and objective information, one on illicit trafficking, one on practical disarmament measures, and four concerning regional disarmament per se, two of which dealt with specific regions.

Transparency and objective information

On 6 November, two draft resolutions on transparency were put before the First Committee. The first, entitled *Objective information on military matters, including transparency of military expenditures*, was introduced by the representative of Germany on behalf of the sponsors.⁴⁴ The second, entitled *Transparency in armaments*, was introduced by the representative of the Netherlands on behalf of the sponsors.⁴⁵ On 14 November, the First Committee took action on both draft texts. It adopted the German initiative without a vote. With regard to the draft introduced by the Netherlands, it took separate votes on two operative paragraphs. Paragraph 3(b), which refers to the group of governmental experts to be convened in 1997 to prepare a report on

⁴⁴ Argentina, Australia, Austria, Belgium, Bulgaria, Chile, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Republic of Moldova, Romania, Spain, Sweden and United Kingdom. Subsequent sponsors: Afghanistan, Iceland, Japan, Malta, Monaco and United States.

⁴⁵ Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belarus, Belgium, Bhutan, Bolivia, Bulgaria, Cambodia, Cameroon, Canada, Cape Verde, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakstan, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Malta, Marshall Islands, Monaco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Sao Tome and Principe, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom and United States. Subsequent sponsors: Brazil, Burundi, Congo, El Salvador, Liberia and Zaire.

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the continuing operation of the Register and its further development, was adopted by a recorded vote of 124 to none, with 11 abstentions, and paragraph 5, which invites the Conference on Disarmament to consider continuing its work on transparency, was adopted by a recorded vote of 125 to none, with 14 abstentions. The draft resolution as a whole was then adopted by a recorded vote of 133 to none, with 15 abstentions.

In explanation of its position on the first draft resolution, Israel stated that global reporting of expenditures was viable only in a general context; more detailed reporting would require a regional settlement. Pakistan and the Syrian Arab Republic referred to their statements in connection with the voting on "Transparency in armaments" (see below).

Ten States explained their abstentions on the second draft resolution. Referring to the work of the Panel of Experts, Egypt and the Islamic Republic of Iran regretted that it had not been possible, thus far, to expand the scope of the Register to include data on weapons of mass destruction. Cuba, India and Myanmar, on the other hand, held that development or expansion of the scope of the Register would be premature at this juncture. With regard to resumption of work in the Conference on Disarmament, Cuba, Indonesia, Myanmar and Mexico expressed the view that that body had exhausted its mandate on transparency, with the first three stating that it should now focus on nuclear issues. With respect to the need for universal participation in the Register, Iran stated that there had been no vigorous efforts to promote it in regions that accounted for most transfers, and India noted that the solution of operational problems would be of help in raising the level of participation. The Democratic People's Republic of Korea and Iran believed that the Register had not led to self-restraint on the part of the biggest suppliers of conventional arms. Iraq, which stated that it would have abstained in the vote, shared this view. Algeria felt that the draft resolution gave preference to frameworks that, in the past, had demonstrated only a limited capacity to respond to the expectations of States with regard to transparency, and the Syrian Arab Republic felt that it did not take into account the special situation in the Middle East.

Four countries that voted in favour also spoke. China, which abstained on both separate votes, felt that it was not appropriate to

discuss the expansion of scope at this time, and that the agenda of the Conference on Disarmament should be determined through consultations among member States. Israel stressed that full participation must be achieved, particularly among the countries of its region, before expansion could be considered. Pakistan believed that the Conference on Disarmament could take a broad approach to transparency, addressing it within the context of conventional arms control at the regional and subregional levels. The Sudan held that suppliers should reduce their production and that a register of weapons of mass destruction was needed.

The General Assembly adopted the German initiative without a vote. For the text of *resolution 51/38, Objective information on military matters, including transparency of military expenditures*, see page 242. It took action on the initiative of the Netherlands as follows: it adopted operative paragraph 3(b) by a recorded vote of 147 to none, with 13 abstentions, operative paragraph 5 by a recorded vote of 146 to none, with 18 abstentions, and the draft resolution as a whole by a recorded vote of 154 to none, with 15 abstentions. For the text of *resolution 51/45 H, Transparency in armaments*, and the voting pattern, see pages 265 and 339, respectively.

Illicit trafficking

On 6 November, Afghanistan introduced, on behalf of the sponsors,⁴⁶ a draft resolution entitled *Measures to curb the illicit transfer and use of conventional arms*, which was adopted without a vote on 14 November.

The General Assembly adopted the draft resolution also without a vote. For the text of *resolution 51/45 F, Measures to curb the illicit transfer and use of conventional arms*, see page 262.

⁴⁶ Afghanistan, Cambodia, Nicaragua, South Africa and Sri Lanka. Subsequent sponsors: Bangladesh, Belgium, France, Germany, Haiti, India, Indonesia, United Kingdom, Zaire and Zimbabwe.

Practical disarmament measures

On 4 November, the representative of Germany introduced, on behalf of the sponsors,⁴⁷ a draft resolution entitled *Consolidation of peace through practical disarmament measures*. Subsequently, in addition to making a number of minor editorial changes, the sponsors substituted "suggestions" for "develop guidelines" in operative paragraph 3 and dropped a reference to a possible comparative report by UNIDIR in operative paragraph 6. The First Committee thereupon adopted the draft resolution without a vote.

On that occasion, China, Egypt, Mexico and the United States expressed some reservations. China and Egypt noted that no agreement had yet been reached on the definition and scope of the terms "small arms and light weapons". Both Mexico and the United States were of the view that, in general, it was up to existing United Nations bodies, not the Secretary-General, to make recommendations and suggestions regarding disarmament measures. Egypt and Mexico stated that they would have preferred no reference to the Convention on Certain Conventional Weapons. In addition, Egypt felt that the phrase "peace-keeping operations" would be more appropriate than "conflict resolution" (operative paragraph 3); Mexico noted that there were many more disarmament measures than those referred to that could be applied to consolidate peace; and China believed that the draft text did not give a full picture of the relationship between transparency and security.

The General Assembly adopted the draft resolution also without a vote. For the text of *resolution 51/45 N, Consolidation of peace through practical disarmament measures*, see page 275.

Regional approaches

The representative of Pakistan introduced two draft resolutions on the subject of regional disarmament on 4 November. The first, entitled

⁴⁷ Angola, Australia, Austria, Cambodia, Cameroon, Chile, Congo, Costa Rica, El Salvador, Ethiopia, Gabon, Georgia, Germany, Guatemala, Hungary, Ireland, Japan, Lithuania, Mali, Marshall Islands, Mozambique, Netherlands, Nicaragua, Norway, Peru, Poland, Portugal and Romania. Subsequent sponsors: Afghanistan, Bangladesh, Belarus, Canada, Côte d'Ivoire, Denmark, Lesotho, Malta, New Zealand, Niger, Republic of Moldova, Sweden and Uruguay.

Regional disarmament,⁴⁸ was adopted by the First Committee on 14 November by a recorded vote of 145 to none, with 1 abstention (India). The second, entitled *Conventional arms control at the regional and subregional levels*,⁴⁹ which was later revised by adding a reference to the CFE Treaty at the end of the sixth preambular paragraph, was adopted, also on 14 November, by a recorded vote of 144 to 1, with 4 abstentions.

India, abstaining on the first draft, stated that the text omitted elements that had to be addressed if the full range of security concerns of all the States of a region were to be met. India voted against the second for similar reasons and because it did not feel that the Conference on Disarmament should formulate principles for regional agreements on conventional arms, and it did not regard South Asia as a region for purposes of security and disarmament.

Cuba voted in favour of the first draft resolution because, in general, it summarized the points made in the Disarmament Commission's Guidelines⁵⁰ on regional approaches to disarmament, although with some omissions, and abstained on the second because of similar omissions. It was Cuba's belief that the Conference on Disarmament should not be encumbered with issues that were outside its agenda, which might divert it from negotiations on nuclear disarmament.

On 10 December, the General Assembly adopted the first draft resolution by a recorded vote of 170 to none, with 1 abstention. For the text of *resolution 51/45 K, Regional disarmament*, and the voting pattern, see pages 271 and 342, respectively.

The General Assembly adopted the second draft resolution by a vote of 164 to 1, with 2 abstentions. For the text of *resol-*

⁴⁸ Sponsored by: Albania, Armenia, Bangladesh, Bolivia, Chile, Colombia, Egypt, Ghana, Indonesia, Mali, Nepal, New Zealand, Niger, Pakistan, Papua New Guinea, Sri Lanka, Sudan, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine and Zimbabwe. Subsequent sponsors: Congo, Liberia and Zaire.

⁴⁹ Sponsored by: Bangladesh, Benin, Mexico, Nepal, and the former Yugoslav Republic of Macedonia and subsequently, Zaire. The revised draft resolution was also sponsored by Belgium, Czech Republic, El Salvador, France, Germany, Italy, Norway, Portugal, Spain and United Kingdom.

⁵⁰ A/48/42, annex II.

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ution 51/45 Q, *Conventional arms control at the regional and sub-regional levels*, and the voting pattern, see pages 281 and 346, respectively.

The representative of Congo, on behalf of the States members of the United Nations Advisory Committee on Security Questions in Central Africa, introduced a draft resolution entitled *Regional confidence-building measures* on 6 November, which was subsequently slightly revised. On 15 November, the First Committee adopted the revised draft resolution without a vote. On that occasion, China expressed its appreciation for the efforts of the Advisory Committee and the point made in the draft text that only confidence-building measures initiated within a region, participated in by all States concerned and tailored to the specific characteristics of the region were effective.

On 10 December, the General Assembly adopted the revised draft resolution without a vote. For the text of *resolution 51/46 C, Regional confidence-building measures*, see page 290.

The representative of Mali, on behalf of the sponsors,⁵¹ introduced the draft resolution entitled *Assistance to States for curbing the illicit traffic in small arms and collecting them* on 6 November. On 12 November, the sponsors orally revised the second preambular paragraph by adding the word "illicit" before the word "circulation". On 13 November, the Committee adopted the revised draft resolution without a vote.

On 10 December, the General Assembly adopted it, also without a vote. For the text of *resolution 51/45 L, Assistance to States for curbing the illicit traffic in small arms and collecting them*, see page 272.

* * * * *

The General Assembly, upon the recommendation of the First Committee, also adopted two resolutions on international security: *resolution 51/50, Strengthening of security and cooperation in the Mediterranean region* (without a vote), and *resolution 51/55, The maintenance of*

⁵¹ Burkina Faso, Cambodia, Cameroon, Cape Verde, Chad, Congo, Côte d'Ivoire, Djibouti, Gabon, Guinea, Guinea-Bissau, Mali, Mauritania, Niger and Togo. Subsequent sponsors: Benin, Haiti, Japan, Liberia and Zaire.

international security—prevention of the violent disintegration of States (by a recorded vote of 162 to none, with 8 abstentions).

Conclusion

Issues of conventional weapons and regional security figured prominently in 1996. In the Disarmament Commission, Member States agreed upon a balanced set of Guidelines for arms transfers, an achievement which may facilitate dialogue between suppliers and recipients and the development of norms at the regional level. The principle of transparency with respect to transfers was upheld with the issuance of the fourth annual Register of Conventional Arms, and an effort to make the standardized reporting instrument for military budgets more accessible was launched.

Faced with risks posed by tensions and unresolved disputes, Member States in every part of the world explored the potential of confidence-building and transparency and took steps to establish regional security arrangements or, as the case might be, to strengthen existing ones. In the Americas, countries undertook to copy their United Nations reports on arms transfers and military expenditures to the OAS. In Europe, the parties to the CFE Treaty committed themselves to modernize the Treaty with the aim of bringing it into line with the shifting security situation on the continent.

Against the backdrop of increasingly destructive conflicts tearing many societies apart, the challenge of introducing practical disarmament measures to promote lasting security emerged. Parallel with this was a growing appreciation of the need for an integrated approach in peace-building—one that would effectively address such aspects as the control of small arms, internal security and opportunities for economic development. Progress in this direction will depend on the readiness of Member States to exercise the necessary political will.

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ANNEX I

**Composite table of replies of Governments
for the Register of Conventional Arms: 1995**

<i>State</i>	<i>Data on exports</i>	<i>Data on imports</i>	<i>Explanation submitted in note verbale</i>	<i>Background information</i>
Albania	nil			no
Andorra	nil	nil	yes	no
Argentina	yes	yes		yes
Armenia	nil	nil		yes
Australia	nil	yes		no
Austria	nil	yes		yes
Azerbaijan	nil	nil		yes
Bahamas	nil	nil		no
Barbados	nil	nil		no
Belarus		yes		yes
Belgium	yes	nil		yes
Bhutan	nil	nil		no
Brazil	nil	yes		yes
Bulgaria	nil	nil		yes
Burkina Faso	nil	nil		no
Canada	yes	nil		yes
Central African Republic		nil		no
Chile	nil	yes		no
China	yes	yes		no
Cook Islands		nil		no
Cuba	nil	nil		no
Cyprus	nil	yes		no
Czech Republic	yes	nil		yes
Denmark	nil	nil		yes
Dominica	nil	nil		no

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<i>State</i>	<i>Data on exports</i>	<i>Data on imports</i>	<i>Explanation submitted in note verbale</i>	<i>Background information</i>
Estonia	nil	nil		no
Ethiopia	nil	nil	yes	no
Fiji	nil	nil		no
Finland	yes	yes		yes
France	yes	nil		yes
Gabon	nil	nil		no
Germany	yes	nil		yes
Greece		yes		yes
Hungary	nil	yes		no
Iceland	nil	nil		no
India		yes		no
Indonesia		yes		no
Ireland	nil	nil		yes
Israel	yes	yes		no
Italy	yes	yes		yes
Jamaica	nil	nil		no
Japan	nil	yes		yes
Jordan	nil	nil		no
Kazakstan	yes	yes		no
Kyrgyzstan	nil	nil	yes	no
Latvia	nil	yes		no
Liechtenstein	nil	nil		no
Lithuania	nil	yes		no
Luxembourg	nil	nil		no
Madagascar	nil	nil		no
Malaysia		yes		no
Maldives	nil	nil		no
Malta	nil	nil		no
Mauritius	nil	nil		no

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<i>State</i>	<i>Data on exports</i>	<i>Data on imports</i>	<i>Explanation submitted in note verbale</i>	<i>Background information</i>
Mexico	nil	yes		yes
Monaco	nil	nil		no
Mongolia	nil	nil		no
Namibia	nil	nil		no
Nepal	nil	nil	yes	no
Netherlands	yes	yes		yes
New Zealand	nil	nil		yes
Norway	nil	yes		no
Pakistan		yes		no
Papua New Guinea	nil	nil	yes	no
Peru	nil	yes		no
Philippines	nil	yes		no
Poland	yes	yes		yes
Portugal	nil	yes		yes
Republic of Korea	yes	yes		yes
Republic of Moldova	nil	yes		no
Romania	yes	nil		no
Russian Federation	yes	yes		no
Saint Kitts and Nevis	nil	nil		no
Saint Vincent and the Grenadines	nil	nil		no
Samoa	nil	nil		no
Singapore	nil	yes		no
Slovakia	yes	yes		no
Slovenia	nil	nil		no
South Africa	yes	nil		yes
Spain	nil	yes		yes
Sri Lanka		yes		no
Sweden	nil	yes		yes

<i>State</i>	<i>Data on exports</i>	<i>Data on imports</i>	<i>Explanation submitted in note verbale</i>	<i>Background information</i>
Switzerland	yes	nil		yes
Tajikistan	nil	nil		no
Thailand		yes		no
Trinidad and Tobago	nil	nil		no
Turkey	nil	yes		yes
Turkmenistan	nil	nil		no
Ukraine	yes	nil		no
United Kingdom of Great Britain and Northern Ireland	yes	yes		yes
United Republic of Tanzania	nil	nil		no
United States of America	yes	yes	yes	yes
Vanuatu	nil	nil		no
Viet Nam	nil	yes		no

ANNEX II

Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991

I. Introduction

1. Arms transfers are a deeply entrenched phenomenon of contemporary international relations. All States have the inherent right to self-defence, as enshrined in the Charter of the United Nations, and consequently the right to acquire arms for their security, including arms from outside sources. However, international transfers of conventional arms have, in recent decades, acquired a dimension and qualitative characteristics which, together with the increase in illicit arms trafficking, give rise to serious and urgent concerns.

2. Arms transfers should be addressed in conjunction with the question of maintaining international peace and security, reducing regional and international tensions, preventing and resolving conflicts and disputes, building and enhancing confidence, and promoting disarmament as well as social and economic development. Restraint and greater openness, including various trans-

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parency measures, can help in this respect and contribute to the promotion of international peace and security.

3. The problem of the illicit traffic in arms has a social and humanitarian component in addition to its technical, economic and political dimensions. The human suffering that is caused, *inter alia*, by the devastating consequences of war, destabilizing violence and conflicts, terrorism, mercenary activities, subversion, drug trafficking, common and organized crime and other criminal actions cannot be ignored. The negative effects of illicit arms trafficking can often be disproportionately large, particularly for the internal security and socio-economic development of affected States. Illicit arms trafficking, which affects many countries and several regions of the world, puts to the test the capacity of States to find a solution to it.

4. Legal, political and technical differences in internal control of armaments and their transfer and, in some cases, inadequacy or absence of such controls can contribute to the growing illicit traffic in arms.

5. International cooperation in curbing illicit arms trafficking and in condemning it will assist in focusing the attention of the international community on this phenomenon and will be an important factor in combating it.

6. The United Nations, in keeping with its overall purposes and principles, has a legitimate interest in the field of arms transfers, recognized by the Charter, which refers specifically to the importance of the regulation of armaments for the maintenance of international peace and security.

7. Illicit arms trafficking is understood to cover that international trade in conventional arms, which is contrary to the laws of States and/or international law.

8. Limitations on arms transfers can be found in international treaties, binding decisions adopted by the Security Council under Chapter VII of the Charter of the United Nations and the principles and purposes of the Charter.

II. Scope

9. According to paragraph 1 of General Assembly resolution 43/75 I of 7 December 1988, entitled "International arms transfers", arms transfers in all their aspects deserve serious consideration by the international community. The General Assembly, in paragraph 4 of its resolution 48/75 F of 16 December 1993, of the same title, noted that the Disarmament Commission had included the question of international arms transfers, with particular reference to resolution 46/36 H of 6 December 1991, also of the same title, in the agenda of its substantive session in 1994.

10. In its resolution 46/36 H, the General Assembly called upon all States to give high priority to eradicating illicit arms trafficking in all kinds

of weapons and military equipment; urged Member States to exercise effective control over their weapons and military equipment and their arms imports and exports to prevent them from getting into the hands of parties engaged in illicit arms trafficking; and also urged Member States to ensure that they had in place an adequate body of laws and administrative machinery for regulating and monitoring effectively their transfer of arms, to strengthen or adopt strict measures for their enforcement, and to cooperate at the international, regional and subregional levels to harmonize, where appropriate, relevant laws, regulations and administrative procedures as well as their enforcement measures, with the goal of eradicating illicit arms trafficking.

11. Licit transfers of conventional arms can be addressed, *inter alia*, through national legislative and administrative actions and increased transparency. The objective in the case of illicit arms trafficking must be the eradication of this phenomenon.

12. All stages of illicit arms trafficking should be the focus of scrutiny. An essential factor in eradicating illicit arms trafficking is the effective control of arms to prevent them from being acquired by unauthorized persons.

III. Principles

13. In their efforts to control their international arms transfers and to prevent, combat and eradicate illicit arms trafficking, States should bear in mind the principles listed below.

14. States should respect the principles and purposes of the Charter of the United Nations, including the right to self-defence; the sovereign equality of all its Members; non-interference in the internal affairs of States; the obligation of Members to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State; the settlement of disputes by peaceful means; and respect for human rights; and continue to reaffirm the right of self-determination of all peoples, taking into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, and recognize the right of peoples to take legitimate action in accordance with the Charter of the United Nations to realize their inalienable right of self-determination. This shall not be construed as authorizing or encouraging any action that would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples and thus possessed of a Government representing the whole people belonging to the territory without distinction of any kind.

15. States should recognize the need for transparency in arms transfers.

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16. States should recognize the responsibility to prohibit and eradicate illicit arms trafficking and the need for measures to achieve this end, taking into account the inherently clandestine nature of this traffic.

17. States, whether producers or importers, have the responsibility to seek to ensure that their level of armaments is commensurate with their legitimate self-defence and security requirements, including their ability to participate in United Nations peace-keeping operations.

18. States have responsibilities in exercising restraint over the production and procurement of arms as well as transfers.

19. Economic or commercial considerations should not be the only factors in international arms transfers. Other factors include, *inter alia*, the maintenance of international peace and security and efforts aimed at easing international tensions, promoting social and economic development, peacefully resolving regional conflicts, preventing arms races and achieving disarmament under effective international control.

20. Arms-producing or supplier States have a responsibility to seek to ensure that the quantity and level of sophistication of their arms exports do not contribute to instability and conflict in their regions or in other countries and regions or to illicit trafficking in arms.

21. States receiving arms have an equivalent responsibility to seek to ensure that the quantity and the level of sophistication of their arms imports are commensurate with their legitimate self-defence and security requirements and that they do not contribute to instability and conflict in their regions or in other countries and regions or to illicit trafficking in arms.

22. International arms transfers should not be used as a means to interfere in the internal affairs of other States.

IV. Ways and Means

A. National

23. States should ensure that they have an adequate system of national laws and/or regulations and administrative procedures to exercise effective control over armaments and the export and import of arms in order, among other goals, to prevent illicit arms trafficking.

24. States should scrutinize their national arms-control legislation and procedures and, where necessary, strengthen them in order to increase their effectiveness in preventing the illegal production, trade in and possession of arms in their territory that can lead to illicit arms trafficking.

25. States should intensify their efforts to prevent corruption and bribery in connection with the transfer of arms. States should make all efforts to identify, apprehend and bring to justice all those involved in illicit arms trafficking.

26. States should establish and maintain an effective system of export and import licences for international arms transfers with requirements for full supporting documentation.

27. The exporting State should seek to obtain an import certificate from the receiving State covering the exported arms. The receiving State should seek to ensure that imported arms are covered by a certified licence of the authorities in the supplying State.

28. The use of small arms and light weapons in conflicts and war has a major bearing on regional and international peace and security and national stability. The alarming dissemination and illicit transfer of such weapons and the serious threat they pose require States to ensure strong and effective supervision of all aspects of trade in such weapons.

29. States should provide for adequate numbers of customs officials adequately trained to enforce the necessary regulations over the export and import of arms.

30. States should define, in accordance with their national laws and regulations, which arms are permitted for civilian use and which may be used or possessed by the military and police forces.

31. In developing practical measures at the national level, States should take into account and apply, as appropriate, the relevant recommendations of Interpol.

32. States should recognize that combating illicit arms trafficking and reducing those potentially negative aspects of the arms trade require reciprocal commitments by producer and recipient countries, including through defence-conversion programmes and by way of refraining from destabilizing accumulations of armaments.

B. International

33. All arms-transfer agreements and arrangements, in particular between Governments, should be designed so as to reduce the possibility of diversion of arms to unauthorized destinations and persons. In this context, a requirement by the exporter for import licences or verifiable end-use/end-user certificates for international arms transfers is an important measure to prevent unauthorized diversion.

34. States should cooperate at the bilateral and multilateral levels as appropriate to share relevant customs information on trafficking in and detection of illicit arms and coordinate intelligence efforts. In this context, States should endeavour to ensure effective control of borders with a view to preventing illicit arms trafficking.

35. States should intensify international cooperation in the relevant field of criminal law. They should assist each other in the development and

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enforcement of effective national controls, with a view to curbing the evasion of justice by illicit arms traffickers.

36. In order to help combat illicit arms trafficking, States should make efforts to develop and enhance the application of compatible standards in their legislative and administrative procedures for regulating the export and import of arms.

37. States have a legal obligation to comply strictly with sanctions and arms embargoes imposed by the Security Council under the authority of Chapter VII of the Charter of the United Nations.

38. States should report all relevant transactions in their annual reports to the Register of Conventional Arms as an important confidence-building measure. Those States which do not yet provide annual reports to the Register are strongly encouraged to do so. States should also consider developing additional transparency measures at the regional, subregional and national levels as well as unilateral transparency measures.

39. States should maintain strict regulations on the activities of private international arms dealers and cooperate to prevent such dealers from engaging in illicit arms trafficking.

V. Institutional Arrangements

A. Role of the United Nations

40. The United Nations has an important role to play in the field of international arms transfers and the eradication of illicit arms trafficking in accordance with its overall purposes and principles. The cooperation of the international community is essential for the United Nations to be successful in these endeavours.

41. By its resolution 43/75 I of 7 December 1988, the General Assembly expressed its conviction that arms transfers in all their aspects deserve serious consideration by the international community, *inter alia*, because of: (a) their potential effects in areas where tension and regional conflict threaten international peace and security and national security; (b) their known and potential negative effects on the process of the peaceful social and economic development of all peoples; and (c) increasing illicit and covert arms trafficking.

42. Subsequently, pursuant to that resolution, the Secretary-General submitted a study (A/46/301, annex), prepared with the assistance of governmental experts, on ways and means of promoting transparency in international transfers of conventional arms on a universal and non-discriminatory basis, taking into consideration the views of Member States and other relevant information, including information on the problem of illicit arms trafficking. A number of the recommendations made in the study were taken up

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subsequently in General Assembly resolutions 46/36 H and 46/36 L, of 6 and 9 December 1991 respectively.

43. By its resolution 46/36 L, entitled "Transparency in armaments", the General Assembly requested the Secretary-General to establish and maintain a universal and non-discriminatory Register of Conventional Arms. It, *inter alia*, called upon all Member States to provide data on imports and exports of arms and invited them, pending the expansion of the Register, also to provide available background information on military holdings, procurement through national production and relevant policies.

44. Transparency measures concerning arms transfers are not in themselves measures of limitation or restriction, but they can in several ways promote and facilitate the introduction of unilateral or multilateral measures of restraint as well as help in the detection of arms transferred illegally. The United Nations, the Conference on Disarmament and other appropriate international forums should continue to play an important part in the elaboration and adoption of transparency measures in the field of arms transfers, including the possible improvement of the Register.

45. The adoption by consensus of resolution 46/36 H reflects the concern of the international community over the increasing illicit arms trafficking, which, by its clandestine nature, defies transparency. This kind of trafficking represents one of the major problems for the authorities of many countries which attempt to free their territories from the criminal use of arms and the consequences it has for peace and stability. Under that resolution, the Secretary-General was given the mandate for the promotion of efforts to eradicate illicit trafficking in arms.

46. By its resolution 46/36 H, the General Assembly, *inter alia*, called upon all States to give high priority to eradicating illicit arms trafficking in all kinds of weapons and military equipment, a most disturbing and dangerous phenomenon often associated with terrorism, drug trafficking, organized crime and mercenary and other destabilizing activities, and to take urgent action towards that end, as recommended in the study submitted by the Secretary-General.

47. By its resolution 48/75 F of 16 December 1993, the General Assembly recognized that illicit arms trafficking is a disturbing, dangerous and increasingly common phenomenon and that, with the technical sophistication and destructive capability of conventional weapons, the destabilizing effects of illicit arms trafficking increase. The Assembly also called upon all Member States to give priority to eradicating the illicit arms trafficking associated with destabilizing activities, such as terrorism, drug trafficking and common criminal acts, and to take immediate action towards that end.

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48. By its resolution 50/70 B of 12 December 1995, entitled "Small arms", the General Assembly requested the Secretary-General to prepare, within the existing resources, a report, with the assistance of a panel of qualified governmental experts, on the question of small arms and light weapons in all its aspects.

49. And by its resolution 50/70 H, entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them", the General Assembly invited the international community to give appropriate support to the efforts made by the affected countries to suppress the illicit circulation of small arms, which is likely to hamper their development.

B. Other institutional arrangements

50. States should continue to use and further develop mechanisms for the exchange of information at the global, regional and subregional levels in order to assist institutions engaged in the control, tracking and seizure of arms in making full-scale efforts to eradicate illicit arms trafficking.

CHAPTER V

Convention on Certain Conventional Weapons and other issues

Introduction

THE FIRST PHASE OF THE FIRST REVIEW CONFERENCE of the Convention on Certain Conventional Weapons (CCWC) was held from 25 September to 13 October 1995 in Vienna. Its task was to review the scope and operation of the Convention and its annexed protocols, to consider any proposal for amendments to the protocols, in particular Protocol II, relating to prohibitions and restrictions on the use of mines, booby-traps and other devices, and to consider any proposals for additional protocols. In recent years, momentum has built to amend Protocol II because of the widespread use of mines, in particular anti-personnel mines. While the Conference succeeded in adopting a new protocol, on blinding laser weapons (Protocol IV),¹ it was unable to conclude its work on amending Protocol II because of a wide divergence of views. The parties therefore agreed to continue the negotiations in resumed sessions,² to be convened the following year in Geneva from 15 to 19 January and from 22 April to 3 May. An account of the developments leading to the convening of the Review Conference and its first phase is contained in *The Yearbook*, vol. 20, chapter VIII; the sections below discuss the final phase of the Conference.

¹ The text of Protocol IV is reproduced in *Status*, 5th edition: 1996 (Sales No. E.97.IX.3).

² Mr. Johan Molander of Sweden continued to preside over the resumed sessions. The following 43 States parties participated in both sessions: Australia, Austria, Belgium, Bulgaria, Canada, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Greece, Hungary, India, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Malta,

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Review Conference

First resumed session (15 to 19 January)

The session focused on the further elaboration of articles 2–7 and the Technical Annex of Protocol II, concentrating on military-technical aspects, with a view to finding acceptable compromises that would strengthen the provisions of the Protocol. The work was carried out within the framework of the President's consultations.

The President's text of Protocol II, dated 13 October 1995,³ served as the basis for work. During the session, proposals for definitions and for specifications of the Technical Annex generated a certain momentum with regard to the military-technical matters under dis-

Mexico, Mongolia, Netherlands, New Zealand, Norway, Pakistan, Poland, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tunisia, Ukraine, United Kingdom, United States and Uruguay. In addition, the following 8 States parties participated in the second session: Argentina, Belarus, Brazil, Guatemala, Jordan, Lao People's Democratic Republic, Romania and South Africa.

The following States non-parties participated as observers in both sessions: Afghanistan, Algeria, Angola, Armenia, Bolivia, Burundi, Chile, Colombia, Egypt, Holy See, Honduras, Indonesia, Iran (Islamic Republic of), Luxembourg, Morocco, Myanmar, Nigeria, Peru, Philippines, Portugal, Republic of Korea, Singapore, Syrian Arab Republic, Thailand, Turkey and Viet Nam. In addition, the following States non-parties participated as observers in the first session: Argentina, Brazil, Jordan, Libyan Arab Jamahiriya, Nicaragua, Romania and South Africa. The following States non-parties participated as observers in the second session: Azerbaijan, Cambodia, Chad, El Salvador, Ethiopia, Iceland, Mozambique, Venezuela, Zambia and Zimbabwe.

Representatives of the United Nations Children's Fund (UNICEF), United Nations Department of Humanitarian Affairs, Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Institute for Disarmament Research (UNIDIR), League of Arab States, International Committee of the Red Cross (ICRC), International Federation of the Red Cross and Red Crescent Societies and the Sovereign Order of Malta participated as observers in both sessions. Representatives of the Organization of African Unity (OAU) and the Organization of the Islamic Conference attended as observers in the second session. In addition, representatives of 25 non-governmental organizations (NGOs) attended the public meetings of the first session and 70 NGOs attended the public meetings of the second session.

³ CCW/CONF.I/WP.4.

cussion. However, differences with respect to a number of issues persisted. They related primarily to the criteria for detectability and for self-destruction and self-deactivation mechanisms, and to the duration of the period in which compliance with such technical requirements should be achieved. It became evident that some delegations, for a variety of reasons, would require a longer period of deferral than that set out in the President's text (eight years). The majority, however, strongly favoured no deferral period or a considerably shorter one. They argued that inclusion of such provisions would render the Protocol operationally ineffective to a large extent. With regard to the scope of application, consensus was emerging on expanding the scope of the Protocol to cover internal conflicts as well.

As a result of the negotiations, the President of the Conference submitted a draft text of Protocol II that reflected the progress achieved and the state of negotiations as seen by the President and that did not commit any delegation.⁴ The parties agreed to continue negotiations on the basis of that text with a view to reaching agreement on an amended Protocol II at the concluding phase of the resumed session, in April.

Second resumed session (22 April to 3 May)

The Review Conference continued its work in a second resumed session with a view to finalizing the negotiations on amendments to Protocol II, reviewing the Convention and its annexed Protocols as a whole and concluding the work of the Conference with the adoption of a Final Declaration.

Protocol II and its Technical Annex

The Conference continued its work on amending Protocol II through the President's consultations and consultations of Friends of the Chair. While the President himself undertook to work on the understanding regarding technical matters, the Friends of the Chair dealt with those provisions of the Protocol relating to consultations and compliance, technical cooperation and assistance, transfers, and protection from the effects of minefields, mined areas, mines, booby-traps and other devices. As agreed to during the first resumed session, the President's

⁴ CCW/CONF.I/WP.4/Rev.1 of 22 January 1996.

texts on Protocol II and its Technical Annex served as a basis for the negotiations.

On 3 May, the President's consultations and those of his Friends resulted in a compromise agreement to amend Protocol II in a number of important areas:

The scope of application of the Protocol was extended to cover both international and internal armed conflicts;

Restrictions on the use of all types of mines were increased significantly;

The use of non-detectable anti-personnel mines was prohibited, albeit with a long period of deferral (nine years from the entry into force of the Protocol as amended);

The use of non-self-destructing and non-self-deactivating mines outside fenced, monitored and marked areas was prohibited;

The transfer of non-detectable anti-personnel mines was prohibited with effect from the Protocol's entry into force, i.e., after 20 States parties have notified their consent to be bound by the Protocol. There is, however, a political obligation to refrain from such transfers with effect from the date of the Protocol's adoption;

Broader obligations of protection in favour of peace-keeping and other missions of the United Nations and its agencies were imposed on States parties or parties to a conflict;

The Protocol required States to enforce compliance with its provisions within their jurisdiction, and called for penal sanctions in case of violation;

Annual conferences were instituted to ensure periodic reviews of the operation of the provisions of the Protocol. The United Nations Secretary-General, in his capacity as depositary, would convene, at an early date following entry into force of the Protocol, a preparatory meeting for the first Annual Conference to elaborate draft rules of procedure and agenda items, which might include review of the operation and status of the Protocol.

Nevertheless, in a number of respects, such as the inclusion of long deferral periods (nine years after entry into force) for compliance with the requirements of detectability and self-destruction/self-deactivation mechanisms, the narrow definition of anti-personnel mines, and the lack of agreement on a meaningful mechanism for verification and compliance, the final agreement fell short of what had been discussed earlier in the preparatory process of the Review Conference.

Interpretative statements on certain articles

At the time of adoption of amended Protocol II, a number of parties made interpretative statements with regard to some of its provisions.

Article 1 – Scope of application

Belgium⁵ understood that the provisions of the Protocol should, as the context required, be observed at all times. Subsequently, this statement was also endorsed by Guatemala. The United States fully endorsed the statement of Belgium concerning the observation of the provisions of the Protocol during peacetime, and stated that among the provisions that must be so observed were those regarding the recording, marking, monitoring and protection of areas containing mines; provisions of article 8, regarding transfers, and the provisions of articles 13 and 14, regarding consultations and compliance.

According to Pakistan, the provisions of article 1 took precedence over provisions or undertakings in any other article; the observance of any other provision could not be construed either directly or indirectly as affecting the right of peoples struggling against colonial or other forms of alien domination and foreign occupation in the exercise of their inalienable right of self-determination, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter.⁶

Article 2 – Definitions

In the view of Germany,⁷ the word “primarily” was included in article 2, paragraph 3, (definition of anti-personnel mine) to clarify that mines designed to be detonated by the presence, proximity or contact of a vehicle, as opposed to a person, and that were equipped with anti-handling devices, were not considered anti-personnel mines

⁵ Also on behalf of Australia, Brazil, Canada, Croatia, Czech Republic, Denmark, Ecuador, France, Germany, Hungary, Ireland, Israel, Italy, Jordan, Latvia, Netherlands, Norway, Pakistan, Slovakia, Slovenia, South Africa, Sweden, United Kingdom and United States.

⁶ 2625 (XXV).

⁷ Also on behalf of Australia, Bulgaria, Canada, Czech Republic, Denmark, France, Greece, Hungary, Ireland, Italy, Latvia, Netherlands, Norway, Poland, Romania, South Africa, Sweden, United Kingdom and United States.

as a result of being so equipped. The United States agreed entirely with that statement. The International Committee of the Red Cross (ICRC), commenting on the understanding of Germany, stated that the clarification did not solve an important humanitarian problem, namely, the use of anti-handling devices on remotely delivered anti-tank mines, which would be just as dangerous to civilian populations as anti-personnel mines, the only difference being that they would usually kill their victims.

Article 3 – General restrictions on the use of mines, booby-traps and other devices

The United States understood that an area of land could itself be a legitimate military objective for the purpose of the use of land-mines if its neutralization or denial, in the circumstances ruling at the time, offered a definite military advantage.

Article 4 – Restrictions on the use of anti-personnel mines

The United States⁸ considered that this article did not require removal or replacement of mines already emplaced, while the provisions regarding marking, monitoring, fencing and protection of areas under the control of a party and containing mines applied to all areas containing mines, regardless of when those mines had been placed.

Article 5 – Restrictions on the use of anti-personnel mines other than remotely delivered mines

Australia⁹ declared that article 5, paragraph 2(b), did not preclude agreement among the States concerned, in connection with peace treaties or similar arrangements, to allocate responsibilities under this subparagraph in another manner which nevertheless respected the essential spirit and purpose of the article.

Article 6 – Restrictions on the use of remotely delivered mines

In the view of China, article 6, paragraph 3 (exception for devices equipped with self-destruction or self-neutralization mechan-

⁸ Supported by Belgium, Canada, France, Greece, Israel, Italy, Netherlands and Pakistan.

⁹ Also on behalf of Belgium, Brazil, Canada, Croatia, Czech Republic, Denmark, Germany, Hungary, Israel, Netherlands, Norway, Slovakia, Slovenia, South Africa, Sweden and United States.

isms) did not prohibit the use of remotely-delivered landmines other than anti-personnel landmines which are not equipped with an effective self-destruction or self-neutralization mechanism.

Article 8 – Transfers

According to the interpretation of the Russian Federation, each party would apply the provisions of article 8, paragraph 3 (pending entry into force, parties would refrain from actions inconsistent with the prohibition on transfers), and those of paragraph 2(a) and (b) of the Technical Annex in conformity with national laws and regulations.

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The United Kingdom observed that it would examine certain of the Protocol's provisions at a later date and reserved the right, at the time of notification of the depositary of its consent to be bound by the Protocol, to make formal statements concerning the Protocol in addition to those made by other countries that it itself had endorsed.

Review of the Convention and elaboration of the Final Declaration

Although the focus of the resumed session was on amending Protocol II and most statements addressed that issue, the Conference did continue its review of the scope and operation of the Convention and its annexed protocols, and its elaboration of a Final Declaration. (Extensive negotiations on the Declaration had already taken place during the first phase of the Conference, in September–October 1995, but the resulting draft¹⁰ had left open the elements related to Protocol II.) The points of particular interest in the review are briefly discussed below.

In its review of the preamble of the Convention, the Conference stressed the obligation of parties to determine whether the use of a weapon that they were considering to develop or acquire would in some or all circumstances be unlawful, and reaffirmed the need to continue the progressive development of international law applicable to conventional weapons that might be excessively injurious or have indiscriminate effects. Parties emphasized the desirability of achieving universal adherence by the year 2000.

¹⁰ See *The Yearbook*, vol. 20: 1995, chap. VIII.

In connection with article 1 (scope of application of the Convention and its annexed protocols) the parties agreed to broaden the scope of Protocol II so as to include conflicts not of an international character. With a view to ensuring the effectiveness of the Convention, parties recognized that it was important that the provisions of the Convention be well known to their respective armed forces (article 6, "Dissemination"). It was widely felt that international cooperation and collaboration could facilitate this process, for instance, through the exchange of experience at all levels and the exchange of instructors. In that context, Switzerland's offer to host a seminar on dissemination was noted.

The Convention makes no provision for convening review conferences at regular intervals (article 8). Participants agreed, however, that such conferences should be held more frequently, and considered doing so every five years. They decided, consistent with article 8, subparagraph 3(c), to convene a review conference five years following the entry into force of the amendments that they were in the process of adopting, but in any case not later than 2001, with preparatory expert meetings starting as early as 2000, if necessary. A number of suggestions were made about questions that could be considered at the next Review Conference: a proposal of Switzerland for an additional protocol on small-calibre weapons and ammunition, a proposal by Sweden to consider measures related to naval mines and a proposal by Mexico to consider certain other conventional weapons.

It took some time to elaborate the missing elements of the Final Declaration—language on mines in the declaratory part and on the review of original Protocol II. The Chairman of the Main Committee charged with drafting the document stated, when submitting it for adoption by the Conference, that the final version must be regarded as a fragile compromise.

Final stage of the Conference

The Conference concluded its work on 3 May, with the adoption of the amended Protocol II¹¹ and the Final Declaration. The text of the Declaration (reproduced in appendix III, see page 233), reflects the common assessment of the parties concerning the implementation

¹¹ The text of Amended Protocol II is reproduced in *Status*, 5th edition: 1996.

of the Convention and its annexed protocols. It also expresses their satisfaction with the adoption of amended Protocol II and new Protocol IV, their hope for early entry into force of both instruments, and their thinking on future action.

Final Declaration

The declaratory part of the document, in referring to amended Protocol II, sets forth the conviction that States should strive for the eventual elimination of anti-personnel mines and, in that context, for a complete ban on transfers of such weapons. It also declares that the prohibitions and restrictions in Protocol II should facilitate and advance the achievement of the ultimate goal. The Declaration underlines the commitment of parties to ban all remotely-delivered mines without effective self-deactivation features and without either self-destruction or self-neutralization mechanisms, and recognizes the need to strive for a ban on all such mines as viable alternatives develop that will significantly reduce the risk to the civilian population.

With a view to facilitating mine clearance, the Declaration notes the importance of the prohibition of the use of non-detectable devices. Parties commit themselves to reinforce international cooperation in mine clearance, in the development and dissemination of more effective technologies for that purpose and in the transfer of technology to facilitate the implementation of the Protocol. The parties pledge to assist, to the extent feasible, impartial humanitarian demining missions operating with the consent of the host State and/or the relevant States parties in the conflict by providing all relevant information in their possession concerning the location of mines.

The declaratory part concludes with the commitment to establish a regular review mechanism for the Convention and its annexed protocols, and is followed by a succinct article-by-article review of the Convention and of Protocols I and III.

The section dealing with Protocol II sets out the concerns that led the parties to conclude that it was necessary to amend the Protocol. The Conference calls upon those parties that cannot immediately comply with the requirements for detectability and self-destruction and self-deactivation mechanisms to do their best to minimize the use of mines not so equipped during the deferral period.

In the course of the final phase of the Conference, a number of States announced that they were joining the international movement

for a total ban on anti-personnel mines or declared national measures restricting or halting the production, use, export, transfer, sale or stockpiling of anti-personnel mines, including moratoriums. (See the annex to this chapter, page 146, for national measures.)

Closing statements

In their closing statements, all participants, States parties and observer States alike, considered the progress made in strengthening the provisions of Protocol II as an important step towards the eventual elimination of anti-personnel mines. At the same time, those States that were strong supporters of an immediate and total ban expressed their disappointment that the outcome had fallen short of their hopes, and many voiced criticism of the long deferral period for complying with technical requirements. The President of the Conference, however, underlined that the substantial progress made represented a significant humanitarian achievement that would spare lives. Ensuring universality of the Convention and its protocols and compliance with their provisions was the most important task now. He also emphasized that the dynamic nature of the Convention had been demonstrated by the addition of a new protocol banning the use of blinding laser weapons, at the very moment when such weapons had been about to be deployed.

Colombia, speaking on behalf of the Movement of Non-Aligned Countries and other Observer States, welcomed the adoption of amended Protocol II, as it marked an important stage in the process of strengthening international law on conventional weapons and might encourage States to accede to the Convention and help make it universal.

Representatives of observer countries infested with landmines, in particular *Afghanistan*, *Angola* and *Cambodia*, deplored the fact that the Conference was unable to agree on a total ban on the production, export and use of these weapons. *Angola* stated that it would have favoured the establishment of a feasible mechanism for verification of the implementation of the restrictions imposed on the use of anti-personnel mines and regretted that the security and protection of civilian populations had not been safeguarded. It stressed that, from the standpoint of humanitarian law, the amended Protocol, with the exception of article 8, was misleading, and did not at all meet the legitimate expectation of all those who were alarmed at the devastating effects of anti-personnel mines.

Mexico deplored the fact that the Conference had not succeeded in banning the production, transfer and use of landmines. It argued that detectability would facilitate mine clearance work without sparing a single victim as long as the mine stayed in place; the requirements of self-destruction and self-deactivation had the effect of eliminating inexpensive mines and fostering the use of costly devices, and the periods of deferral legitimized the use of millions of mines currently in stock, for at least a decade.

Australia regretted that the provision of a long phase-in period for the technical standards of detectability, self-destruction and self-deactivation had been a precondition for agreement by a small group of States parties and hoped that very few parties would avail themselves of that option. The *European Union (EU)* and *associated countries* as well as *EFTA (European Free Trade Area) country members of the EEA (European Economic Area)* also took issue with the provisions for deferral: they would have preferred no periods of deferral, or at least much shorter ones, and stricter constraints on detectability during the deferral period. In addition, they regretted that no agreement on an effective and binding verification mechanism was reached. The EU stressed that it would strive to meet the goal of the eventual elimination of anti-personnel mines.¹²

Canada, in referring to the long period of deferral with regard to detectability, drew attention to the fact that participants had promised in the Final Declaration to make detectable, in the interim, all anti-personnel mines used nationally. Canada would continue to work in two tracks to attain its overall objective of elimination of these weapons: (a) in the context of the Convention and its amended Protocol II, by pressing for increased restrictions and prohibitions in the short term in order to move closer to an absolute ban and to secure the earliest possible entry into force of the Protocol and (b) by pursuing, at the same time, a number of other initiatives. In that connection, it would host a meeting for Governments and non-governmental organizations that support a comprehensive ban. This initiative was welcomed by New Zealand and the Philippines.

New Zealand felt that the problems associated with remotely-delivered anti-tank mines and mines fitted with anti-handling devices

¹² The position of the EU was set out in General Assembly document A/51/139.

had not been satisfactorily treated and that provisions on compliance, in article 14, should have been stricter. It stated that it would continue to work with other like-minded nations to promote a total ban. The *United States* observed that the amended Protocol II was a significant advance that would, if widely observed, result in a substantial decrease in civilian casualties and be an important first step towards the elimination of such mines. It expressed disappointment that the Protocol did not include a mechanism for investigation of compliance and restrictions on certain types of anti-tank mines, and felt that the period of deferral was excessive. With regard to the obligations in article 8, it stated that it was its policy, pending the entry into force of the Protocol, to observe all of its restrictions to the fullest extent possible from the time of adoption and, at the same time, to refrain from any transfer of non-detectable anti-tank mines.

China reiterated its commitment to ban the export of booby-traps and of anti-personnel landmines that do not meet the requirements of detectability, self-destruction and self-deactivation. It also stressed that landmines remained an effective means for many countries to exercise their right of self-defence in accordance with the principles of the Charter of the United Nations and that, therefore, a balance needed to be maintained between humanitarian considerations and legitimate self-defence requirements. *Cuba* considered the restrictions adopted regarding remotely delivered mines as only a first step towards their complete prohibition. It stated that it manufactured mines only to defend its territory and did not export them. It also expressed its readiness to cooperate in any activity aimed at finding better solutions to the humanitarian problems caused by these weapons, while taking into account the legitimate security interests of States. *India* believed that extending the scope of Protocol II without a comprehensive ban only served to legitimize the use of "smart" mines and that the use of anti-personnel landmines should be permitted only for long-term defence of borders, perimeters and peripheries of States. It reiterated its long-held position that the use of remotely-delivered mines should be banned completely. It also urged States to consider making voluntary declarations on their exports during the past five years. *Pakistan* had decided to freeze an entire programme on the production of a category of remotely delivered mines that, in its assessment, would not be in conformity with the technical requirements of the amended Protocol. It had issued instructions to cease production of

non-detectable mines and would meet the required standards much earlier than the permitted deferral period. It also stressed that it used mines only for its national security and defence and did not export them. Pakistan would continue to remain actively engaged in efforts to attain a complete prohibition.

Brazil believed that the adoption of amended Protocol II attested to the international community's resolve to take a decisive step to put an end to the indiscriminate and abusive use of landmines. It stressed that efforts should henceforth concentrate on practical measures such as substantially increasing capabilities for mine clearance, establishing effective national quality controls on the mechanisms of self-destruction and self-deactivation and devoting new resources to help poor countries meet the technical requirements established for humanitarian purposes. In addition to observing a total ban on the export of any type of mine, *Japan* had played an active role in the international community's demining efforts by contributing nearly \$25 million to the mine clearance activities of the United Nations. It had also sent specialists to Cambodia where it had established artificial-limbs factories. *Ukraine* stressed that it was reducing its stockpiles of landmines and did not rule out a future decision on completely banning production. It contributed to mine clearance operations in Angola and the former Yugoslavia and provided training in mine clearance for foreign experts.

A number of States, such as *Canada*, *Colombia*, on behalf of the Movement of Non-Aligned Countries and other Observer States, *Cuba*, and *Italy*, on behalf of the EU, emphasized the importance of the adoption of Protocol IV.

The *ICRC* stated that the Conference had at least focused the attention of Governments and their military forces on the humanitarian responsibilities involved in landmine use and the need for dramatic changes in their approach to these weapons. However, it considered the limitations adopted on the use of mines woefully inadequate, since they would, in its view, encourage the production, transfer and use of a new generation of mines while not prohibiting any existing types other than, possibly, non-detectable ones. The *ICRC* regretted that measures had been adopted that, instead of entirely prohibiting the use of an indiscriminate weapon, permitted its continued use and implicitly promoted the use of new models that would have virtually the same effects.

The *International Campaign to Ban Landmines*, which combines the efforts of hundreds of non-governmental organizations (NGOs) for a total ban, as well as numerous other organizations played a major role during all stages of the Conference. The Campaign voiced considerable disappointment at the outcome of the negotiations, most specifically at the failure to agree on an outright ban, maintaining that the amendments would not affect the lives of those living with landmines. At the same time, the NGOs acknowledged that the Review Conference had contributed to the momentum to bring about a total ban, and they pledged to continue to mobilize public opinion to oppose the production, use, stockpiling or transfer of mines.

The Secretary-General of the United Nations had made statements to the Review Conference during each phase of its work, urging States parties to agree to strengthen Protocol II. At the end of the Conference, the Secretary-General acknowledged that some progress had been made, for example, the extension of the scope of the Protocol had been extended, provisions restricting the transfer of mines had been included and the responsibilities for mine clearance were clearly attributed. He further noted that the Protocol represented the common denominator of all States parties and that adherence to it by all States was essential. At the same time he noted with deep disappointment that the amended Protocol failed to resolve crucial issues such as the establishment of an independent mechanism for verification of compliance and a strict prohibition of transfers, and stated that it would disappoint international public opinion, in particular the hundreds of thousands of mine victims worldwide. He underlined the need to achieve a total ban on anti-personnel landmines by the next Review Conference and encouraged all States to immediately enact legislation prohibiting the manufacture, stockpiling, use or sale of these weapons.

Other developments

An International Strategy Conference on the theme "towards a global ban on anti-personnel mines" was convened by the Government of Canada, from 3 to 5 October in Ottawa.¹³ It was attended by over 70 States as well as international agencies and NGOs; its major aim

¹³ See document A/C.1/51/10, which contains the Ottawa Declaration (annex I) and the Chairman's Agenda for Action (annex II).

was to keep the momentum towards a global ban on landmines high on the international agenda.

The Conference led to the adoption of a declaration in which the "Ottawa Group" (some 50 States) agreed to enhance cooperation and coordination of efforts to achieve their goal, taking into account the following: the extreme humanitarian and socio-economic costs associated with the use of anti-personnel mines requires urgent action on the part of the international community to ban and eliminate them; until such a ban is achieved, States must work to encourage universal adherence to the prohibitions or restrictions contained in amended Protocol II of the CCWC; mine-affected States must halt all new deployment of anti-personnel mines to ensure the effectiveness and efficiency of mine-clearance operations; and the international community must provide significantly greater resources to mine-awareness programmes, mine-clearance operations and victim assistance. In addition, the members of the Ottawa Group committed themselves to work together to ensure: the earliest possible conclusion of a legally-binding international agreement to ban anti-personnel mines; progressive reductions in new deployments of mines with the urgent objective of halting all new deployments; support for a General Assembly resolution calling upon Member States, *inter alia*, to implement national moratoriums, bans or other restrictions, particularly on the operational use and transfer of anti-personnel mines, at the earliest possible date; regional and subregional activities in support of a global ban; and a follow-up conference, to be hosted by Belgium, in June 1997 to review the progress in achieving a global ban.

The Chairman of the Conference also presented his agenda for action to advance a total ban on anti-personnel mines. The action programme envisaged global actions, such as building public awareness and political will for a global ban, rapid entry into force and universal adherence to amended Protocol II, increased exchanges of information and data on anti-personnel mines and preparation of a draft treaty, and regional action in all parts of the world. The agenda for action also included landmine clearance, mine awareness and victim assistance. The Government of Canada expressed its intention to host a ceremony in December 1997, at which time the treaty banning anti-personnel mines would be signed. That proposal was welcomed by the Secretary-General.

The resolve of the international community to continue to work towards a global ban on anti-personnel mines was demonstrated at the fifty-first session of the General Assembly. In fact, the United States initiative, which in the past had called for a moratorium on the export of mines, instead focused primarily, in 1996, on measures to achieve an international ban and was co-sponsored by over 100 Member States. Another resolution, initiated by Sweden, welcomed the results of the Review Conference and commended amended Protocol II and Protocol IV to all States, with a view to their entry into force as soon as possible.

General Assembly, 1996

At the time that the General Assembly was considering two resolutions on the subject of certain conventional weapons, the first dealing with the Convention itself and the results of its Review Conference, and the second proposing an international agreement to ban anti-personnel landmines, it had before it several reports of the Secretary-General¹⁴ that focused on aspects of these issues or referred to them. In his report on the work of the Organization, the Secretary-General stressed that it was a matter of special importance that the provisions governing the protection of United Nations peace and humanitarian forces from the effects of the massive emplacement of mines be respected to the fullest, and expressed the hope that the annual conferences agreed to by the States parties would promote a more thorough strengthening of Protocol II. In his report on mine clearance, he stated that the United Nations and its agencies would continue to work closely with NGOs on achieving a total ban.

¹⁴ Reports on: the work of the Organization (A/51/1), paras. 1089 and 1090; the status of the CCWC (A/51/254); moratorium on the export of anti-personnel landmines (A/51/313), containing information from: Argentina, Canada, Colombia, Cuba, Dominican Republic, Finland, Germany, Iceland, Israel, Italy (on behalf of the EU and Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, Czech Republic, Romania, Slovakia and Cyprus and Malta), Jordan, Liechtenstein, Singapore, Ukraine and United States; and mine clearance (A/51/540).

On 6 November, the representative of Sweden, on behalf of the sponsors,¹⁵ introduced the 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*.

On 13 November, the First Committee adopted the draft resolution without a vote.

Israel, a party to the Convention, stated that it supported efforts being made to extend accession to the Convention to as many States as possible, particularly in the Middle East. It believed that such a commitment would not only prevent the indiscriminate use of mines, which cause human suffering, but would also contribute to confidence-building measures between nations. Egypt, a signatory, expressed regret that the Review Conference had failed to incorporate within Protocol II provisions binding States parties to offer assistance in the clearance of landmines, and believed that it would have been fitting for the draft resolution to include a call for international cooperation in this area.

On 10 December the General Assembly adopted the draft resolution without a vote. For the text of *resolution 51/49, 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*, see page 303.

On 4 November, the representative of the United States, on behalf of the sponsors,¹⁶ introduced the draft resolution entitled *An international agreement to ban anti-personnel landmines*.

¹⁵ Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Hungary, Iceland, India, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, the Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, the former Yugoslav Republic of Macedonia, United Kingdom and United States. Subsequent sponsors: Bangladesh, Belarus, Brazil, El Salvador, Guatemala, Malta, Monaco, Mongolia, Panama and Paraguay.

¹⁶ Afghanistan, Albania, Angola, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Cambodia, Canada, Chad, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark,

On 11 November, Cuba proposed amendments consisting of the addition of references, in the preamble and the operative part, to the right to self-defence enshrined in the Charter. On 13 November, the Committee adopted a motion, put forward by the Netherlands under rule 116 of the rules of procedure, to take no action on the amendments. A number of States spoke in favour of or against the motion.¹⁷ The Committee then proceeded to take action on the draft resolution itself, adopting it by a recorded vote of 141 to none, with 10 abstentions, and several States explained their positions.

Among those abstaining, Cuba explained that it felt that a call for a total ban could not be accepted by all States and would thus run counter to the shared objective of attaining universality for the Convention. Any measure aimed at limiting or prohibiting mines would require a phased, multilaterally negotiated approach. Both Israel and Turkey stressed the need to develop effective alternatives before concluding a complete ban, and expressed concern about countering terrorist activity. The Syrian Arab Republic abstained because it was not a signatory to the Convention.

Among those voting in favour, seven expressed reservations. Myanmar, Singapore and Viet Nam stressed that the landmine issue had not only humanitarian, but also security, aspects and noted that a number of countries regarded attempts to eliminate such mines altogether as a threat to their capacity for self-defence. With regard to

El Salvador, Ethiopia, Fiji, Gabon, Georgia, Germany, Ghana, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakstan, Kyrgyzstan, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, (Federated States of), Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Norway, Palau, Peru, Philippines, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Sweden, Tunisia, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia and Zimbabwe. Subsequent sponsors: Andorra, Australia, Belize, Benin, Burundi, Cape Verde, Congo, Côte d'Ivoire, Djibouti, Ecuador, Finland, France, Gambia, Guinea, Kenya, Kuwait, Lesotho, Liberia, Madagascar, Malawi, Monaco, Mongolia, Nepal, Panama, Paraguay, Samoa, San Marino, Spain, the former Yugoslav Republic of Macedonia, Togo, Turkmenistan and Zaire.

¹⁷ States speaking against the motion: Algeria, China, Egypt, India, Iraq, Pakistan and Viet Nam. States speaking in favour: Germany, Kuwait and Mexico.

modalities, Egypt, Nigeria, and Oman stressed that a ban should be negotiated multilaterally, with Nigeria stating its preference for the Conference on Disarmament. In addition to mentioning the importance of multilateral negotiation conducted in a transparent manner, Sri Lanka stated that any agreement should include production, stockpiling, transfer and use, and cover both State and non-State actors. Egypt also noted that the draft did not stress the importance of landmine clearance.

Sudan stated that it supported the draft resolution because landmines were inhumane.

On 10 December, the General Assembly adopted the draft resolution by a recorded vote of 155 to none, with 10 abstentions. For the text of *resolution 51/45 S, An international agreement to ban anti-personnel landmines*, and the voting pattern, see pages 284 and 348, respectively.

Conclusion

The adoption of amended Protocol II and of a new Protocol IV to the Convention on Certain Conventional Weapons is a significant achievement of the First Review Conference of the Parties. By the adoption of Protocol IV, the use of a new category of weapon has been prohibited, while Protocol II as amended constitutes an important step towards the total elimination of anti-personnel mines. The latter was a carefully crafted compromise that reflected the consensus that could be obtained in the first half of 1996. The adoption of an annual consultation mechanism for the Protocol and the commitment to hold the next Review Conference of the Convention in five years' time bore witness to the will of the States parties to continue to work together.

In the latter half of 1996, momentum towards a global ban intensified further. A number of initiatives were taken, the most important being those carried out by the "Ottawa Group", which undertook to negotiate a treaty banning anti-personnel landmines and to have it ready to open for signature in December 1997.

ANNEX

**Announcements in 1996 of moratoriums on exports
and other national legislation and action**

The following unilateral activities have been reported:

(a) On 22 April, at the Review Conference, Australia stated that it had decided to unilaterally suspend the use of anti-personnel landmines, and noted that only "in the case of a substantial deterioration in [its] strategic circumstances, in which Australia's security was under threat ... would the suspension be reviewed";

(b) Belgium, reporting on the status of Belgian legislation on anti-personnel mines, informed the Secretary-General that the Act of 24 June required the State or the public authorities to destroy existing stocks of anti-personnel mines and similar traps or devices within three years. A limited number of anti-personnel mines would, however, be kept for research and training (A/C.1/51/11);

(c) Bulgaria informed the Review Conference that by its Decision No. 104 of 2 May concerning changes and amendments to the imports and exports regime of the Republic of Bulgaria, a timely moratorium on the export of anti-personnel landmines had been introduced. The decision took effect immediately upon adoption and was valid until 30 April 1999 (CCW/CONF.I/15);

(d) On 26 January, Canada announced that it was declaring comprehensive unilateral moratoriums on the production, export and operational use of anti-personnel landmines (A/51/313, sect. III);

(e) In April, China declared at the CCW Review Conference that, pending the entry into force of the amended Landmine Protocol, it would implement a moratorium on its export of anti-personnel landmines that were not in conformity with the technical specifications on detectability, self-destruction and self-deactivation as provided for by the Protocol, and would ban the export of booby traps (CCW/CONF.I/12);

(f) On 19 April, Croatia issued a statement declaring a moratorium on the use, production, stockpiling, import and export of anti-personnel landmines, booby-traps and remotely delivered anti-personnel mines (CCW/CONF.I/13);

(g) On 23 May, Denmark decided to renounce unilaterally the use of anti-personnel mines in the Danish Armed Forces (A/51/323);

(h) On 2 October, the Council of Ministers of France decided that France would renounce the use of all categories of anti-personnel mines. That non-use rule allowed of no geographical exceptions. The only derogation pro-

vided for concerned cases of absolute necessity relating to force security with the express authorization of the Government. Moreover, France would continue its programme of destruction of its anti-personnel mine stockpile (CD/PV/752, p.5) ;

(i) On 16 April, Germany fully and unconditionally renounced the use of anti-personnel landmines (A/51/313, sect. III);

(j) On 15 July, Israel informed the Secretary-General of its decision to extend the moratorium on export of anti-personnel landmines for a further period of three years (A/51/313, sect. III);

(k) The Foreign Minister of Italy, in his statement to the General Assembly on 26 September, announced that his Government pledged to renounce once and for all the production and export of anti-personnel landmines. Italy would also initiate the destruction of existing devices and promote further restrictions in the hope that such measures would contribute to reaching a solid international understanding and a definitive ban. To that end, it proposed the prompt opening of international negotiations at the Conference on Disarmament in Geneva (A/51/PV.10, p. 6);

(l) On 25 April, Luxembourg announced the introduction of a complete moratorium on the production, transfer, stockpiling or use of landmines. Its army had agreed not to use them and, with the exception of a small number of devices intended for training deminers, existing stockpiles would be destroyed (reported at Review Conference on 30 April);

(m) On 11 March, the Netherlands declared that its army would no longer use anti-personnel landmines and that stockpiled mines would be destroyed. Subsequently, the Minister of Foreign Affairs announced on 21 March in Parliament that the Government would not allow anti-personnel mines to be exported from the Netherlands. On 2 April, a resolution calling for a bill banning the production of these weapons was passed by a unanimous vote of the Lower House of the Dutch Parliament, which was the final step to a comprehensive ban in the Netherlands (www.vaf.org/landmine/28.htm);

(n) New Zealand, on 22 April, at the Review Conference, announced a formal renunciation of the use of anti-personnel landmines (CCW/CONF.II);

(o) On 7 May, Singapore informed the Secretary-General that it had declared a two-year moratorium on the export of anti-personnel landmines that had no self-destruct or self-neutralizing mechanisms (A/51/313, sec. III);

(p) South Africa, on 3 May, at the Review Conference, announced that it had decided to suspend the operational use of anti-personnel landmines by its defence force, which will conduct a study to review long-term policy. It had also decided to replace an earlier moratorium on the export of landmines with a prohibition on the export of all types of landmines.

(q) On 17 January, Turkey issued a statement to the effect that it had decided, on a unilateral basis, to declare a comprehensive moratorium on all anti-personnel landmine exports and transfers, for a renewable term of three years (CD/1381);

(r) On 22 April, the Minister of State for Foreign and Commonwealth Affairs of the United Kingdom announced that it would destroy a substantial part of its existing stocks of anti-personnel landmines; would not use any of these mines operationally, except in exceptional circumstances and with specific ministerial authorization; and would also extend with immediate effect its national export moratorium to prohibit the export of all types of anti-personnel landmines to all destinations (spokesmn.txt at www.fco.gov.uk/-current/1996/apr/23/);

(s) On 16 May, the President of the United States, in announcing the new United States landmines policy, stated that the United States would: undertake not to use, and to place in inactive stockpile status with intent to demilitarize by the end of 1999, all non-self-destructing anti-personnel landmines not needed to (a) train personnel engaged in demining and countermining operations, or (b) defend the United States and its allies from armed aggression across the Korean Demilitarized Zone. Between now and the time an international agreement takes effect, the United States would reserve the option to use self-destructing/self-deactivating anti-personnel landmines, subject to the restrictions it had accepted in the Convention on Conventional Weapons, in military hostilities to safeguard American lives and hasten the end of fighting (White House, 16 May).

CHAPTER VI

Other issues and approaches

Introduction

IN 1996 THERE WERE A NUMBER OF ISSUES that had, in most instances, been before the international community for some time, but that, for a variety of reasons, were not directly addressed to any great extent in the different disarmament forums. They were, however, the subject of resolutions in the General Assembly. They are dealt with in this chapter under the title "Other issues", because they do not lend themselves to placement in any of the topical chapters of this volume, nor do they share a common theme among themselves. This chapter thus covers: outer space issues; the relationship between disarmament and development; the role of science and technology; and arms regulation and disarmament agreements: observance of environmental norms in the drafting and implementation of treaties.

Outer space issues

Conference on Disarmament, 1996

Despite a large measure of agreement among Member States on the desirability of re-establishing the Ad Hoc Committee on Outer Space, the Conference on Disarmament did not do so, mainly because it concentrated its efforts on the nuclear-test ban. As a result, outer space issues, to the extent that they were addressed, were referred to in plenary meetings.

At the very beginning of the annual session, Myanmar, speaking as President of the Conference, stated that outer space should be an environment for peaceful activities, free from any measures towards its armament, and that prevention of an arms race in outer space

should be kept on the active agenda. This position was voiced by a number of members of the Group of 21. Egypt stated that it continued to attribute great importance to the issue and considered that military action in that environment should be totally prohibited. Nigeria advocated establishment of the Ad Hoc Committee on outer space. Various members of other Groups also stated that the issue of outer space deserved attention.

General Assembly, 1996

On 6 November, the representative of Egypt, on behalf of the sponsors,¹ introduced the draft resolution entitled *Prevention of an arms race in outer space*, which was later revised to incorporate the phrase "including the weaponization of outer space" at the end of the thirteenth preambular paragraph.

On 14 November, the First Committee took action on the draft resolution. The seventeenth preambular paragraph was adopted by a recorded vote of 85 to 1, with 39 abstentions, and operative paragraph 6 was retained by a recorded vote of 87 to 1, with 39 abstentions. The draft resolution was then adopted as a whole by a recorded vote of 98 to none, with 40 abstentions.

In explanation of its negative votes on the seventeenth preambular paragraph and operative paragraph 6, and its abstention on the resolution as a whole, the United States stated that there was no arms race in outer space—a fact that could be attributed to the legal agreements already in existence—and that, consequently, the negotiation of additional agreements was not required.

On 10 December, the General Assembly adopted the seventeenth preambular paragraph by a recorded vote of 116 to 1, with 45 abstentions; operative paragraph 6 by 117 to 1, with 45 abstentions; and the draft resolution as a whole by 126 to none, with 44 abstentions. For the text of *resolution 51/44, Prevention of an arms race in outer space*, and the voting pattern, see pages 252 and 333, respectively.

¹ Algeria, Bolivia, China, Democratic People's Republic of Korea, Egypt, Indonesia, Iran (Islamic Republic of), Malaysia, Marshall Islands, Papua New Guinea and Sri Lanka. Subsequent sponsors: Bangladesh, Brunei Darussalam, Chile, Cuba, India, Mongolia, Myanmar and Nigeria.

Relationship between disarmament and development

General Assembly, 1996

At the time that the First Committee was considering the draft resolution on disarmament and development, it had before it a note² of the Secretary-General, submitted pursuant to resolution 50/70 G, in which he had been requested to report on implementation of the action programme adopted at the International Conference on the Relationship between Disarmament and Development, held in 1987. In his note, the Secretary-General observed that the situation remained unchanged from that reported on in 1995,³ i.e., pending further guidance from Member States, he had no new developments to report. (See chapter IV, page 100 for a brief discussion of the complementary roles of practical disarmament measures and development in peace-building.)

On 4 November, the representative of Colombia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced the draft resolution entitled *Relationship between disarmament and development*. On 14 November, the Committee adopted the draft resolution without a vote.

Two delegations made explanations of position. The United States held the view that there was no linkage between disarmament and development, and consequently it had not participated in the 1987 Conference on the subject and had not participated in the consensus on the draft resolution just adopted. While recognizing the benefits that might accrue from disarmament, States members of the European Union (EU) wished to clarify that there was no simple, automatic link between the EU's commitments to economic and social development and savings made in disarmament or other areas.

On 10 December, the General Assembly adopted the draft resolution without a vote. For the text of *resolution 51/45 D, Relationship between disarmament and development*, see page 259.

² A/51/207.

³ A/50/388.

Role of science and technology

General Assembly, 1996

As in past years, two resolutions on the general subject of the role of science and technology in disarmament were adopted by the General Assembly.

On 29 October, the draft resolution entitled *The role of science and technology in the context of international security and disarmament* was submitted to the First Committee on behalf of the sponsors,⁴ by which the General Assembly would, *inter alia*, request the Secretary-General to update and further develop his 1990 report⁵ entitled "Scientific and technological developments and their impact on international security". On 6 November, the representative of India introduced a revision, by which the Assembly would request the updated report "not later than at its fifty-third session" instead of "at its fifty-second session".

On 14 November, the Committee adopted the revised draft resolution by a recorded vote of 81 to 39, with 22 abstentions.

China voted in favour because it believed that the promotion of international cooperation in the peaceful use of science and technology would accelerate the economic and social development of countries and because it believed that export control regimes on dual-use technology transfer should be set up with universal participation. However, it held that the draft text was unbalanced in that it singled out the potential negative impact of applying science and technology to the improvement of weapons of mass destruction and did not refer to their impact on the improvement of conventional weapons.

On 10 December the General Assembly adopted the revised draft resolution by a recorded vote of 105 to 39, with 24 abstentions. For the text of *resolution 51/39, The role of science and technology in the context of international security and disarmament*, and the voting pattern, see pages 244 and 328, respectively.

⁴ Bhutan, Costa Rica, Cuba, Guyana, India, Indonesia, Iran (Islamic Republic of), Lesotho, Libyan Arab Jamahiriya, Malaysia, Nepal, Nigeria and Sri Lanka. Subsequent sponsors: Bangladesh, Kenya, Pakistan and Singapore.

⁵ A/45/568.

On 6 November, the representative of Canada, on behalf of the sponsors,⁶ introduced the draft resolution entitled *The role of science and technology in the context of international security, disarmament and other related fields*.

On 14 November, the Committee adopted the draft resolution by a recorded vote of 137 to none, with 11 abstentions.

Several States that abstained explained their votes. India considered that paragraphs 1(a) and (b) of the draft resolution endorsed ad hoc control regimes that were non-transparent, discriminatory and exclusive rather than multilaterally negotiated and universally acceptable. The Islamic Republic of Iran fully supported that position.

Three States that supported the draft resolution also explained their positions. The United Kingdom was pleased that the text urged States to accept their responsibilities and commitments undertaken under existing multilateral treaties, such as the Nuclear Non-Proliferation Treaty (NPT) and the Biological Weapons Convention and the Chemical Weapons Convention, and expressed the conviction that proper export controls did not impede the transfer of high technology. However, while it was ready to explore the possibilities offered by further dialogue, it remained committed to the principle of the Wassenaar Arrangement that decisions on the export of defence-related equipment were a matter for national Governments (see page 96). Cuba considered that ideas in the draft resolution might be useful in efforts to launch a multilateral negotiating process with a view to preparing non-discriminatory and universally accepted guidelines on the transfer of dual-use and advanced technologies for military purposes. Both it and Algeria hoped that it would be possible to reach consensus on a single draft resolution in the future.

On 10 December, the General Assembly adopted the draft resolution by a recorded vote of 161 to none, with 8 abstentions. For the text of *resolution 51/40, The role of science and technology in the context of international security, disarmament and other related fields*, and the voting pattern, see pages 245 and 329, respectively.

⁶ Austria, Bolivia, Brazil, Bulgaria, Cambodia, Canada, Chile, the Czech Republic, Denmark, Ecuador, Finland, Germany, Greece, Hungary, Ireland, Kazakstan, Lithuania, New Zealand, Nicaragua, Norway, Poland, the Republic of Moldova, Romania, South Africa and Sweden. Subsequent sponsors: Australia, Guatemala, Iceland, Luxembourg and the Republic of Korea.

Arms limitation and disarmament agreements

General Assembly, 1996

On 6 November, the representative of Colombia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced the draft resolution entitled *Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control*.

On 14 November, the Committee adopted the draft resolution by a recorded vote of 116 to 4, with 26 abstentions.

The United States, which voted against, pointed out that, while no one opposed the concept of environmental preservation in the implementation of arms control agreements, such concerns should not detract from the important work being carried out by governments in the negotiation and implementation of such agreements. The United States strongly supported efforts to protect the environment, but questioned the purpose and utility of the draft resolution.

On 10 December, the General Assembly adopted the draft resolution by a recorded vote of 137 to 4, with 27 abstentions. For the text of *resolution 51/45 E, Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control*, and the voting pattern, see pages 260 and 337, respectively.

CHAPTER VII

Institutional aspects

The activities of disarmament bodies as they relate to organizational and institutional matters are discussed in this chapter.

Disarmament Commission, 1996

In the course of its organizational session for 1996, the Disarmament Commission met three times: 11 December 1995 and 13 March and 19 April 1996. When the substantive session opened on 22 April, under the chairmanship of Mr. Wolfgang Hoffmann of Germany, two items of the usual three-item substantive agenda had been agreed upon: "International arms transfers, with particular reference to General Assembly resolution 46/36 H of 6 December 1991 (for its third year of consideration) and a new item entitled "Exchange of views on the fourth special session of the General Assembly devoted to disarmament". Because no consensus could be reached on the exact wording of a possible third item, on nuclear-weapon-free zones, (see page 43), the Commission dealt with only two items, establishing a working group for each one. For an account of the successful completion of work on arms transfers,¹ assigned to Working Group I, see page 107. The work on the special session, assigned to Working Group II, is discussed below. The Commission concluded its work on 7 May by adopting its report² to the General Assembly.

¹ The text on arms transfers was included in the compilation of all texts of principles, guidelines or recommendations on subject items adopted unanimously by the Disarmament Commission since 1979, prepared pursuant to resolution 50/72 D and transmitted to the General Assembly by a note of the Secretary-General (A/51/182).

² *Official Records of the General Assembly, Fifty-first Session, Supplement No. 42 (A/51/42).*

Exchange of views on the fourth special session on disarmament

An extensive exchange of views on the question of convening the fourth special session took place in a positive and constructive atmosphere. The need to hold the session in order to carry out a comprehensive review of progress in the post-cold war era was generally recognized, despite divergent views with regard to the date. Non-aligned countries advocated early convening, in 1997 if possible, while the European Union (EU) and the United States stressed the importance of identification of the objectives to be achieved in order to ensure success. The United States drew attention to what it called the unsatisfactory results of the second and third special sessions and to differing perceptions of what had been achieved in disarmament, including nuclear disarmament, and what should be the basis for future work. By the end of the session of the Commission, it appeared that it might be possible, in the First Committee later in the year, to agree on a date in 1999 for the special session, provided that intensive consultations took place in the interim. For an account of the outcome of these consultations, see page 164.

Resolution concerning the Disarmament Commission

The representative of Germany, in his capacity as Chairman of the Disarmament Commission and on behalf of the sponsors,³ introduced a draft resolution entitled *Report of the Disarmament Commission*, on 6 November.

On 7 November, the draft resolution was revised by replacing in operative paragraph 4 the words "in achieving agreement" with "in the discussions"; operative paragraph 9(a) and (b), which had read: "[to be added]", were revised to read: "(a) the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned; (b) the fourth special session of the General Assembly devoted to disarmament"; and the footnote to paragraph 9(c) was changed to read: "The new item on conventional weapons will be decided by the Disarmament Commission at its 1996 organizational session".

³ Colombia, Finland, Germany, Jordan, Mongolia, Nicaragua, Nigeria, Pakistan, Poland, Romania, Ukraine and United Republic of Tanzania.

The Committee adopted the revised draft resolution without a vote on 14 November.

Although the United States would have preferred to have paragraph 9 omitted, which it felt prejudged the agenda of the Disarmament Commission, it nonetheless allowed the consensus to go forward on the understanding that such a format would not set a precedent for future resolutions. However, the United States stressed that it took very seriously the commitment (paragraph 9(c)) to include an item on conventional disarmament. France associated itself with the position of the United States.

On 10 December, the General Assembly adopted the revised draft resolution without a vote. For the text of *resolution 51/47 B, Report of the Disarmament Commission*, see page 299.

Conference on Disarmament, 1996

The Conference on Disarmament (CD) was in session from 22 January to 29 March, from 13 May to 28 June and from 29 July to 13 September,⁴ and concluded by adopting its report⁵ to the General Assembly.

The proceedings of the CD were influenced to a large degree by the continued divergence of views between the developed and the developing countries on the priorities in disarmament. This divergence, however, did not affect the consensus, developed at the previous session of the Conference and confirmed at the fiftieth session of the General Assembly, to give the highest priority to the conclusion of the negotiations on a comprehensive test-ban treaty (CTBT) during

⁴ The Conference adopted the same agenda as in previous years: (a) nuclear test ban; (b) cessation of the nuclear arms race and nuclear disarmament; (c) prevention of nuclear war, including all related matters; (d) prevention of an arms race in outer space; (e) effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; (f) new types of weapons of mass destruction and new systems of such weapons; radiological weapons; (g) comprehensive programme of disarmament; and (h) transparency in armaments. The presidency of the Conference was successively assumed by: Myanmar, Netherlands, Nigeria, Pakistan, Peru and Poland.

⁵ *Official Records of the General Assembly, Fifty-first Session, Supplement No. 27 (A/51/27)*.

1996. Accordingly, the Conference re-established the Ad Hoc Committee on a Nuclear Test Ban at the very beginning of the session.

However, there was no consensus on the establishment of other ad hoc committees. In general, non-aligned countries sought the establishment of an ad hoc committee on nuclear disarmament to commence negotiations on a phased programme of nuclear disarmament for the eventual elimination of nuclear weapons within a specified framework of time, while delegations from the Western and Eastern European Groups advocated the re-establishment of committees⁶ on a fissile material cut-off and on transparency in armaments. As a compromise, the Conference mandated the President to conduct consultations with a view to developing a basis for consensus on the issue of nuclear disarmament. A formal proposal made in March by the Group of 21 for an ad hoc committee on nuclear disarmament and a later proposal, in August, by 28 non-aligned members for a programme of action⁷ for the elimination of nuclear weapons did not command consensus, and the presidential consultations proved inconclusive.

With respect to the agenda in general, the Conference appointed a Special Coordinator, the representative of Algeria, to consult on the review of the future agenda as well as on organizational arrangements to deal with the following subjects: prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices; effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; prevention of an arms race in outer space; and transparency in armaments.

Towards the end of the session, the Special Coordinator reported that two rounds of consultations had revealed general agreement on the need for a new, balanced agenda reflecting changes that had taken place over the last few years, but that substantial differences with

⁶ The Conference on Disarmament had established an ad hoc committee on a fissile-material cut-off in 1995, but was unable to appoint a chairman because the issue became linked to the establishment of ad hoc committees on other items; an ad hoc committee on transparency in armaments had last been established for the 1994 session.

⁷ CD/1388 (proposal for Ad Hoc Committee) and CD/1419 (programme of action).

regard to priorities were evident. It was clear that a satisfactory solution to the issues of nuclear disarmament and a fissile material cut-off was a prerequisite for a compromise on a future agenda and on organizational arrangements to deal with other items on the current agenda. The Special Coordinator considered that the item "Transparency in armaments" should no longer be considered in the context of resolution 46/36, and that its replacement by a broader item of "Conventional disarmament" offered the possibility of achieving overall balance in the agenda. The Special Coordinator noted also a growing interest among the members of the Conference in addressing the issue of anti-personnel landmines.

In a joint statement at the end of the session, the Western Group emphasized the necessity of reforming the agenda to reflect progress in non-proliferation and disarmament and to strike a balance between nuclear and conventional items. To this end they proposed establishing two broad agenda items, "Nuclear disarmament" and "Conventional disarmament". The Group maintained that negotiations already endorsed by the Conference, in particular those on a fissile material cut-off, should be pursued with the establishment of ad hoc committees in 1997, and it did not exclude the possibility of updating the mandates of the committees on transparency in armaments, negative security assurances and outer space. It also noted with interest the remarks of the Special Coordinator concerning anti-personnel landmines.⁸

In 1996, the Conference on Disarmament successfully resolved the outstanding issue of the expansion of its membership by admitting, on 17 June, 23 new members. Thereafter, a total of 60 States⁹ partici-

⁸ The Western Group circulated their observations on the future agenda in document CD/1434.

⁹ The following countries participated as members (the newly admitted States are indicated in italics): Algeria, Argentina, Australia, *Austria*, *Bangladesh*, *Belarus*, Belgium, Bulgaria, *Cameroon*, Canada, *Chile*, China, *Colombia*, Cuba, *Democratic People's Republic of Korea*, Egypt, Ethiopia, *Finland*, France, Germany, Hungary, India, Indonesia, Iran (Islamic Republic of), *Iraq*, *Israel*, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Myanmar, Netherlands, *New Zealand*, Nigeria, *Norway*, Pakistan, Peru, Poland, *Republic of Korea*, Romania, Russian Federation, *Senegal*, *Slovakia*, *South Africa*, *Spain*, Sri Lanka, Sweden, *Switzerland*, *Syrian Arab Republic*, *Turkey*, *Ukraine*, United Kingdom, United States, Venezuela, *Viet Nam*, Zaire

pated as members in the work of the Conference. In addition, 36 non-member States¹⁰ participated, at their request, in its work.

Just prior to their admission, the 23 States addressed a joint letter¹¹ to the President of the Conference in which they made the commitment, legally binding upon each individually, not to obstruct any consensus among the original members of the Conference. The commitment would cease to apply after two years for States not subject to comprehensive enforcement measures under Chapter VII of the United Nations Charter, or earlier, if there was consensus in the Conference that the circumstance that had given rise to the situation (i.e., sanctions imposed by the Security Council on one of the new members) no longer existed. A number of delegations expressed reservations on the content of the letter, emphasizing that they could not accept any linkage between specific provisions of the Charter, such as the scope of application of Chapter VII, and the membership of States in international organizations.¹²

Since, after the expansion by 23 States, there were still 14 outstanding applications for membership,¹³ the Conference requested the President to continue consultations on further expansion.

Resolutions concerning the Conference on Disarmament

On 7 November, the representative of Poland, in his capacity as President of the CD, introduced a draft resolution entitled *Report of the Conference on Disarmament*. Subsequently, the fourth preambular and *Zimbabwe*. The decision to admit the 23 members was issued as document CD/1406.

¹⁰ Angola, Armenia, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Gabon, Ghana, Greece, Holy See, Iceland, Ireland, Jordan, Kazakhstan, Kuwait, Libyan Arab Jamahiriya, Madagascar, Malaysia, Malta, Mauritius, Nicaragua, Oman, Philippines, Portugal, Qatar, Seychelles, Singapore, Slovenia, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, United Arab Emirates, United Republic of Tanzania and Yemen.

¹¹ CD/1407.

¹² See, for instance, the views of Sri Lanka, contained in document CD/1408.

¹³ In chronological order: Ireland, Tunisia, Ecuador, Greece, Croatia, Kuwait, Portugal, Slovenia, Czech Republic, Malaysia, Costa Rica, Denmark, the former Yugoslav Republic of Macedonia and Cyprus.

paragraph, by which the General Assembly would have welcomed the conclusion of the negotiations in the CD on the draft comprehensive nuclear-test-ban treaty, was deleted, and this deletion was read out when the First Committee took action on the draft.

The Committee adopted the draft resolution, as orally revised, without a vote.

On 10 December, the General Assembly adopted the draft resolution without a vote. For the text of *resolution 51/47 C, Report of the Conference on Disarmament*, see page 301.

On 4 November, the representative of Ireland introduced, on behalf of the sponsors,¹⁴ a draft resolution entitled *Expansion of the membership of the Conference on Disarmament*, which was the same text, with minor editorial changes, that had been circulated by the same sponsors under the title *Report of the Conference on Disarmament*.

On 15 November, the Committee adopted the revised draft resolution by a recorded vote of 114 to none, with 2 abstentions.

The two States that abstained explained their positions. Turkey supported the draft resolution in essence, but had reservations regarding a particular applicant for membership. The United States was concerned that operative paragraph 2 could imply a firm deadline on the further enlargement of the membership of the Conference. Although it agreed that this question—in particular the requests by the remaining candidates—should be considered in 1997, it cautioned that the Conference must remain a viable negotiating body and not become so large as to be unwieldy.

China and Chile, which supported the draft resolution, also made statements. China welcomed the admission of the additional 23 members of the CD and hoped that the Conference would continue to increase its membership in accordance with the principle of equitable political and geographical representation. In the view of Chile, the draft resolution served to remind the Conference of the recommendation made in General Assembly resolution 50/72, adopted by consensus.

¹⁴ Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Greece, Ireland, Kazakstan, Kuwait, Lithuania, Malaysia, Portugal, Slovenia, the former Yugoslav Republic of Macedonia and Tunisia. Subsequent sponsors: Austria, Belarus, Belgium, Finland, France, Germany, Guatemala, Italy, Kyrgyzstan, Luxembourg, Netherlands, Spain, Sweden and United Kingdom.

On 10 December, the General Assembly adopted the draft resolution by a recorded vote of 171 to none, with 2 abstentions. For the text of *resolution 51/47 A, Expansion of the membership of the Conference on Disarmament*, and the voting pattern, see pages 298 and 351, respectively.

General Assembly, 1996

At its plenary meetings between 23 September and 10 October,¹⁵ the General Assembly held a general debate, in the course of which a large number of Member States addressed different aspects of disarmament and international security questions. The First Committee, meeting under the chairmanship of Mr. Alyaksandr Sychou of Belarus, held both formal substantive meetings and informal meetings for structured discussion on the following items between 14 October and 25 November.¹⁶

1. Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament (60).
2. Reduction of military budgets (61):
 - (a) Reduction of military budgets;
 - (b) Objective information on military matters, including transparency of military expenditures.
3. Question of Antarctica (62).
4. The role of science and technology in the context of international security and disarmament (63).
5. The role of science and technology in the context of international security, disarmament and other related fields (64).
6. Amendment of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (65).
7. Implementation of the comprehensive nuclear-test-ban treaty (66).
8. Establishment of a nuclear-weapon-free zone in the region of the Middle East (67).

¹⁵ *Official Records of the General Assembly, Fifty-first Session, Plenary Meetings*, 4th to 30th meetings.

¹⁶ *Ibid.*, *First Committee*, 3rd to 26th meetings. (The numbers in parentheses are the item numbers on the agenda of the General Assembly.)

9. Establishment of a nuclear-weapon-free zone in South Asia (68).
10. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (69).
11. Prevention of an arms race in outer space (70).
12. General and complete disarmament (71):
 - (a) Notification of nuclear tests;
 - (b) Transparency in armaments;
 - (c) Prohibition of the dumping of radioactive wastes;
 - (d) Convening of the fourth special session of the General Assembly devoted to disarmament: report of the Preparatory Committee for the Fourth Special Session of the General Assembly Devoted to Disarmament;
 - (e) Relationship between disarmament and development;
 - (f) Measures to curb the illicit transfer and use of conventional arms;
 - (g) Regional disarmament;
 - (h) Conventional arms control at the regional and subregional levels;
 - (i) Nuclear disarmament;
 - (j) Non-proliferation of weapons of mass destruction and of vehicles for their delivery in all its aspects;
 - (k) Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons.
13. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly (72):
 - (a) United Nations Disarmament Information Programme;
 - (b) United Nations disarmament fellowship, training and advisory services;
 - (c) Regional confidence-building measures;
 - (d) United Nations Regional Centre for Peace and Disarmament in Africa, United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean;
 - (e) Convention on the Prohibition of the Use of Nuclear Weapons.

14. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session (73):
 - (a) Report of the Disarmament Commission;
 - (b) Report of the Conference on Disarmament;
 - (c) Advisory Board on Disarmament Matters;
 - (d) United Nations Institute for Disarmament Research;
 - (e) Confidence-building measures.
15. The risk of nuclear proliferation in the Middle East (74).
16. 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 (75).
17. Strengthening of security and cooperation in the Mediterranean region (76).
18. Implementation of the Declaration of the Indian Ocean as a Zone of Peace (77).
19. Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (78).
20. African Nuclear-Weapon-Free Zone Treaty (79).
21. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (80).
22. Review of the implementation of the Declaration on the Strengthening of International Security (81).

Resolution concerning the fourth special session of the General Assembly devoted to disarmament

During the First Committee, very intensive consultations were held on the draft resolution entitled *Convening of the fourth special session of the General Assembly devoted to disarmament*, circulated by the representative of Colombia on behalf of the States Members that are members of the Movement of Non-Aligned Countries. In the end, as discussed below, it did not prove possible to adopt it without a vote, and the decision to convene the special session in 1999, with preparations beginning in 1997, was made subject to a number of conditions.

On 4 November, Colombia introduced the draft resolution in the First Committee. Subsequently, it was extensively revised, with the addition, deletion and merger of various paragraphs and changes in wording. The principal revisions were carried out in the operative part. They consisted in the insertion of the condition, namely, the emergence of a consensus on the objectives and agenda of the fourth special session, to which the decision of the Assembly to convene the special session (paragraph 1) was subject, and the condition, namely, the outcome of deliberations on the special session at the 1997 session of the Disarmament Commission, to which the decisions taken in paragraphs 3 and 5 were subject, and the addition of a new paragraph 2, by which the General Assembly noted the view of the Secretary-General that preparations for the special session could begin in 1997.

On 18 November, the Committee adopted the draft resolution by a recorded vote of 137 to 2 (Israel and United States), with 1 abstention (Russian Federation).

In the view of the United States, it was neither appropriate nor worthwhile to schedule, or even set a target date for, a special session before the end of the century. It emphasized that the success of the session would depend upon the willingness of all participants to discuss questions of disarmament across the board, but it feared that it was the intention of some to focus the special session on nuclear disarmament, and referred to a number of resolutions put forward by non-aligned members during the current session that, in its view, substantiated that belief. It was grateful that one of the results of the consultations on the draft resolution was the reaffirmation that any future special session would be convened by consensus. The Russian Federation also insisted on the necessity of convening a special session on the basis of consensus. It did not have any difficulty with the text of the draft resolution, but had abstained because the draft did not enjoy general support.

Ireland made an explanation of vote on behalf of the European Union.¹⁷ Those countries also placed great importance on the achievement of consensus with respect to the convening of the special session,

¹⁷ The countries of Central and Eastern Europe associated with the EU, the associated country, Cyprus, as well as Iceland and Norway—the European Free Trade Association (EFTA) countries and members of the European Area—aligned themselves with the statement.

including its Preparatory Committee, and agreement on its objectives and agenda, which would have to be balanced between subjects relating to weapons of mass destruction and conventional armaments. The EU had reservations regarding the fifth preambular paragraph, which referred to documents of the non-aligned summit¹⁸ held in Cartagena in 1995.

On 10 December, the General Assembly adopted the draft resolution by a recorded vote of 163 to 2, with 5 abstentions. For the text of *resolution 51/45 C, Convening of the fourth special session of the General Assembly devoted to disarmament*, and the voting pattern, see pages 257 and 336, respectively.

¹⁸ A/50/752-S/1995/1035, annex III.

CHAPTER VIII

Studies, information and training

THE ACTIVITIES UNDERTAKEN BY THE UNITED NATIONS for information and training in the field of disarmament include expert studies on various topics, an information programme, fellowships, training and advisory services, publications and research. This chapter gives a brief account of such activities carried out in 1996 and lists, in annex II, the publications prepared by the Centre for Disarmament Affairs and by the United Nations Institute for Disarmament Research (UNIDIR). The Advisory Board on Disarmament Matters¹ advises the Secretary-General, *inter alia*, on the studies programme and implementation of the information programme, and serves as the Board of Trustees of UNIDIR.

Disarmament studies programme

Study in progress

By resolution 50/70 B of 12 December 1995, the General Assembly had requested the Secretary-General, with the assistance of a panel of qualified governmental experts, to prepare a report on the types of small arms and light weapons actually used in conflicts, the causes of their excessive and destabilizing accumulation and transfer, and the ways and means to prevent and reduce their transfer. The report is to be submitted to the General Assembly in 1997.

To assist in carrying out the study, the Secretary-General appointed experts from 16 countries (see annex I to this chapter, page 173). The Panel, which was chaired by Japan, held an initial session in New York, from 24 to 28 June. In addition, it held an inter-sessional

¹ See the report of the Secretary-General on the session of the Board held from 1 to 5 July at Geneva (A/51/352).

regional workshop in Pretoria, South Africa, from 23 to 25 September. (See page 97.)

Disarmament Information Programme

In 1996, the Centre for Disarmament Affairs continued to carry out its information and education activities, albeit on a reduced scale, owing to a steady decline over the years in voluntary contributions to the Disarmament Information Programme.² It produced *The United Nations Disarmament Yearbook* and issues of *Disarmament: A Periodic Review by the United Nations* (see annex II, page 174) and made available on the Internet the table of contents of its recent publications.³ Staff of the Centre organized several meetings and workshops in Africa and the Asia-Pacific regions through the Regional Centres (see page 171) and participated in the annual International Seminar on Arms Control and Disarmament for scholars and educators in the field, held at Juniata College in Pennsylvania, United States.

In cooperation with the NGO Committee on Disarmament, the Centre sponsored: a panel, in January, to commemorate the fiftieth anniversary of the adoption of General Assembly resolution 1 (I), on the establishment of a commission to deal with problems raised by the discovery of atomic energy; a two-day discussion, in April, on the theme "Disarmament at a critical juncture",⁴ with prominent experts, including Nobel Laureate Joseph Rotblat; and panel discussions, during Disarmament Week, in October, on the Non-Proliferation Treaty review process, the advisory opinion of the International Court of Justice, the Canberra Commission report, implementation of the recently signed Comprehensive Nuclear-Test-Ban Treaty (CTBT), and conventional weapons and landmines. The Centre also facilitated the participation of non-governmental organizations (NGOs) in the resumed session of the Review Conference of the Convention on Certain Conventional Weapons (April–May) and the Fourth Re-

² See document A/51/219 and Add.1.

³ Visit the UN Web site at: <http://www.un.org> (link to "Peace and Security–Centre for Disarmament Affairs").

⁴ See 1996: *Disarmament at a Critical Juncture: Panel Discussions organized by the NGO Committee on Disarmament* (Sales No. E.97.IX.2), which contains some of the material from the Disarmament Week activity.

view Conference of the Biological Weapons Convention (November–December) to the fullest extent permitted by the rules of procedure of those conferences.

The fellowship training and advisory services programme continued (see page 170), and the Centre provided four interns with the opportunity to follow deliberations in the General Assembly and First Committee, to assist in various research tasks and to contribute to the database. In addition, staff of the Centre answered numerous queries from Missions and the general public, and, at the request of the Department of Public Information, gave briefings to NGOs and students visiting Headquarters.

Unlike in previous years, no Pledging Conference for the Programme was convened, as the Secretary-General had not been requested by the General Assembly to do so. The current financial situation of the Organization also called for measures to streamline fund-raising procedures. Thus in a note verbale dated 11 October, the Secretary-General invited all States wishing to do so to make contributions to the various disarmament trust funds and to UNIDIR. As at 30 June 1996, the balance remaining—excluding unpaid pledges—in pledges and contributions to the Voluntary Trust Fund for the Disarmament Information Programme was \$377,582, of which \$254,166 was in convertible and \$123,416 in non-convertible currencies.⁵

On 4 November, the representative of Mexico, on behalf of the sponsors,⁶ introduced the draft resolution entitled *United Nations Disarmament Information Programme*.

The draft resolution was adopted without a vote on 14 November. On 10 December, the General Assembly also adopted the draft resolution without a vote. For the text of *resolution 51/46 A, United Nations Disarmament Information Programme*, see page 287.

⁵ See document A/51/219 and Add.1.

⁶ Bolivia, Brazil, Chile, Costa Rica, Guatemala, India, Indonesia, Mexico, Myanmar, Nicaragua and Pakistan. Subsequent sponsors: Kenya, South Africa and Sri Lanka.

Disarmament fellowship, training and advisory services

The report of the Secretary-General on the disarmament fellowship, training and advisory services programme⁷ indicated that 20 fellowships were awarded in 1996, with one fellow unable to participate.⁸ The programme, which included lectures, speaking, drafting and simulation exercises, research projects, study visits to the International Atomic Energy Agency (IAEA) at Vienna and to the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons (OPCW) at The Hague, as well as to Germany and Japan at their invitation, began on 8 September in Geneva and concluded on 1 November at New York Headquarters.

On 7 November, the representative of Nigeria, on behalf of the sponsors,⁹ introduced the draft resolution entitled *United Nations disarmament fellowship, training and advisory services*.

On 14 November, the First Committee adopted the draft resolution without a vote. On 10 December, the General Assembly likewise adopted the draft resolution without a vote. For the text of *resolution 51/46 F, United Nations disarmament fellowship, training and advisory services*, see page 297.

United Nations Institute for Disarmament Research

By a note¹⁰ to the General Assembly, the Secretary-General transmitted to the Assembly the report of the Director of UNIDIR and

⁷ A/51/553.

⁸ The fellows were nationals of the following countries: Argentina, Australia, Bahamas, China, Ethiopia, Ghana, India, Israel, Kenya, Nigeria, Oman, Pakistan, Republic of Korea, Romania, Ukraine, United Kingdom, United States, Venezuela and Zambia.

⁹ Algeria, Argentina, Brazil, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Germany, Greece, Indonesia, Iran (Islamic Republic of), Japan, Myanmar, New Zealand, Nicaragua, Niger, Nigeria, Pakistan, South Africa, Togo, United Republic of Tanzania and Viet Nam. Subsequent sponsors: Australia, Bangladesh, Botswana, China, Congo, Guatemala, Kenya, Liberia, Mongolia, Republic of Moldova, Romania, Sri Lanka, Sweden, Thailand and Zaire.

¹⁰ A/51/364.

the report of the Board of Trustees of UNIDIR on the activities of the Institute for the period from July 1995 to June 1996. The research programme of the Institute continued to concentrate in the areas of collective security in the framework of the United Nations, regional security studies, and non-proliferation studies; it also added preparatory studies for the next special session of the General Assembly devoted to disarmament. For a list of UNIDIR publications, see annex II to this chapter, page 174.

Regional Centres

At the fifty-first session, the need to provide the Regional Centres, especially those for Africa and for Latin America and the Caribbean, with financial stability was clearly evident once again.¹¹ In response to a request by the General Assembly in 1995, the Secretary-General had begun consultations with the United Nations Development Programme (UNDP) on the possible integration of operational and administrative functioning of the Centres with projects and activities of UNDP, but in 1996 the situation did not improve, and he was obliged to suspend the activities of the Regional Centre in Lima, as described below.

The Lima Centre closed at the end of June owing to insufficient funds to cover the costs of the salary of its only staff member and of the planned operations for the second half of 1996. Up until then, the Centre had published issues of the Spanish-language *Boletín* and regularly distributed disarmament and security-related publications of its own or from other United Nations offices throughout the region and continued to open its reference library to researchers and students. Activities involving the region are now being carried out through United Nations Headquarters in New York. In the First Committee no draft resolution was submitted pertaining to this Centre.

The Regional Centre for Africa was also forced to drastically curtail its activities owing to financial constraints. However, it was able to continue contributing to efforts to promote wider understanding and cooperation among African States in the areas of peace, disarmament and security. The Centre widened distribution of its quarterly

¹¹ See the report of the Secretary-General on the Regional Centres for Africa and for Latin America and the Caribbean (A/51/403).

bilingual publication *The African Peace Bulletin/Bulletin Africain de la Paix*, organized monthly informal meetings at its Lomé headquarters on topical issues, and increased and diversified its documentation reference library by linking it with several research and academic institutions. Moreover, it provided substantive and organizational support to two ministerial meetings of the Standing Advisory Committee on Security Questions in Central Africa.

The Regional Centre for Peace and Disarmament in Asia and the Pacific¹² enjoyed sufficient extra-budgetary resources and political support from Member States within and outside the region to continue its activities, widely known as the "Kathmandu process", to promote regional dialogue on disarmament and security-related issues. The eighth regional disarmament meeting in Kathmandu, held in February, discussed, *inter alia*, negotiations on the CTBT, the Southeast Asia Nuclear Weapon-Free Zone Treaty, small weapons and landmines. The Hiroshima Conference on Disarmament Issues, held in July, dealt with global and regional efforts towards a nuclear-free world, cooperative security measures, and security and disarmament efforts in Asia and the Pacific. In addition, the Centre assisted, upon request, the United Nations Association of Japan in organizing the Kanazawa Symposium in June, which dealt with the development of common and shared values in Northeast Asia.

Within the framework of the Kathmandu meeting, mentioned above, the Centre for Disarmament Affairs organized a workshop on the Register of Conventional Arms¹³ to assist governmental officials in understanding the reporting requirements and to promote discussion of the objectives of the Register. Particular emphasis was placed on participation by States of the Asia-Pacific region and possible regional approaches to the Register.

On 7 November, the representative of Togo, on behalf of the members of the Group of African States, introduced the draft resolution entitled *United Nations Regional Centre for Peace and Disarmament in Africa*. The sponsors subsequently submitted a revision incor-

¹² See the report of the Secretary-General on the Regional Centre for Asia and the Pacific (A/51/445).

¹³ The booklet *Workshop on the United Nations Register of Conventional Arms: The Experience of the Asia-Pacific Region* was produced for the occasion and is available from the Centre for Disarmament Affairs upon request.

porating minor editorial changes. On 14 November, the Committee adopted the revised draft resolution without a vote. The General Assembly adopted it, also without a vote, on 10 December. For the text of *resolution 51/46 E, United Nations Regional Centre for Peace and Disarmament in Africa*, see page 295.

On 6 November, the representative of Mongolia, on behalf of the sponsors,¹⁴ introduced the draft resolution entitled *United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific*. On 14 November, the Committee adopted it without a vote, and on 10 December, the General Assembly also adopted it without a vote. For the text of *resolution 51/46 B, United Nations Regional Centre for Peace and Disarmament in Asia*, see page 289.

ANNEX I

Composition of the Panel of Governmental Experts on Small Arms

Zulkifli Adnan, First Secretary, Permanent Mission of Malaysia to the United Nations, New York

Herbert Calhoun, Senior Foreign Affairs Specialist, Bureau of Multilateral Affairs, United States Arms Control and Disarmament Agency

David De Clerq, Col. (Ret.), Department of Foreign Affairs, Ottawa, Canada

Mitsuro Donowaki, Ambassador and Special Assistant to the Minister of Foreign Affairs of Japan

Mahmoud Karem, Director, Disarmament Department, Ministry of Foreign Affairs of Egypt

Prasad Kariyawasam, Minister, Embassy of Sri Lanka to the United States, Washington, D.C.

Pyotr G. Litavrin, Head of Division of the Department for Security and Disarmament Affairs of the Russian Federation

Bennie J. Lombard, Deputy Director, Conventional Nonproliferation and Arms Export Control, Department of Foreign Affairs of South Africa

André Mernier, Permanent Representative of Belgium to the Conference on Disarmament, Geneva

Behrouz Moradi, Deputy Director, Second Department for International Political Affairs (Disarmament), Ministry of Foreign Affairs of the Islamic Republic of Iran

¹⁴ Cambodia, Indonesia, Japan, Lao People's Democratic Republic, Marshall Islands, Mongolia, Myanmar, Nepal, Republic of Korea, Sri Lanka and Viet Nam. Subsequent sponsors: Australia, Bangladesh, Brunei Darussalam, Malaysia, New Zealand, Philippines and Thailand.

The UN Disarmament Yearbook: 1996

Pasi Patokallio, Deputy Director General for Political Affairs, Ministry of Foreign Affairs of Finland

Valery Nikolayevich Pluzhnikov, Col., Head of Artillery and Missile Service Section, Ministry of Defence of Belarus

Wolfgang Richter, Col., Military Advisor, German Delegation to the United Nations Conference on Disarmament, Geneva

Blaise Sangaré, Lt.-Colonel, Ministry of Foreign Affairs of Mali

Graciela Uribe de Lozano, Disarmament Coordinator, Ministry of Foreign Affairs of Colombia

Hugo Sigfredi Velasquez Hernandez, Maj., Escuela Militar Capitán General Gerardo, San Salvador, El Salvador

ANNEX II

Publications

Centre for Disarmament Affairs

The United Nations Disarmament Yearbook, vol. 20: 1995 (Sales No. E.96.IX.1)

Disarmament: A Periodic Review by the United Nations, vol. XIX, Nos. 1, 2 and 3

Workshop on the United Nations Register of Conventional Arms: The Experience of the Asia-Pacific Region, 1996

United Nations Institute for Disarmament Research

Research reports

Obligations en matière de désarmement et de limitation des armements: problèmes de respect et mesures d'imposition, under the direction of Serge Sur, 1995, United Nations publication, Sales No. GV.F.95.0.27

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Croatia and Bosnia-Herzegovina, by Barbara Ekwall-Uebelhart and Andrei Raevsky, 1996, United Nations publication, Sales No. GVE.96.0.6

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Cambodia, by Jianwei Wang, 1996, United Nations publication, Sales No. GVE.96.0.14

Disarmament and Conflict Resolution Project – Small Arms Management and Peacekeeping in Southern Africa, by Christopher Smith, Peter

Batchelor and Jakkie Potgieter, 1996, United Nations publication, Sales No. G.V.E.96.0.16

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Mozambique, by Eric Berman, 1996, United Nations publication, Sales No. G.V.E.96.0.18

A Zone Free of Weapons of Mass Destruction in the Middle East, by Jan Prawitz and James F. Leonard, 1996, United Nations publication, Sales No. G.V.E.96.0.19

Evolving Trends in the Dual Use of Satellites, by Pericles Gasparini Alves (ed.), 1996, United Nations publication, Sales No. G.V.E.96.0.20

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Aspects of Psychological Operations and Intelligence, by Andrei Raevsky, 1996, United Nations publication, Sales No. G.V.E.96.0.21

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Liberia, by Clement Adibe, 1996, United Nations publication, Sales No. G.V.E.96.0.23

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: The Issues, by Estanislao Angel Zawels, Stephen John Stedman, Donald C. F. Daniel, David Cox, Jane Boulden, Fred Tanner, Virginia Gamba and Jakkie Potgieter, 1996, United Nations publication, Sales No. G.V.E.96.0.33

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Haiti, by Marcos Mendiburu and Sarah Meek, 1996, United Nations publication, Sales No. G.V.E.96.0.34

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Nicaragua and El Salvador, by Paulo Wrobel, 1996, United Nations publication (forthcoming)

Research papers

No. 38 – *The Fissile Material Cut-Off Debate: A Bibliographical Survey*, by Daiana Cipollone, 1996, United Nations publication, Sales No. G.V.E.96.0.30

NewsLetter/Lettre de l'UNIDIR (quarterly/trimestrielle)

No. 30/95, June–September 1995, *Information Technology and International Security*
Technologies de l'information et sécurité internationale

No. 31/95, October–December 1995, *Nuclear Disarmament: What is Next?*

The UN Disarmament Yearbook: 1996

Special Issue 1/96, *CTBT Press Seminar*

Numéro spécial 1/96, *Conférence de presse sur le TICE*

No. 33/96, *The Biological Weapons Convention Revisited*

Nouveau regard sur la Convention relative aux armes biologiques

Special Issue 2/96, *The CTBT: Looking Ahead*

Numéro spécial 2/96, *Le TICE: quel avenir?*

A P P E N D I C E S

APPENDIX I

Status of multilateral arms regulation and disarmament agreements

The data contained in this appendix have been furnished by the depositaries of the treaties or agreements concerned.

The Secretary-General is the depositary of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques; the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies; 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; the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; and the Comprehensive Nuclear-Test-Ban Treaty.

Canada and Hungary are depositaries of the Treaty on Open Skies.

France is the depositary of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.

Mexico is the depositary of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco).

The Netherlands is the depositary of the Treaty on Conventional Armed Forces in Europe (CFE Treaty).

The Secretary-General of the Organization of African Unity is the depositary of the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty).

The Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America are depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water; the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies; the Treaty on the Non-Proliferation of Nuclear Weapons; the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass

Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof; and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

Thailand is the depositary of the Southeast Asia Nuclear Weapon-Free Zone Treaty (Bangkok Treaty).

The United States of America is the depositary of the Antarctic Treaty.

The Secretary General of the Forum Secretariat (formerly the South Pacific Bureau for Economic Cooperation) is the depositary for the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga).

Inclusion of information concerning the treaties and agreements of which the Secretary-General is not the depositary is as reported by the respective depositaries and implies no position on the part of the United Nations with respect to the data reported.

The total number of parties has been calculated on the basis of information received from the depositaries.

Actions reported in the period 1 January to 31 December 1996

The following list shows actions reported,^a if any, during the period 1 January to 31 December 1996 with regard to the multilateral arms regulation and disarmament agreements for which full information is provided in the fifth edition of *Status of Multilateral Arms Regulation and Disarmament Agreements*.^b

Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare

SIGNED AT GENEVA: 17 June 1925

ENTERED INTO FORCE: for each signatory as from the date of deposit of its ratification; accessions take effect on the date of the notification by the depositary Government

^a Accession is indicated by (a), acceptance by (A) and succession by (s). In the case of multi-depositary clauses, depositary action may be completed with one or more of the several depositaries. The letters "O", "B", "M", "L", and "W" indicate where the reported action was completed: "O" for Ottawa, "B" for Budapest, "M" for Moscow, "L" for London, and "W" for Washington.

^b *Status of Multilateral Arms Regulation and Disarmament Agreements*, 5th edition: 1996 (United Nations publication, Sales No. E.97.IX.3).

DEPOSITARY GOVERNMENT: France^c

NEW PARTIES: none

TOTAL NUMBER OF PARTIES: 131

The Antarctic Treaty

SIGNED AT WASHINGTON: 1 December 1959

ENTERED INTO FORCE: 23 June 1961

DEPOSITARY GOVERNMENT: United States of America

NEW PARTIES: Turkey —24 January (a)

TOTAL NUMBER OF PARTIES: 43^d

Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water

SIGNED BY THE ORIGINAL PARTIES^e IN MOSCOW: 5 August 1963

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON:
8 August 1963

ENTERED INTO FORCE: 10 October 1963

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W)

NEW PARTIES: none

TOTAL NUMBER OF PARTIES: 124

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON:
27 January 1967

^c On 20 October 1996, France notified States parties that South Africa had withdrawn its reservations to the Protocol at the time of its accession.

On 25 November 1996, France announced its withdrawal of all reservations to the Protocol.

^d Consultative parties are: Argentina, Australia, Belgium, Brazil, Chile, China, Ecuador, Finland, France, Germany, India, Italy, Japan, Republic of Korea, Netherlands, New Zealand, Norway, Peru, Poland, South Africa, Spain, Sweden, Russian Federation, United Kingdom, Uruguay and United States.

^e The original parties are the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The UN Disarmament Yearbook: 1996

ENTERED INTO FORCE: 10 October 1967

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W)

NEW PARTIES: Portugal—29 May (L) (a)

TOTAL NUMBER OF PARTIES: 94

Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

OPENED FOR SIGNATURE AT MEXICO CITY: 14 February 1967

ENTERED INTO FORCE: for each Government individually

DEPOSITARY GOVERNMENT: Mexico

RATIFICATIONS: none

Amendment to article 7^f

RATIFICATIONS: Paraguay—22 October

Amendment to article 25^g

RATIFICATIONS: Paraguay—22 October

Amendment to articles 14, 15, 16, 19 and 20^h

RATIFICATIONS: Paraguay—22 October

TOTAL NUMBER OF PARTIES: 38ⁱ

Treaty on the Non-Proliferation of Nuclear Weapons

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON:

1 July 1968

ENTERED INTO FORCE: 5 March 1970

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W)

NEW PARTIES: Andorra — 7 June (L) (a)
— 25 June (W) (a)
— 2 July (M) (a)

^f Amendment adopted by the General Conference of OPANAL, pursuant to resolution 267 (E-V) of 3 July 1990.

^g Amendment adopted by the General Conference of OPANAL, pursuant to resolution 268 (XII) of 10 May 1991.

^h Amendment adopted by the General Conference of OPANAL pursuant to resolution 290 (VII) of 26 August 1992.

ⁱ Total includes the five nuclear-weapon States and the Netherlands, which have ratified one or both of the Additional Protocols. The Treaty is fully in force for all the regional States that ratify it and waive the requirements under article 28.

Angola —14 October (W) (a)

Djibouti —16 October (W) (a)

TOTAL NUMBER OF PARTIES: 185

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON:

11 February 1971

ENTERED INTO FORCE: 18 May 1972

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W)

NEW PARTIES: Guatemala—1 April (W)

TOTAL NUMBER OF PARTIES: 91

Convention on the Prohibition of the Development, Production and Stock-piling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

OPENED FOR SIGNATURE IN LONDON, MOSCOW AND WASHINGTON: 10 April 1972

ENTERED INTO FORCE: 26 March 1975

DEPOSITARY GOVERNMENTS: Russian Federation (M), United Kingdom of Great Britain and Northern Ireland (L), and United States of America (W)

NEW PARTIES: Turkmenistan —11 January (L) (M) (a)

— 8 March (W) (a)

Uzbekistan —12 January (L) (a)

—26 January (M) (a)

Georgia —22 May (L) (a)

TOTAL NUMBER OF PARTIES: 138

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

OPENED FOR SIGNATURE AT GENEVA: 18 May 1977

ENTERED INTO FORCE: 5 October 1978

DEPOSITARY: The Secretary-General of the United Nations

NEW PARTIES: Costa Rica —7 February (a)

TOTAL NUMBER OF PARTIES: 64

Agreement Governing the Activities of States on the Moon and Other Celestial Bodies

OPENED FOR SIGNATURE AT NEW YORK: 18 December 1979

The UN Disarmament Yearbook: 1996

ENTERED INTO FORCE: 11 July 1984

DEPOSITARY: The Secretary-General of the United Nations

NEW PARTIES: none

TOTAL NUMBER OF PARTIES: 9

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

OPENED FOR SIGNATURE AT NEW YORK: 10 April 1981

ENTERED INTO FORCE: 2 December 1983

DEPOSITARY: The Secretary-General of the United Nations

NEW PARTIES: ^j	Georgia	—29 April (a)
	Mauritius	— 6 May (a)
	Luxembourg	—21 May
	Philippines	—15 July
	Djibouti	—29 July (a)
	the former Yugoslav Republic of Macedonia	—30 December (s)

TOTAL NUMBER OF PARTIES: 63

Protocol IV

ACCEPTANCE: Finland —16 January

South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga)

OPENED FOR SIGNATURE AT RAROTONGA: 6 August 1985

ENTERED INTO FORCE: 11 December 1986

DEPOSITARY: The Secretary General of the Forum Secretariat

SIGNATORIES: Tonga — 2 August

NEW PARTIES: Vanuatu — 9 February

^j Article 5, subparagraph 2, of the Convention states:

“For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the twentieth instrument of ratification, acceptance, approval or accession, this Convention shall enter into force six months after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.”

Protocol 1

SIGNATORIES: France —25 March
United Kingdom —25 March
United States —25 March

Protocol 2

SIGNATORIES: France —25 March
United Kingdom —25 March
United States —25 March

Protocol 3

SIGNATORIES: France —25 March
United Kingdom —25 March
United States —25 March

TOTAL NUMBER OF PARTIES: 14^k

Treaty on Conventional Armed Forces in Europe (CFE Treaty)

SIGNED AT PARIS: 19 November 1990

ENTERED INTO FORCE: 9 November 1992

DEPOSITARY GOVERNMENT: The Netherlands

NEW PARTIES: none

TOTAL NUMBER OF PARTIES: 30

Treaty on Open Skies

SIGNED AT HELSINKI: 24 March 1992

NOT YET IN FORCE

DEPOSITARY GOVERNMENTS: Canada and Hungary

TOTAL NUMBER OF SIGNATORIES: 27

NEW RATIFICATIONS: none

TOTAL NUMBER OF RATIFICATIONS: 22

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

SIGNED AT Paris: 13 January 1993

NOT YET IN FORCE

^k Total includes the two nuclear-weapon States, China and the Russian Federation, which have ratified Protocols 2 and 3.

The UN Disarmament Yearbook: 1996

DEPOSITARY: The Secretary-General of the United Nations

TOTAL NUMBER OF SIGNATORIES: 160

RATIFICATIONS:	Czech Republic	— 6 March
	Brazil	—13 March
	Papua New Guinea	—17 April
	Ethiopia	—13 May
	United Kingdom	—13 May
	Costa Rica	—31 May
	Ireland	—24 June
	Republic of Moldova	— 8 July
	Belarus	—11 July
	Chile	—12 July
	New Zealand	—15 July
	Latvia	—23 July
	Uzbekistan	—23 July
	Saudi Arabia	— 9 August
	India	— 3 September
	Portugal	—10 September
	Cameroon	—16 September
	Hungary	—31 October
	Swaziland	—20 November
	Philippines	—11 December

TOTAL NUMBER OF RATIFICATIONS: 67

Treaty on the Southeast Asia Nuclear Weapon-Free Zone (Bangkok Treaty)

SIGNED AT BANGKOK: 15 December 1995

NOT YET IN FORCE

DEPOSITARY GOVERNMENT: Thailand

TOTAL NUMBER OF SIGNATORIES: 10

RATIFICATIONS:	Lao People's Democratic Republic	—16 July
	Myanmar	—17 July
	Malaysia	—11 October
	Brunei Darussalam	—22 November
	Viet Nam	—26 November

TOTAL NUMBER OF RATIFICATIONS: 5

African Nuclear-Weapon-Free-Zone Treaty (Pelindaba Treaty)

SIGNED AT CAIRO: 11 April 1996

NOT YET IN FORCE

DEPOSITARY: The Secretary-General of the Organization of African Unity

SIGNATORIES:

Algeria, Angola, Benin, Burkina Faso, —11 April
Burundi, Cameroon, Cape Verde, Central
African Republic, Chad, Comoros, Côte
d'Ivoire, Djibouti, Egypt, Eritrea,
Ethiopia, Gabon, Gambia, Ghana,
Guinea, Guinea-Bissau, Kenya, Lesotho,
Libyan Arab Jamahiriya, Malawi, Mali,
Mauritania, Mauritius, Morocco,
Mozambique, Namibia, Niger, Nigeria,
Rwanda, Senegal, Sierra Leone, South
Africa, Sudan, Swaziland, Togo, Tunisia,
Uganda, United Republic of Tanzania,
Zaire, Zambia, Zimbabwe
Liberia, Sao Tome and Principe, — 9 July
Seychelles

RATIFICATIONS: Mauritius —24 April
Gambia —16 October

Protocol I

SIGNATORIES: China —11 April
France —11 April¹

¹ With the following declaration:

“The French Government, owing to the fact that the French Territories situated in the zone covered by the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) are an integral part of the French Republic, can sign Protocol III additional to the Treaty only as [a Party] *de jure* responsible in respect of these Territories. It expects that the Parties to this Treaty will take note that France participates in this Protocol in this capacity only.”

“The French Government, in signing the three Protocols to the African Nuclear-Weapon-Free Zone Treaty, and subject to the completion of the necessary constitutional procedures for its entry into force with respect to France, makes the following reservations and the following interpretative declarations:

“Nothing in the Protocols or the articles of the Treaty to which they refer shall impair the full exercise of the right of self-defence as provided for in Article 51 of the Charter of the United Nations.

J.

“The French Government, in subscribing, as a result of its acceptance, to the obligations enumerated in the three additional Protocols, considers that these obligations shall apply exclusively to the activities which take place in the Territories situated within the African nuclear-weapon-free zone.

“The French Government understands that the obligations arising from Protocol III, which refer to article 3 of the Treaty, shall not oppose the transit, through the Territories of the French Republic situated within the zone covered by the Treaty and bound for other Territories of the French Republic, of the ‘nuclear explosive devices’ defined in article 1 (c) of the Treaty.

“The French Government considers that the Treaty shall in no way modify the legal regime governing the Suez Canal prior to the Treaty’s entry into force. The French Government considers that the Treaty shall in no way impair the principle of free passage through the Canal, both in time of war and in peacetime.

“The commitment contained in article 1 of Protocol I is equivalent to the negative security assurances accorded by France to the non-nuclear-weapon countries which are Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as reaffirmed in the statement made on 6 April 1995 by the representative of France to the Conference on Disarmament and which are the subject of United Nations Security Council resolution 984 (1995) of 11 April 1995. Such assurances do not apply to States which are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons.”

^m With the following statement:

“a) Generally

“The Government of the United Kingdom believe that universal adherence to and compliance with international agreements seeking to prevent the proliferation of weapons of mass destruction are vital to the maintenance of world security.

“The Government of the United Kingdom have no doubt as to their sovereignty over the British Indian Ocean Territory and do not accept the inclusion of that Territory within the African nuclear-weapon-free zone without their consent. The Government of the United Kingdom do not accept any legal obligations in respect of that Territory by their adherence to Protocols I and II.

“b) Re: Protocols I and II, first preambular paragraph

“The Government of the United Kingdom understand the obligations referred to in context of the provisions of Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968.

“c) Re: Protocol I, Article 1

“The Government of the United Kingdom will not be bound by their undertaking under Article 1 of Protocol I:

J.

United States

—11 April

Russian Federation

— 5 Novemberⁿ

“i) in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or a State towards which it has a security commitment, carried out or sustained by a party to the Treaty in association or alliance with a nuclear-weapon State.

or,

“ii) if any party to the Treaty is in material breach of its own non-proliferation obligations under the Treaty.

“d) Re: Protocols I and II, Article 2

“The Government of the United Kingdom accept this obligation on the understanding that it means that each party undertakes not to contribute to any act of a party to the Treaty which constitutes a violation of the Treaty, or to any act of another party to a Protocol which constitute a violation of that Protocol.

“e) Re: Protocols I and II, Article 6

“The Government of the United Kingdom reserve the right to withdraw from these Protocols under the conditions specified on giving notice of withdrawal to the Depository three months in advance.”

ⁿ With the following statement:

“While signing Protocols I and II to the Treaty the Russian Federation finds it necessary to state the following:

“1. In accordance with Article 1 of the Treaty ‘African Nuclear-Weapon-Free Zone’ means the territory of the continent of Africa, island States members of OAU and all islands considered by the Organization of African Unity in its resolutions to be part of Africa.

“Meanwhile until [sic] the military base of the nuclear State is situated on the Chagos archipelago islands they cannot be regarded meeting the requirements put forward by the Treaty for the nuclear-weapon-free territories. Besides, from the statements made during the signing of the Protocols follows that certain territories, including in particular the mentioned islands, cannot be regarded meeting the requirements put forward by the Treaty for the nuclear-weapon-free territories and that the States, which made these statements, consider themselves to be free from the obligations under Protocols to the Treaty regarding the aforesaid territories.

“Proceeding from this, the Russian Federation cannot consider itself to be bound by the obligations under Protocol I in respect of the aforesaid territories.

“2. Obligations under Article 1 of Protocol I to the Treaty will be interpreted by the Russian Federation in the following way: the Russian Federation will not use nuclear weapons against a State which is a party to the African Nuclear-Weapon-Free Zone Treaty excluding the cases of invasion

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The UN Disarmament Yearbook: 1996

RATIFICATIONS: France —20 September

Protocol II

SIGNATORIES: China —11 April
France —11 April
United Kingdom —11 April
United States —11 April
Russian Federation — 5 November

RATIFICATIONS: France —20 September

Protocol III

SIGNATORIES: France —11 April
RATIFICATIONS: France —20 September

TOTAL NUMBER OF SIGNATORIES: 53

TOTAL NUMBER OF RATIFICATIONS: 3^o

Comprehensive Nuclear-Test-Ban Treaty

OPENED FOR SIGNATURE AT NEW YORK: 24 September 1996

NOT YET IN FORCE

DEPOSITARY: Secretary-General of the United Nations

TOTAL NUMBER OF SIGNATORIES AS OF 31 DECEMBER 1996: 138

TOTAL NUMBER OF RATIFICATIONS AS OF 31 DECEMBER 1996: 1

Andorra, Argentina, Australia, Austria, —24 September
Bahrain, Belarus, Belgium, Bolivia,
Bosnia and Herzegovina, Brazil, Bulgaria,
Burundi, Canada, Chile, China,^p Colombia,
Costa Rica, Croatia, Cyprus, Denmark,
Ecuador, El Salvador, Fiji, Finland,

or any other armed attack on the Russian Federation, its territory, its armed forces or other troops, its allies or a State towards which it has a security commitment, carried out or sustained by a non-nuclear-weapons-State party to the Treaty in association or alliance with a nuclear-weapon-State.”

^o Total includes France, which has ratified Protocols I, II and III.

^p With the following declaration:

“1. China has all along stood for the complete prohibition and thorough destruction of nuclear weapons and the realization of a nuclear-weapon-free world. It is in favour of a comprehensive ban on nuclear weapon test explosions

J.

France, Georgia, Germany,⁹ Greece, Haiti,

—24 September

in the process towards this objective. China is deeply convinced that the CTBT will facilitate nuclear disarmament and nuclear non-proliferation. Therefore, China supports the conclusion, through negotiation, of a fair, reasonable and verifiable treaty with universal adherence and unlimited duration and is ready to take active measures to promote its ratification and entry into force.

"2. Meanwhile, the Chinese Government solemnly makes the following appeals:

"(1) Major nuclear weapon States should abandon their policy of nuclear deterrence. States with huge nuclear arsenals should continue to drastically reduce their nuclear stockpiles.

"(2) All countries that have deployed nuclear weapons on foreign soil should withdraw all of them to their own land. All nuclear weapon States should undertake not to be the first to use nuclear weapons at any time and under any circumstances, commit themselves unconditionally to the non-use or threat of use of nuclear weapons against non-nuclear weapon States or nuclear weapon-free zones, and conclude, at an early date, international legal instruments to this effect.

"(3) All nuclear weapon States should pledge their support to proposals for the establishment of nuclear weapon-free zones, respect their status as such and undertake corresponding obligations.

"(4) No country should develop or deploy space weapon systems or missile defense systems undermining strategic security and stability.

"(5) An international convention on the complete prohibition and thorough destruction of nuclear weapons should be concluded through negotiations.

"3. The Chinese Government endorses the application of verification measures consistent with the provisions of the CTBT to ensure its faithful implementation and at the same time it firmly opposes the abuse of verification rights by any country, including the use of espionage or human intelligence, to infringe upon the sovereignty of China and impair its legitimate security interests in violation of universally recognized principles of international law.

"4. In the present day world where huge nuclear arsenals and nuclear deterrence policy based on the first use of nuclear weapons still exist, the supreme national interests of China demand that it ensure the safety, reliability and effectiveness of its nuclear weapons before the goal of eliminating all nuclear weapons is achieved.

"5. The Chinese Government and people are ready to continue to work together with governments and peoples of other countries for an early realization of the lofty goal of the complete prohibition and thorough destruction of nuclear weapons."

⁹ With the following declaration:

J.

Holy See,^f Iceland, Indonesia, Iran (Islamic Republic of),^g Ireland, Italy, Japan, Kuwait, Latvia, Luxembourg, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Namibia, Morocco, Netherlands, Nicaragua, Norway, Panama, Philippines, Poland, Portugal, Qatar, —24 September

"It is the understanding of the German Government that nothing in this Treaty shall ever be interpreted or applied in such a way as to prejudice or prevent research into and development of controlled thermonuclear fusion and its economic use."

^f With the following declaration:

"The Holy See is convinced that in the sphere of nuclear weapons, the banning of tests and of the further development of these weapons, disarmament and non-proliferation are closely linked and must be achieved as quickly as possible under effective international controls.

"Furthermore, the Holy See understands that these are steps towards a general and total disarmament which the international community as a whole should accomplish without delay."

^g With the following declaration:

"1. The Islamic Republic of Iran considers that the Treaty does not meet nuclear disarmament criteria as originally intended. We had not perceived a CTBT only as a non-proliferation instrument. The Treaty must have terminated fully and comprehensively further development of nuclear weapons. However, the Treaty bans explosions, thus limiting such development only in certain aspects, while leaving other avenues wide open. We see no other way for the CTBT to be meaningful, however, unless it is considered as a step towards a phased program for nuclear disarmament within specific time frames through negotiations on a consecutive series of subsequent treaties.

"2. On National Technical Means, based on the deliberation that took place on the issues in the relevant Ad Hoc Committee of the Conference on Disarmament in Geneva, we interpret the text as according a complementary role to them and reiterate that they should be phased out with further development of the International Monitoring System. National Technical Means should not be interpreted to include information received from espionage and human intelligence.

"3. The inclusion of Israel in the MESA grouping constitutes a politically-motivated aberration from UN practice and is thus objectionable. We express our strong reservation on the matter and believe that it will impede the implementation of the Treaty, as the confrontation of the States in this regional group would make it tremendously difficult for the Executive Council to form. The Conference of the States Parties would eventually be compelled to find a way to redress this problem."

1.

Status of agreements

Republic of Korea, Romania, Russian Federation, Seychelles, Slovenia, South Africa, Spain, Swaziland, Sweden, Switzerland, Turkey, Turkmenistan, United Kingdom, United States, Uruguay, Vanuatu, Viet Nam	—24 September
Côte d'Ivoire, Ethiopia, Honduras, Hungary, Israel, Papua New Guinea, Paraguay, Peru, Sao Tome and Principe, United Arab Emirates	—25 September
Cambodia, Jordan, Mozambique, Senegal	—26 September
Albania, Angola, Benin, Burkina Faso, Liechtenstein, New Zealand, Ukraine	—27 September
Kazakstan, Lesotho, Slovakia, Yemen	—30 September
Armenia, Cape Verde, Liberia, Monaco, Mongolia	— 1 October
Togo	— 2 October
Dominican Republic, Ghana, Guinea, Niger, Solomon Islands, Uzbekistan, Venezuela	— 3 October
Saint Lucia, Zaire	— 4 October
Gabon, Lithuania, San Marino, Tajikistan	— 7 October
Chad, Kyrgyzstan, Nepal	— 8 October
Equatorial Guinea, Madagascar, Malawi, Samoa	— 9 October
Grenada	—10 October
Egypt	—14 October
Algeria	—15 October
Tunisia	—16 October
Djibouti	—21 October
Bangladesh, Sri Lanka	—24 October
Uganda	— 7 November
Jamaica	—11 November
Czech Republic, Thailand	—12 November
Kenya	—14 November
Estonia	—20 November
Myanmar	—25 November
Zambia	— 3 December
Comoros	—12 December

TOTAL NO. OF SIGNATORIES: 138

RATIFICATIONS: Fiji —10 October 1996

TOTAL NO. OF RATIFICATIONS: 1

The UN Disarmament Yearbook: 1996

**Composite table of signatories and parties of multilateral treaties
as of 31 December 1996, as reported by depositaries**

(s) signed; (r) ratified (including accessions and successions)

Signatory or party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	NPT
Afghanistan	r		s r	s r	s r
Albania	r				r
Algeria	r		s	r	r
Andorra					r
Angola	r				r
Antigua and Barbuda	r		r	r	r
Argentina	r	s r	s	s r	r
Armenia			r		r
Australia	r	s r	s r	s r	s r
Austria	s r	r	s r	s r	s r
Azerbaijan					r
Bahamas			r	r	r
Bahrain	r				r
Bangladesh	r		r	r	r
Barbados	r			r	s r
Belarus			s r	s r	r
Belgium	s r	s r	s r	s r	s r
Belize					r
Benin	r		s r	r	s r
Bhutan	r		r		r
Bolivia	r		s r	s	s r
Bosnia and Herzegovina			r		r
Botswana			r	s	s r
Brazil	s r	r	s r	s r	
Brunei Darussalam					r
Bulgaria	s r	r	s r	s r	s r
Burkina Faso	r		s	s r	s r

Status of agreements

Sea-Bed	BW	ENMOD	Celestial Bodies	CCWC*	CWC	CTBT
s r	s r	r		s	s	
	r				s r	s
r		r			s r	s
						s
						s
r		r				
s r	s r	r		s r	s r	s
	r				s r	s
s r	s r	s r	r	s r	s r	s
s r	s r	r	s r	s r	s r	s
					s	
r	r				s	
	r				s	s
	r	r			s	s
	s r					
s r	s r	s r		s r	s r	s
s r	s r	s r		s r	s	s
	r					
s r	s r	s r		r (I & III)	s	s
	r					
s	s r	s			s	s
r	r			r		s
s r	s r					
s r	s r	s r		r	s r	s
	r				s	
s r	s r	s r		s r	s r	s
	r				s	s

The UN Disarmament Yearbook: 1996

**Composite table of signatories and parties of multilateral treaties
as of 31 December 1996, as reported by depositaries (continued)**

Signatory or party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	NPT
Burundi			s	s	r
Cambodia	r				r
Cameroon	r		s	s	s r
Canada	s r	r	s r	s r	s r
Cape Verde	r		r		r
Central African Republic	r		r	s	r
Chad			s r		s r
Chile	s r	s r	s r	s r	r
China	r	r		r	r
Colombia		r	s r	s	s r
Comoros					r
Congo					r
Cook Islands					
Costa Rica			s r		s r
Côte d'Ivoire	r		s r		s r
Croatia			r		r
Cuba	r	r		r	
Cyprus	r		s r	s r	s r
Czech Republic	r	r	s r	s r	s r
Democratic People's Republic of Korea	r	r			r
Denmark	s r	r	s r	s r	s r
Djibouti					r
Dominica					r
Dominican Republic	r		s r	s r	s r
Ecuador	r	r	s r	s r	s r
Egypt	s r		s r	s r	s r
El Salvador	s		s r	s r	s r
Equatorial Guinea	r		r	r	r

Status of agreements

Sea-Bed	BW	ENMOD	Celestial Bodies	CCWC*	CWC	CTBT
S	S				S	S
S	S R				S	S
S					S R	
S R	S R	S R		S R	S R	S
R	R	R			S	S
S R	S				S	
					S	S
	S R	R	S R		S R	S
R	R			S R	S	S
S	S R				S	S
					S	S
R	R				S	
					S R	
S	S R	R			S R	S
R	S				S R	S
	R			R	S R	S
R	S R	S R		S R	S	
S R	S R	S R		R	S	S
S R	S R	S R		S R	S R	S
	R	R				
S R	S R	S R		S R	S R	S
				R	S	S
	R	R			S	
S R	S R				S	S
	S R			S R	S R	S
	S	R		S		S
	S R				S R	S
S	R				S	S

The UN Disarmament Yearbook: 1996

Composite table of signatories and parties of multilateral treaties as of 31 December 1996, as reported by depositaries (continued)

Signatory or party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	NPT
Eritrea					r
Estonia	r				r
Ethiopia	s r		s	s	s r
Fiji	r		r	r	r
Finland	s r	r	s r	s r	s r
France	s r	s r		s r	r
Gabon			s r		r
Gambia	r		r	s	s r
Georgia					r
Germany	s r	r	s r	s r	s r
Ghana	r		s r	s	s r
Greece	s r	r	s r	s r	s r
Grenada	r				r
Guatemala	r	r	s r		s r
Guinea					r
Guinea-Bissau	r		r	r	r
Guyana				s	r
Haiti			s	s	s r
Holy See	r			s	r
Honduras			s r	s	s r
Hungary	r	r	s r	s r	s r
Iceland	r		s r	s r	s r
India	s r	r	s r	s r	
Indonesia	r		s r	s	s r
Iran (Islamic Republic of)	r		s r	s	s r
Iraq	r		s r	s r	s r
Ireland	r		s r	s r	s r
Israel	r		s r	s r	

Status of agreements

Sea-Bed	BW	ENMOD	Celestial Bodies	CCWC*	CWC	CTBT
	r				s	s
s r	s r	s			s r	s
	s r				s r	s r
s r	s r	s r		s r ^b	s r	s
	r		s	s r (I & II)	s r	s
	s				s	s
s	s r				s	
	r			r	s r	s
s r	s r	s r		s r	s r	s
s r	s r	s r			s	s
s r	s r	r		s r	s r	s
	r					s
s r	s r	r	s	r	s	
s					s	s
r	r				s	
	s				s	
	s				s	s
		s			s	s
s	s r				s	s
s r	s r	s r		s r	s r	s
s r	s r	s		s	s	s
r	s r	s r	s	s r	s r	
	s r				s	s
s r	s r	s			s	s
s r	s r	s				
s r	s r	s r		s r	s r	s
				r (I & II)	s	s

The UN Disarmament Yearbook: 1996

**Composite table of signatories and parties of multilateral treaties
as of 31 December 1996, as reported by depositaries (continued)**

Signatory or party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	NPT
Italy	s r	r	s r	s r	s r
Jamaica	r		s r	s r	s r
Japan	s r	s r	s r	s r	s r
Jordan	r		s r	s	s r
Kazakstan					r
Kenya	r		r	r	s r
Kiribati					r
Kuwait	r		s r	r	s r
Kyrgyzstan					r
Lao People's Democratic Republic	r		s r	s r	s r
Latvia	r				r
Lebanon	r		s r	s r	s r
Lesotho	r			s	s r
Liberia	r		s r		s r
Libyan Arab Jamahiriya	r		s r	r	s r
Liechtenstein	r				r
Lithuania	r				r
Luxembourg	s r		s r	s	s r
Madagascar	r		s r	r	s r
Malawi	r		r		r
Malaysia	r		s r	s	s r
Maldives	r				s r
Mali			s	r	s r
Malta	r		r		s r
Marshall Islands					r
Mauritania			s r		r
Mauritius	r		r	r	s r

Status of agreements

Sea-Bed	BW	ENMOD	Celestial Bodies	CCWC ^a	CWC	CTBT
s r	s r	s r		s r	s r	s
s r	r					s
s r	s r	r		s r	s r	s
s r	s r			r (I & III)		s
					s	s
	r				s	s
	s r	r			s	s
					s	s
s r	s r	s r		r	s	
r				r	s r	s
s	s r	s				
s r	s r				s r	s
s	s	s			s	s
r	r					
r	r			s r	s	s
					s	s
s r	s r	s		s r	s	s
s	s				s	s
	s	r			s	s
s r	s r				s	
	r				s r	
s	s				s	
s r	s r			r	s	s
					s	s
					s	s
s r	s r	r		r	s r	

The UN Disarmament Yearbook: 1996

**Composite table of signatories and parties of multilateral treaties
as of 31 December 1996, as reported by depositaries (continued)**

Signatory or party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	NPT
Mexico	r		s r	s r	s r
Micronesia (Federated States of)					r
Monaco	r				r
Mongolia	r		s r	s r	s r
Morocco	r		s r	r	s r
Mozambique					r
Myanmar			s r	s r	r
Namibia					r
Nauru					r
Nepal	r		s r	s r	s r
Netherlands	s r	r	s r	s r	s r
New Zealand	r	s r	s r	s r	s r
Nicaragua	s r		s r	s	s r
Niger	r		s r	s r	r
Nigeria	r		s r	r	s r
Niue					
Norway	s r	s r	s r	s r	s r
Oman					
Pakistan	r		s r	s r	
Palau					r
Panama	r		s r	s	s r
Papua New Guinea	r	r	r	r	r
Paraguay	r		s		s r
Peru	r	r	s r	s r	s r
Philippines	r		s r	s	s r
Poland	s r	r	s r	s r	s r
Portugal	s r		s	r	r
Qatar	r				r

Status of agreements

Sea-Bed	BW	ENMOD	Celestial Bodies	CCWC ^a	CWC	CTBT
r	s r		r	s r	s r	s
					s	s
					s r	s
s r	s r	s r		s r	s r	s
s r	s	s	s r	s	s r	s
						s
s	s				s	s
					s r	s
					s	
s r	s				s	s
s r	s r	s r	s r	s r	s r	s
s r	s r	r		s r	s r	s
s r	s r	s		s	s	s
s r	s r	r		r	s	s
	s r			s	s	
s r	s r	s r		s r	s r	s
	r				s r	
	s r	r	r	s r	s	
s r	s r				s	s
	r	r			s r	s
s	r				s r	s
	s r		s		s r	s
r	s r		s r	s r	s r	s
s r	s r	s r		s r	s r	s
r	s r	s		s	s r	s
r	s r				s	s r

The UN Disarmament Yearbook: 1996

Composite table of signatories and parties of multilateral treaties as of 31 December 1996, as reported by depositaries (continued)

Signatory or party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	NPT
Republic of Korea	r	r	s r	s r	s r
Republic of Moldova					r
Romania	s r	r	s r	s r	s r
Russian Federation	r	s r	s r	s r	s r
Rwanda	r		s r	s	r
Saint Kitts and Nevis	r				r
Saint Lucia	r				r
Saint Vincent and the Grenadines					r
Samoa			s r		r
San Marino			s r	s r	s r
Sao Tome and Principe					r
Saudi Arabia	r			r	r
Senegal	r		s r		s r
Seychelles			r	r	r
Sierra Leone	r		s r	s r	r
Singapore			r	r	s r
Slovakia	r	r	r	r	r
Slovenia			r		r
Solomon Islands	r				r
Somalia			s	s	s r
South Africa	r	s r	r	s r	r
Spain	s r	r	s r	r	r
Sri Lanka	r		s r	s r	s r
Sudan	r		s r		s r
Suriname			r		r
Swaziland	r		r		s r
Sweden	s r	r	s r	s r	s r
Switzerland	s r	r	s r	s r	s r

Status of agreements

Sea-Bed	BW	ENMOD	Celestial Bodies	CCWC*	CWC	CTBT
s r	s r	r			s	s
					s r	
s r	s r	s r	s	s r	s r	s
s r	s r	s r		s r	s	s
s r	s r				s	
	r				s	
	r	r			s	s
					s	
					s	s
	s r				s	s
r	r	r				s
s r	s r				s r	
s	s r				s	s
r	r				s r	s
s	s r	s		s	s	
s r	s r				s	
r	r	r		r	s r	s
r	r			r	s	s
r	r	r				s
	s					
s r	s r			r	s r	s
r	s r	s r		s r	s r	s
	s r	s r			s r	s
s				s		
	r					
s r	r				s r	s
s r	s r	r		s r	s r	s
s r	s r	r		s r	s r	s

The UN Disarmament Yearbook: 1996

**Composite table of signatories and parties of multilateral treaties
as of 31 December 1996, as reported by depositaries (continued)**

Signatory or party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	NPT
Syrian Arab Republic	r		s r	r	s r
Tajikistan					r
Thailand	s r		s r	s r	r
the former Yugoslav Republic of Macedonia					r
Togo	r		s r	s r	s r
Tonga	r		r	r	r
Trinidad and Tobago	r		s r	s	s r
Tunisia	r		s r	s r	s r
Turkey	s r	r	s r	s r	s r
Turkmenistan					r
Tuvalu					r
Uganda	r		s r	r	r
Ukraine		r	s r	s r	r
United Arab Emirates					r
United Kingdom of Great Britain and Northern Ireland	s r	s r	s r	s r	s r
United Republic of Tanzania	r		s r		r
United States of America	s r	s r	s r	s r	s r
Uruguay	s r	r	s r	s r	s r
Uzbekistan					r
Vanuatu					r
Venezuela	s r		s r	s r	s r
Viet Nam	r			r	r
Yemen	r		s r	r	s r
Yugoslavia	s r		s r	s	s r

Status of agreements

Sea-Bed	BW	ENMOD	Celestial Bodies	CCWC ^a	CWC	CTBT
	s	s				
					s r	s
	s r				s	s
				r		
s r	s r			s r	s	s
	r					
s r	s r	s r		r	s	s
s r	s r	s		s	s	s
	r				s r	s
	r	s		r	s	s
s r	s r	s r		s r	s	s
	s				s	s
s r	s r	s r		s r	s r	s
s	s				s	
s r	s r	s r		s r (I & II)	s	s
s	r	r	s r	r	s r	s
	r	r			s r	s
	r					s
	s r				s	s
r	r	r		s	s	s
s r	s r	s r			s	s
s r	s r			s r		

The UN Disarmament Yearbook: 1996

**Composite table of signatories and parties of multilateral treaties
as of 31 December 1996, as reported by depositaries (continued)**

Signatory or party reported	Geneva Protocol	Antarctic Treaty	Partial Test Ban	Outer Space	NPT
Zaire			s r	s	s r
Zambia			r	r	r
Zimbabwe					r

^a 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, known as the Convention on Certain Conventional Weapons (CCWC). Protocols I, II and III have been accepted except where noted otherwise.

^b Accepted Protocol IV.

Status of agreements

Sea-Bed	BW	ENMOD	Celestial Bodies	CCWC*	CWC	CTBT
	s r	s			s	s
r					s	s
	r				s	

**Composite table of signatories and parties of regional treaties
as of 31 December 1996, as reported by depositaries**

(s) signed; (r) ratified (including accessions and successions)

Signatory or party reported	Treaty of Tlatelolco	Treaty of Rarotonga	CFE	Open Skies	Bangkok Treaty	Pelindaba Treaty
Algeria						s
Angola						s
Antigua and Barbuda	s r					
Argentina	s r					
Armenia			r			
Australia		s r				
Azerbaijan			r			
Bahamas	s r					
Barbados	s r					
Belarus			r	s		
Belgium			s r	s r		
Belize	s r					
Benin						s
Bolivia	s r					
Brazil	s r					
Brunei Darussalam					s r	
Bulgaria			s r	s r		
Burkina Faso						s
Burundi						s
Cambodia					s	
Cameroon						s
Canada			s r	s r		
Cape Verde						s
Central African Republic						s
Chad						s
Chile	s r					

Status of agreements

Signatory or party reported	Treaty of Tlatelolco	Treaty of Rarotonga	CFE	Open Skies	Bangkok Treaty	Pelindaba Treaty
China	s r (A.P.II) ^a	s r (P.2 & 3) ^b				s (P.I & II) ^c
Colombia	s r					
Comoros						s
Cook Islands		s r				
Costa Rica	s r					
Côte d'Ivoire						s
Cuba	s					
Czech Republic			s r	s r		
Denmark			s r	s r		
Djibouti						s
Dominica	s r					
Dominican Republic	s r					
Ecuador	s r					
El Salvador	s r					
Egypt						s
Eritrea						s
Ethiopia						s
Fiji		s r				
France	s r (A.P.I & II) ^a	s (P.1-3) ^b	s r	s r		s r (P.I-III) ^c
Gabon						s
Gambia						s r
Georgia			r	s		
Germany			s r	s r		
Ghana						s
Greece			s r	s r		

**Composite table of signatories and parties of regional treaties
as of 31 December 1996, as reported by depositaries (continued)**

Signatory or party reported	Treaty of Tlatelolco	Treaty of Rarotonga	CFE	Open Skies	Bangkok Treaty	Pelindaba Treaty
Grenada	s r					
Guatemala	s r					
Guinea						s
Guinea-Bissau						s
Guyana	s r					
Haiti	s r					
Honduras	s r					
Hungary			s r	s r		
Iceland			s r	s r		
Indonesia					s	
Italy			s r	s r		
Jamaica	s r					
Kazakhstan			r			
Kenya						s
Kiribati		s r				
Kyrgyzstan				s		
Lao People's Democratic Republic					s r	
Lesotho						s
Liberia						s
Libyan Arab Jamahiriya						s
Luxembourg			s r	s r		
Malawi						s
Malaysia					s r	
Mali						s
Mauritania						s
Mauritius						s r
Mexico	s r					
Morocco						s

Status of agreements

Signatory or party reported	Treaty of Tlatelolco	Treaty of Rarotonga	CFE	Open Skies	Bangkok Treaty	Pelindaba Treaty
Mozambique						s
Myanmar					s r	
Namibia						s
Nauru		s r				
Netherlands	s r (A.P.I) ^a		s r	s r		
New Zealand		s r				
Nicaragua	s r					
Niger						s
Nigeria						s
Niue		s r				
Norway			s r	s r		
Panama	s r					
Papua New Guinea		s r				
Paraguay	s r					
Peru	s r					
Philippines					s	
Poland			s r	s r		
Portugal			s r	s r		
Republic of Moldova			r			
Romania			s r	s r		
Russian Federation	s r (A.P.II) ^a	s r (P.2 & 3) ^b	s r	s		s (P.I&II) ^c
Rwanda						s
Saint Kitts and Nevis	s r					
Saint Lucia	s r					
Saint Vincent and the Grenadines	s r					
Samoa		s r				

**Composite table of signatories and parties of regional treaties
as of 31 December 1996, as reported by depositaries (continued)**

Signatory or party reported	Treaty of Tlatelolco	Treaty of Rarotonga	CFE	Open Skies	Bangkok Treaty	Pelindaba Treaty
Sao Tome and Principe						s
Senegal						s
Seychelles						s
Sierra Leone						s
Singapore					s	
Slovakia			s r	s r		
Solomon Islands		s r				
South Africa						s
Spain			s r	s r		
Sudan						s
Suriname	s r					
Swaziland						s
Thailand					s	
Togo						s
Tonga		s				
Trinidad and Tobago	s r					
Tunisia						s
Turkey			s r	s r		
Tuvalu		s r				
Uganda						s
Ukraine			r	s		
United Kingdom of Great Britain and Northern Ireland	s r (A.P.I & II) ^a	s (P.1-3) ^b	s r	s r		s (P.I&II) ^c
United Republic of Tanzania						s
United States of America	s r (A.P.I & II) ^a	s (P.1-3) ^b	s r	s r		s (P.I&II) ^c
Uruguay	s r					

Status of agreements

Signatory or party reported	Treaty of Tlatelolco	Treaty of Rarotonga	CFE	Open Skies	Bangkok Treaty	Pelindaba Treaty
Vanuatu		s r				
Venezuela	s r					
Viet Nam					s r	
Zaire						s
Zambia						s
Zimbabwe						s

^a A.P. means Additional Protocol to the Treaty of Tlatelolco.

^b P. means Protocol to the Treaty of Rarotonga.

^c P. means Protocol to the Pelindaba Treaty

APPENDIX II

Final Declaration of the Fourth Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

THE STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION, WHICH MET IN GENEVA FROM 25 NOVEMBER TO 6 DECEMBER 1996 TO REVIEW THE OPERATION OF THE CONVENTION, SOLEMNLY DECLARE:

- Their conviction that the Convention is essential to international peace and security;
- Their reaffirmation of their determination to act with a view to achieving effective progress towards general and complete disarmament, including the prohibition and elimination of all types of weapons of mass destruction, and their conviction that the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective international control;
- Their reaffirmation that under any circumstances the use, development, production and stockpiling of bacteriological (biological) and toxin weapons is effectively prohibited under Article I of the Convention;
- Their continued determination, for the sake of mankind, to exclude completely the possibility of the use of bacteriological (biological) agents and toxins as weapons, and their conviction that such use would be repugnant to the conscience of mankind;
- Their reaffirmation of their firm commitment to the purposes of the Preamble and the provisions of the Convention, and of their belief that universal adherence to the Convention would enhance international peace and security;

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- Their determination to enhance the implementation and effectiveness of the Convention and to further strengthen its authority, including through the confidence-building measures and agreed procedures for consultations agreed by the Second and Third Review Conferences, and through the fulfilment of the mandate entrusted to the Ad Hoc Group established by the Special Conference in 1994;
- Their recognition that effective verification could reinforce the Convention;
- Their conviction that the full implementation of the provisions of the Convention should facilitate economic and technological development and international cooperation in the field of peaceful biological activities;
- Their recognition that purposes of this Convention include the prohibition of the use of biological weapons as contrary to the purpose of the Convention.

The States Parties recognize that the important principles contained in this Solemn Declaration can also serve as a basis for further strengthening of the Convention.

Preamble

The Conference reaffirms the importance of the elements in review of the Preamble to the Convention contained in the Final Declaration of the Second Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

Article I

1. The Conference notes the importance of Article I as the provision which defines the scope of the Convention. The Conference reaffirms its support for the provisions of this Article.

2. The Conference reaffirms that the Convention prohibits the development, production, stockpiling, other acquisition or retention of microbial or other biological agents or toxins harmful to plants and animals, as well as humans, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

3. The Conference reaffirms that the use by the States Parties, in any way and under any circumstances, of microbial or other biological agents or toxins, that is not consistent with prophylactic, protective or other peaceful purposes, is effectively a violation of Article I of the Convention.

4. The Conference reaffirms the undertaking in Article I never in any circumstances to develop, produce, stockpile or otherwise acquire or retain weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict, in order to exclude completely and forever the possibility of their use.

5. The Conference also reaffirms that the Convention unequivocally covers all microbial or other biological agents or toxins, naturally or artificially created or altered, as well as their components, whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

6. The Conference, conscious of apprehensions arising from relevant scientific and technological developments, *inter alia*, in the fields of microbiology, biotechnology, molecular biology, genetic engineering, and any applications resulting from genome studies, and the possibilities of their use for purposes inconsistent with the objectives and the provisions of the Convention, reaffirms that the undertaking given by the States Parties in Article I applies to all such developments.

7. The Conference notes that experimentation involving open-air release of pathogens or toxins harmful to man, animals or plants that have no justification for prophylactic, protective or other peaceful purposes is inconsistent with the undertakings contained in Article I.

8. The Conference appeals through the States Parties to their scientific communities to lend their support only to activities that have justification for prophylactic, protective and other peaceful purposes, and refrain from undertaking or supporting activities which are in breach of the obligations deriving from provisions of the Convention.

9. The Conference emphasizes, once more, the vital importance of full implementation by all States Parties of all the provisions of the Convention, especially Articles I, II and III. The Conference agrees that the application by States Parties of positive approaches in accordance with the provisions of the Convention is in the interest of all States Parties and that any non-compliance with its provisions could undermine confidence in the Convention. Non-compliance should be treated with determination in all cases, without selectivity or discrimination.

Article II

1. The Conference recognizes that for any State acceding to the Convention after the entry into force of the Convention, the destruction or diversion to peaceful purposes specified in Article II would be completed upon accession to the Convention. The Conference emphasizes that the destruction or diversion to peaceful purposes specified in Article II should be carried out completely and effectively,

2. The Conference notes the importance of Article II and welcomes the statements made by States which have become Parties to the Convention since the Third Review Conference that they do not possess agents, toxins, weapons, equipment or means of delivery referred to in Article I of the Convention.

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3. The Conference notes that the submission to the Centre for Disarmament Affairs of appropriate information on destruction by States Parties which had stockpiles and have destroyed them in fulfilment of their Article II obligations and which have not already made such submissions could enhance confidence in the Convention and its objectives.

4. The Conference stresses that States which become Parties to the Convention, implementing the provisions of this Article, shall observe all necessary safety precautions to protect populations and the environment.

Article III

1. The Conference notes the importance of Article III and welcomes the statements which States that have acceded to the Convention have made to the effect that they have not transferred agents, toxins, weapons, equipment or means of delivery as specified in Article I of the Convention, to any recipient whatsoever and have not furnished assistance, encouragement or inducement to any State, group of States or international organizations to manufacture or otherwise acquire them. The Conference affirms that Article III is sufficiently comprehensive to cover any recipient whatsoever at international, national or subnational levels.

2. The Conference notes that a number of States Parties stated that they have already taken concrete measures to give effect to their undertakings under this Article and in this context also notes statements made by States Parties at the Conference about the legislative or administrative measures they have taken since the Third Review Conference. The Conference calls for appropriate measures by all States Parties. Transfers relevant to the Convention should be authorized only when the intended use is for purposes not prohibited under the Convention.

3. The Conference discussed the question whether multilaterally-agreed guidelines or multilateral guidelines negotiated by all States Parties to the Convention concerning the transfer of biological agents, materials and technology for peaceful purposes to any recipient whatsoever might strengthen the Convention. In the development of implementation of Article III, the Conference notes that States Parties should also consider ways and means to ensure that individuals or subnational groups are effectively prevented from acquiring, through transfers, biological agents and toxins for other than peaceful purposes. The Conference notes that these issues are being considered as part of the ongoing process of strengthening the Convention.

4. The Conference reiterates that the provisions of this Article should not be used to impose restrictions and/or limitations on the transfers for purposes consistent with the objectives and purposes of the Convention of scientific knowledge, technology, equipment and materials under Article X.

Article IV

1. The Conference underlines the importance of Article IV. It reaffirms the commitment of States Parties to take the necessary national measures under this Article, in accordance with their constitutional processes. These measures are to ensure the prohibition and prevention of the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention anywhere within their territory, under their jurisdiction or under their control, in order to prevent their use for purposes contrary to the Convention. The States Parties recognize the need to ensure, through the review and/or adoption of national measures, the effective fulfilment of their obligations under the Convention in order, *inter alia*, to exclude use of biological and toxin weapons in terrorist or criminal activity.

2. The Conference notes those measures already taken by a number of States Parties in this regard, for example the adoption of penal legislation, and reiterates its call to any State Party that has not yet taken any necessary measures to do so immediately, in accordance with its constitutional processes. Such measures should apply within its territory, under its jurisdiction or under its control anywhere. The Conference invites each State Party to consider, if constitutionally possible and in conformity with international law, the application of such measures also to actions taken anywhere by natural persons possessing its nationality.

3. The Conference notes the importance of:

- Legislative, administrative and other measures designed to enhance domestic compliance with the Convention;
- Legislation regarding the physical protection of laboratories and facilities to prevent unauthorized access to and removal of microbial or other biological agents, or toxins;
- Inclusion in textbooks and in medical, scientific and military education programmes of information dealing with the prohibitions and provisions contained in the Biological and Toxin Weapons Convention and the Geneva Protocol of 1925.

4. The Conference believes that such measures which States Parties might undertake in accordance with their constitutional processes would strengthen the effectiveness of the Convention, as requested by the Second and Third Review Conferences.

5. The Conference notes that some States Parties, as requested by the Second Review Conference, have provided to the United Nations Department for Disarmament Affairs information on the texts of specific legislation enacted or other measures taken to assure domestic compliance with the Convention. The Conference invites these States Parties, and encourages all States Parties, to provide such information and texts in the future. In this regard the Conference

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welcomes information provided by States Parties in response to the confidence-building measure agreed to at the Third Review Conference entitled "Declaration of legislation, regulations and other measures". In addition, the Conference encourages all States Parties to provide any useful information on the implementation of such measures.

6. The Conference encourages cooperation and initiatives, including regional ones, towards the strengthening and implementation of the Biological and Toxin Weapons Convention regime.

7. The Conference reaffirms that under all circumstances the use of bacteriological (biological) and toxin weapons is effectively prohibited by the Convention.

Article V

1. The Conference notes the importance of Article V and reaffirms the obligation assumed by States Parties to consult and cooperate with one another in solving any problems which may arise in relation to the objective of, or in the application of the provisions of the Convention. The Conference reiterates its appeal to States Parties made at the Third Review Conference to make all possible efforts to solve any problems which may arise in relation to the objective of, or in application of the provisions of the Convention with a view towards encouraging strict observance of the provisions subscribed to. The Conference notes that this Article provides an appropriate framework for resolving any such problems, and reaffirms that any State Party which identifies such a problem should, as a rule, use these procedures to address and resolve it.

2. The Conference also reviewed the operation of the procedures to strengthen the implementation of the provisions of Article V which were adopted in the Final Declaration of the Third Review Conference and which built on the agreements reached at the Second Review Conference. While noting that these procedures have not yet been invoked, the Conference reaffirmed their present validity. The Conference calls on any State Party which identifies a problem arising in relation to the objective of, or in the application of the provisions of the Convention to use these procedures, if appropriate, to address and resolve it.

3. The Conference reaffirms that consultation and cooperation pursuant to this Article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

4. In accordance with the decision of the Third Review Conference, the Conference reviewed the effectiveness of the confidence-building measures as agreed in the Final Declaration of the Third Review Conference. The Conference notes the continued importance of the confidence-building measures agreed upon at the Second and Third Review Conferences, as well as the moda-

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lities elaborated by the Ad Hoc Meeting of Scientific and Technical Experts from States Parties to the Convention, held in 1987.

5. The Conference notes the background information document prepared by the United Nations Secretary-General providing data on the participation of States Parties in the agreed confidence-building measures since the Third Review Conference. The Conference welcomes the exchange of information carried out under the confidence-building measures, and notes that this has contributed to enhancing transparency and building confidence. The Conference recognizes that participation in the confidence-building measures since the last Review Conference has not been universal, and that not all responses have been prompt or complete. In this regard, the Conference also recognizes the technical difficulties experienced by some States Parties with respect to preparing CBM responses. In this regard, the Conference urges all States Parties to complete full and timely declarations in the future. The Conference notes that the Ad Hoc Group of States Parties established by the Special Conference in 1994 is, as part of its continuing work, considering the incorporation of existing and further enhanced confidence-building and transparency measures, as appropriate, in a regime to strengthen the Convention.

6. The Conference stresses its determination to strengthen effectiveness and improve the implementation of the Convention, and its recognition that effective verification could reinforce the Convention.

7. In this regard, the Conference recalls that:

- The Third Review Conference established the Ad Hoc Group of Governmental Experts open to all States Parties to identify and examine potential verification measures from a scientific and technical standpoint.
- The Group held four sessions in 1992–1993 and circulated its report to all States Parties in September 1993.
- A Special Conference was held in September 1994 to consider the report, and decided to establish an Ad Hoc Group open to all States Parties. The Conference considered the work of the Ad Hoc Group under agenda item 12 and its conclusions are reflected in the section of this document entitled “Consideration of the work of the Ad Hoc Group established by the Special Conference in 1994”.

8. The Conference stresses the need for all States Parties to deal effectively with compliance issues. In this connection, the States Parties had agreed to provide a specific, timely response to any compliance concern alleging a breach of their obligations under the Convention. Such responses should be submitted in accordance with the procedures agreed upon by the Second Review Conference and further developed by the Third Review Conference. The Conference reiterates its request that information on such efforts be provided to the Review Conferences.

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Article VI

1. The Conference notes that the provisions of this Article have not been invoked.

2. The Conference reaffirms the importance of Article VI, which, in addition to the procedures contained in Article V, provides that any State Party which finds that any other State Party is acting in breach of its obligations under the Convention may lodge a complaint with the United Nations Security Council. The Conference notes that the provisions of Article VI will be taken into account, as appropriate, for any future verification regime resulting from the consideration by the Ad Hoc Group of a system of measures to promote compliance with the Convention. The Conference emphasizes the provision of Article VI that such a complaint should include all possible evidence confirming its validity. It stresses that, as in the case of the implementation of all the provisions and procedures set forth in the Convention, the procedures foreseen in Article VI should be implemented in good faith within the scope of the Convention.

3. The Conference invites the Security Council to consider immediately any complaint lodged under Article VI and to initiate any measures it considers necessary for the investigation of the complaint in accordance with the Charter. The Conference reaffirms the undertaking of each State Party to cooperate in carrying out any investigations which the Security Council may initiate.

4. The Conference recalls, in this context, United Nations Security Council resolution 620 (1988), which at the time encouraged the United Nations Secretary-General to carry out prompt investigations, in response to allegations brought to its attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxin weapons that could entail a violation of the 1925 Geneva Protocol or of any other applicable rule of international treaty or customary law. The Conference also recalls the technical guidelines and procedures contained in Annex I of United Nations document A/44/561 to guide the United Nations Secretary-General on the timely and efficient investigation of reports of the possible use of such weapons. The States Parties reaffirm their agreement to consult, at the request of any State Party, regarding allegations of use or threat of use of bacteriological (biological) or toxin weapons and to cooperate fully with the United Nations Secretary-General in carrying out such investigations. The Conference stresses that in the case of alleged use the United Nations is called upon to take appropriate measures expeditiously, which could include a request to the Security Council to consider action in accordance with the Charter.

5. The Conference invites the Security Council to inform each State Party of the results of any investigation initiated under Article VI and to consider promptly any appropriate further action which may be necessary.

6. The Conference notes that the procedure outlined in this Article is without prejudice to the prerogative of the States Parties to the Convention to

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consider jointly the cases of alleged non-compliance with the provisions of the Convention and to make appropriate decisions in accordance with the Charter of the United Nations and applicable rules of international law.

7. The Conference notes that provisions for investigating alleged breaches of the Convention, including measures for the investigation of alleged use of biological and toxin weapons, continue to be considered by the Ad Hoc Group of States Parties, in accordance with its mandate.

Article VII

1. The Conference notes with satisfaction that these provisions have not been invoked.

2. The Conference reaffirms the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.

3. The Conference takes note of desires expressed that, should a request for assistance be made, it be promptly considered and an appropriate response provided. In this context, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties if requested.

4. The Conference takes note of the proposal that the Ad Hoc Group might need to discuss the detailed procedure for assistance in order to ensure that timely emergency assistance would be provided by States Parties if requested.

5. The Conference considers that in the event that this Article might be invoked, the United Nations, with the help of appropriate intergovernmental organizations such as the World Health Organization (WHO), could play a coordinating role.

Article VIII

1. The Conference reaffirms the importance of Article VIII and stresses the importance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

2. The Conference acknowledges that the 1925 Geneva Protocol, by prohibiting the use of bacteriological methods of warfare, and the Biological and Toxin Weapons Convention complement each other.

3. The Conference reaffirms that nothing contained in the Biological and Toxin Weapons Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare.

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4. Noting the actions in support of the Protocol taken by the Security Council and General Assembly of the United Nations, through Security Council resolution 620 (1988) and General Assembly resolutions 41/58 C, 42/37 C, 43/74 A, 44/115 B and 45/57 C and recalling the solemn reaffirmation of the prohibition as established in the Protocol, issued by the Conference of the States Parties to the 1925 Geneva Protocol and other interested States held in Paris from 7 to 11 January 1989, the Conference appeals to all States Parties to the Geneva Protocol to fulfil their obligations assumed under the Protocol and urges all States not yet Parties to the 1925 Geneva Protocol to accede to it without delay.

5. The Conference stresses the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Biological and Toxin Weapons Convention.

6. The Conference welcomes the actions which States Parties have taken to withdraw their reservations to the 1925 Geneva Protocol related to the Biological and Toxin Weapons Convention, and calls upon those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations, and to notify the Depositary of the 1925 Geneva Protocol of their withdrawals without delay.

7. The Conference notes that reservations concerning retaliation, through the use of any of the objects prohibited by the Biological and Toxin Weapons Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use.

Article IX

1. The Conference reaffirms that Article IX identifies the recognized objective of effective prohibition of chemical weapons. The Conference welcomes conclusion of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, which was opened for signature on 13–15 January 1993 in Paris.

2. The Conference welcomes the fact that sixty-five instruments of ratification have now been deposited, and that the Convention will therefore enter into force on 29 April 1997.

3. The Conference stresses the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities should be among the original parties to the Convention and, in this context, the importance of the United States of America and the Russian Federation, having declared possession of chemical weapons, being among the original States Parties to the Convention.

4. The Conference calls upon all States that have not yet done so to sign and/or ratify the Convention without delay.

5. The Conference notes that the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons, at its fourteenth session (22–26 July 1996) entrusted the Chairman of the Commission, in close consultation with its member States, with the task of convening, as necessitated by circumstances in connection with the occurrence of the trigger point, a meeting of the Commission to provide appropriate guidance.

Article X

1. The Conference once more emphasizes the increasing importance of the provisions of Article X, especially in the light of recent scientific and technological developments in the field of biotechnology, bacteriological (biological) agents and toxins with peaceful applications, which have vastly increased the potential for cooperation between States to help promote economic and social development, and scientific and technological progress, particularly in the developing countries, in conformity with their interests, needs and priorities.

2. The Conference, while acknowledging what has already been done towards this end, notes with concern the increasing gap between the developed and the developing countries in the field of biotechnology, genetic engineering, microbiology and other related areas. The Conference urges all States Parties actively to continue to promote international cooperation and exchange with States Parties in the peaceful uses of biotechnology, and urges all States Parties possessing advanced biotechnology to adopt positive measures to promote technology transfer and international cooperation on an equal and non-discriminatory basis, in particular with the developing countries, for the benefit of all mankind. At the same time, the Conference stresses that measures to implement Article X need to be consistent with the objectives and provisions of the Convention.

3. The Conference recalls that the States Parties have a legal obligation to facilitate and have the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

4. The Conference emphasizes that States Parties should not use the provisions of the Convention to impose restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials.

5. The Conference notes that existing institutional ways and means of ensuring multilateral cooperation between the developed and developing countries would need to be developed further in order to promote international cooperation in peaceful activities in such areas as medicine, public health and agriculture.

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6. The Conference reiterates its call upon the Secretary-General of the United Nations to propose for inclusion on the agenda of a relevant United Nations body, before the next Review Conference, a discussion and examination of the means of improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information regarding the use of bacteriological (biological) agents and toxins for peaceful purposes.

7. The Conference recommends that invitations to participate in this discussion and examination should be extended to all States Parties, whether or not they are members of the United Nations or concerned specialized agencies.

8. The Conference, at the same time, notes that the Ad Hoc Group of States Parties was mandated by the Special Conference in September 1994 to consider specific measures designed to ensure effective and full implementation of Article X, which also avoid any restrictions incompatible with the obligations undertaken under the Convention, emphasizing that the provisions of the Convention should not be used to impose restrictions and/or limitations on the transfer for purposes consistent with the objectives and the provisions of the Convention of scientific knowledge, technology, equipment and materials.

9. The Conference takes note of the significant steps forward in promoting cooperation in the biological field taken by the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil, in 1992, including the adoption of Agenda 21 and the Rio Declaration, and by the Convention on Biological Diversity, and underlines their importance in the context of Article X implementation.

10. The Conference shares the worldwide concern about new, emerging and re-emerging infectious diseases and considers that the international response to them offers opportunities for increased cooperation in the context of Article X application and of strengthening the Convention. The Conference welcomes the efforts to establish a system of global monitoring of disease and encourages States Parties to support the World Health Organization, including its relevant newly established division, the FAO and the OIE, in these efforts directed at assisting Member States to strengthen national and local programmes of surveillance for infectious diseases and improve early notification, surveillance, control and response capabilities.

11. The Conference urges the use of existing institutional means within the United Nations system and the full utilization of the possibilities provided by the specialized agencies and other international organizations, and considers that the implementation of Article X could be enhanced through greater coordination among international cooperation programmes in the biological field for peaceful purposes conducted by States Parties, specialized agencies and other international organizations.

12. The Conference urges States Parties, the United Nations and its specialized agencies to take further specific measures within their competence for the promotion of the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and of international cooperation in this field. Such measures could include, *inter alia*:

1. Transfer and exchange of information concerning research programmes in biosciences and greater cooperation in international public health and disease control;

2. Wider transfer and exchange of information, materials and equipment among States on a systematic and long-term basis;

3. Active promotion of contacts between scientists and technical personnel on a reciprocal basis, in relevant fields;

4. Increased technical cooperation and assistance, including training programmes to developing countries in the use of biosciences and genetic engineering for peaceful purposes through active association with United Nations institutions, including the International Centre for Genetic Engineering and Biotechnology (ICGEB);

5. Facilitating the conclusion of bilateral, regional and multi-regional agreements providing, on a mutually advantageous, equal and non-discriminatory basis, for their participation in the development and application of biotechnology;

6. Encouraging the coordination of national and regional programmes and working out in an appropriate manner the ways and means of cooperation in this field;

7. Cooperation in providing information on their national epidemiological surveillance and data reporting systems, and in providing assistance, on a bilateral level and/or in conjunction with WHO, FAO and OIE regarding epidemiological and epizootical surveillance, with a view to improvements in the identification and timely reporting of significant outbreaks of human and animal diseases;

8. The promotion of programmes for the exchange and training of scientists and experts, and the exchange of scientific and technical information in the biological field between developed and developing countries.

13. The Conference considers that a worldwide data bank might be a suitable way of facilitating the flow of information in the field of genetic engineering, biotechnology and other scientific developments. In this context, the Conference underlines the importance of monitoring all related developments in the field of frontier science and high technology in the areas relevant to the Convention.

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14. The Conference requests the Secretary-General to collate on an annual basis, and for the information of States Parties, reports on how this article is being implemented.

15. The Conference welcomes the information provided by a number of States Parties on the cooperative measures they have undertaken towards fulfilling their Article X obligations and encourages States Parties in a position to do so to provide such information.

16. The Conference welcomes efforts to elaborate an international programme of vaccine development for the prevention of diseases which would involve the scientific and technical personnel from developing countries that are States Parties to the Convention. The Conference recognizes that such a programme will not only enhance peaceful international cooperation in biotechnology but also contribute to improving health care in developing countries, assist in establishing systems for worldwide monitoring of communicable diseases, and provide transparency in accordance with the Convention.

17. The Conference calls upon all States Parties in a position to do so to fully cooperate with the developing States Parties to the Convention in the area of promotion and financing the establishment of vaccine production facilities. The Conference recommends further that the relevant multilateral organizations and world financial institutions provide assistance for establishment and promotion of vaccine production projects in these countries.

Article XI

1. The Conference notes that the Islamic Republic of Iran has formally presented a proposal to amend Article I and the title of the Convention to include explicitly the prohibition of use of biological weapons.

2. The Conference notes that the Depositaries are notifying all States Parties of the proposal. The Conference encourages all States Parties to convey their views to the Depositaries on whether the Convention needs to be amended to make clear explicitly that the use of biological weapons is effectively prohibited.

3. The Conference requests the Depositaries to take such measures as may be requested by a majority of States Parties, including the option of convening a conference open to all States Parties to the Convention at the earliest appropriate opportunity to take a decision on the proposal, should a majority of the States Parties so decide.

4. The Conference meanwhile reaffirms the importance of Article XI. In this context the Conference underlines that the provisions of Article XI should in principle be implemented in such a way as not to affect the universality of the Convention.

Article XII

1. The Conference decides that a Fifth Review Conference shall be held in Geneva at the request of the majority of States Parties, or in any case, not later than 2001.

2. The Conference decides that the Fifth Review Conference shall consider, *inter alia*,

- The impact of scientific and technological developments relating to the Convention;
- The relevance of the provisions of, and the implementation of the Chemical Weapons Convention on the effective implementation of the Biological and Toxin Weapons Convention, duly taking into account the degree of universality attained by such conventions at the time of the Fifth Review Conference;
- The effectiveness of confidence-building measures as agreed at the Second and Third Review Conferences;
- The conclusions of a Special Conference, to which the Ad Hoc Group shall submit its report, including a legally-binding instrument to strengthen the Biological and Toxin Weapons Convention, which shall be adopted by consensus, to be held as soon as possible before the commencement of the Fifth Review Conference; and further action as appropriate;
- The requirement for, and the operation of, the requested allocation by the United Nations Secretary-General of staff resources and other requirements to assist the effective implementation of the relevant decisions of the Fourth Review Conference.

3. The Review Conference recommends that conferences of States Parties to review the operation of the Convention should be held at least every five years.

Article XIII

The Conference notes the provisions of Article XIII and, while emphasizing that the Convention is of unlimited duration and applies at all times, expresses its satisfaction that no State Party to the Convention has exercised its right to withdraw from the Convention.

Article XIV

1. The Conference notes with satisfaction that a number of States have acceded to the Convention since the Third Review Conference.

2. The Convention calls upon States which have not yet ratified or acceded to the Convention to do so without delay and upon those States which have not signed the Convention to join the States Parties thereto, thus contributing to the achievement of universal adherence to the Convention.

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3. In this connection, the Conference requests States Parties to encourage wider adherence to the Convention.

4. The Conference particularly welcomes regional initiatives that would lead to wider accession to the Convention.

5. The Fourth Review Conference appeals to those States Parties to the Biological and Toxin Weapons Convention which have taken part in the Conference to participate in the implementation of provisions contained in the Final Declaration of this Conference. The Conference also appeals to all States Parties to participate actively in the Ad Hoc Group of States Parties, with a view to the early completion of its work to strengthen the Convention.

Article XV

The Conference notes the importance of this Article as well as the importance of the legal status of the languages of the Convention and United Nations system in the work of the Ad Hoc Group established by the Special Conference in 1994.

Consideration of the work of the Ad Hoc Group established by the Special Conference in 1994

The Conference welcomes the report on the progress of the Ad Hoc Group as contained in BWC/AD HOC GROUP/32 and notes in particular the following:

- The Special Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (September 1994) agreed to establish an Ad Hoc Group open to all States Parties to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention.
- Since its establishment, the Ad Hoc Group has held one short organizational session and four substantive sessions of a duration of two weeks each.
- In accordance with its mandate, as contained in the Final Report of the Special Conference (BBC/SPCONF/1), the Ad Hoc Group has been considering appropriate measures, including possible verification measures, to strengthen the Convention. Where relevant, consideration of issues has sought to build on the considerable body of technical work connected with strengthening the Biological and Toxin Weapons Convention regime undertaken by the Ad Hoc Group of Technical Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint (VEREX) in 1992 and 1993.
- The Ad Hoc Group has made significant progress towards fulfilling the mandate given by the Special Conference, including by identifying a preliminary framework and elaborating potential basic elements of a legally-binding instrument to strengthen the Convention.

—Nevertheless, the Ad Hoc Group was not able to complete its work and submit its report including a draft of the future legally-binding instrument to the States Parties for consideration at the Fourth Review Conference. In this context it is noted that the cumulative period allocated to substantive negotiations in the Ad Hoc Group has been eight weeks.

The Conference welcomes the decision of the Ad Hoc Group, in order to fulfil its mandate, to intensify its work with a view to completing it as soon as possible before the commencement of the Fifth Review Conference and submit its report, which shall be adopted by consensus, to the States Parties, to be considered at a Special Conference. The Conference encourages the Ad Hoc Group to review its method of work and to move to a negotiating format in order to fulfil its mandate.

The Conference notes that the Ad Hoc Group is considering, as part of its continuing work, definitions of terms and objective criteria, such as lists of bacteriological (biological) agents and toxins, their threshold quantities, as well as equipment and types of activities, where relevant for specific measures designed to strengthen the Convention.

APPENDIX III

Final Declaration of the Review Conference of the States Parties 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

THE HIGH CONTRACTING PARTIES 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 MET IN VIENNA FROM 25 SEPTEMBER TO 13 OCTOBER 1995, THEN IN GENEVA FROM 15 TO 19 JANUARY 1996 FOR THE FIRST RESUMED SESSION AND IN GENEVA FROM 22 APRIL TO 3 MAY 1996 FOR THE SECOND RESUMED SESSION, TO REVIEW THE SCOPE AND OPERATION OF THE CONVENTION AND THE PROTOCOLS ANNEXED THERETO AND TO CONSIDER ANY PROPOSAL FOR AMENDMENTS OF THE CONVENTION OR OF THE EXISTING PROTOCOLS, AS WELL AS PROPOSALS FOR ADDITIONAL PROTOCOLS RELATING TO OTHER CATEGORIES OF CONVENTIONAL WEAPONS NOT COVERED BY THE EXISTING ANNEXED PROTOCOLS

Deeply concerned that the indiscriminate effects of the irresponsible use of land-mines, particularly anti-personnel land-mines, are estimated to kill or maim hundreds of people each week, mostly unarmed civilians, obstruct economic development and reconstruction and have other severe consequences, which include inhibiting the repatriation of refugees and the return of internally displaced persons,

Gravely concerned with the suffering and casualties caused to civilians by the irresponsible use, as well as the proliferation of land-mines, booby-traps and other devices, in particular the acute problem of anti-personnel land-mines,

Reaffirming the need to reinforce international cooperation in the area of prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects,

Reaffirming their conviction that a general and verifiable agreement on prohibitions or restrictions on the use of certain conventional weapons which

may be deemed to be excessively injurious or to have indiscriminate effects would significantly reduce the suffering of civilians and combatants,

Welcoming the adoption of an amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices,

Noting that remotely delivered anti-personnel mines can pose a grave danger to civilian life and livelihood, especially due to the nature of the delivery and the consequent difficulty in marking and fencing them,

Reaffirming also the need to reinforce international cooperation in the area of mine clearance and to devote greater resources towards that end,

Recognizing the important role that the international community, particularly States involved in the deployment of mines, can play in assisting in mine clearance in affected countries through the provision of necessary maps and information and appropriate technical and material assistance to remove or otherwise render ineffective existing minefields, mines and booby-traps,

Expressing their appreciation of the financial contributions provided by States and regional organizations to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance and for the contributions in kind provided to the demining stand-by capacity of the United Nations,

Noting the national moratoria and other unilateral measures on halting the production, export, transfer or sale, on reducing stockpiles and on adopting legislation aimed at the total elimination of anti-personnel land-mines,

Noting also that a number of States have further abstained from the acquisition, production, transfer and stockpiling of anti-personnel land-mines,

Noting the fact that a growing number of States, international, regional and non-governmental organizations do their utmost to achieve urgently the total elimination of anti-personnel land-mines,

Conscious of the urgent need to counter the silent and invisible threat to human sight posed by the threat of blinding laser weapons,

Welcoming the adoption of Protocol IV on Blinding Laser Weapons as a codification and progressive development of the rules of international law,

Noting that a number of issues could be considered in the future, for example at a review conference, taking into account scientific and technological developments, including the questions of prohibition on the use, production, stockpiling and transfer of blinding laser weapons and the question of compliance with regard to such weapons, as well as other pertinent issues, such as the definition of "permanent blindness", including the concept of field of vision,

Recognizing the specific role of the International Committee of the Red Cross and encouraging it to continue to work to facilitate further ratifica-

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tion and accession to the Convention, to disseminate its contents and to lend its expertise to future review conferences,

Acknowledging the invaluable humanitarian efforts of non-governmental organizations in armed conflicts and welcoming the expertise they have brought to the Review Conference itself,

SOLEMNLY DECLARE:

- Their commitment to respect the objectives and provisions of the Convention and its annexed Protocols as an authoritative international instrument governing the use of certain conventional weapons, which may be deemed to be excessively injurious or to have indiscriminate effects,
- Their determination to call upon all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention and its annexed Protocols and upon successor States to take appropriate measures so that ultimately this instrument will be universal,
- Their conviction that States should strive towards the goal of the eventual elimination of anti-personnel land-mines, consistent with the terms of the United Nations General Assembly Resolution 50/70 (O),
- Their commitment to continue to strive for a complete ban on transfer of all anti-personnel land-mines in the context of their eventual elimination consistent with the terms of the United Nations General Assembly Resolution 50/70 (O),
- Their satisfaction at the adoption of an amended Protocol II on mines, booby-traps and other devices,
- That the prohibitions and restrictions on the use and transfer of anti-personnel mines in Protocol II shall facilitate and advance the achievement of the ultimate goal of the eventual elimination of anti-personnel mines, consistent with the terms of the United Nations General Assembly Resolution 50/70 (O),
- The importance they attach to the earliest possible entry into force of the amended Protocol, and their desire that all States, pending its entry into force, respect and ensure respect for the substantive provisions of the amended Protocol to the fullest extent possible,
- Their commitment to keep the provisions of Protocol II under review in order to ensure that the concerns regarding the weapons it covers are addressed,
- That nothing in the amended Protocol II shall be invoked as affecting the Purposes and Principles contained in the Charter of the United Nations,
- Their commitment to ban all remotely delivered mines without effective self-deactivation features and either self-destruction or self-neutralization

- mechanisms and their recognition of the need to strive for a ban on all remotely delivered anti-personnel mines as viable alternatives are developed that significantly reduce the risk to the civilian population,
- Their recognition of the importance for the purposes of facilitating and accelerating mine clearance of the application of the prohibition of the use of non-detectable anti-personnel mines,
 - Their commitment to reinforce international cooperation for mine clearance, the development and dissemination of more effective technologies for mine clearance and the transfer of technology to facilitate the implementation of the prohibitions and restrictions set out in Protocol II and to seek to devote the resources necessary for this purpose,
 - Their commitment to assist, to the extent feasible, impartial humanitarian demining missions, operating with the consent of the host State and/or the relevant States parties to the conflict, in particular by providing all necessary information in their possession covering the location of all known minefields, mined areas, mines, booby-traps and other devices in the area in which the mission is performing its functions,
 - Their recognition that the growing number of national moratoria and other unilateral measures restricting or halting the production, use, export, transfer, sale or stockpiling of anti-personnel mines, aimed at their eventual elimination are encouraging steps,
 - That they will encourage efforts of the United Nations and other organizations to address all the problems of land-mines,
 - Their satisfaction at the adoption of the Protocol on Blinding Laser Weapons (Protocol IV) to the Convention,
 - Their conviction of the importance of the earliest possible entry into force of Protocol IV,
 - Their desire that all States, pending the entry into force, respect and ensure respect of the substantive provisions of Protocol IV to the fullest extent possible,
 - Their recognition of the need for achieving the total prohibition of blinding laser weapons, the use and transfer of which are prohibited in Protocol IV,
 - Their wish to keep the issue of the blinding effects related to the use of laser systems under consideration,
 - Their commitment to follow up the review process begun at the First Review Conference and, for that purpose, establish a regular review mechanism for the Convention and its annexed Protocols.

The High Contracting Parties recognize that the important principles and provisions contained in this Final Declaration can also serve as a basis for further

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strengthening the Convention and its Protocols and express their determination to implement them.

Review of the Preamble

Preambular paragraph 3

The Conference recalls the obligation to determine in the study, development, acquisition or adoption of a new weapon, means and method of warfare, whether its employment would, in some or all circumstances, be prohibited under any rule of international law applicable to the High Contracting Parties.

Preambular paragraph 8

The Conference reaffirms the need to continue the codification and progressive development of the rules of international law applicable to certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects.

Preambular paragraph 10

The Conference underlines the need to achieve wider adherence to the Convention and its annexed Protocols. The Conference welcomes recent ratifications and accessions to the Convention and its annexed Protocols and urges the High Contracting Parties to accord high priority to their diplomatic efforts to encourage further adherence with a view to achieving universal adherence by the year 2000.

Review of the Articles

Article 1

The Conference acknowledges and confirms that the High Contracting Parties broadened the scope of Protocol II.

Article 2

The Conference reaffirms that nothing in the Convention or its annexed Protocols shall be interpreted as detracting from other obligations imposed upon the High Contracting Parties by international humanitarian law.

Article 3

The Conference notes the provisions of Article 3.

Article 4

The Conference notes that 58 States have ratified, accepted, acceded or succeeded to the Convention.

The Conference calls upon States which are not parties to this Convention to ratify, accept, approve or accede, as appropriate, to the Convention, thus contributing to the achievement of universal adherence to the Convention.

The Conference, in this context, invites the High Contracting Parties to encourage further accessions to the Convention and its annexed Protocols.

Article 5

The Conference notes the provisions of Article 5.

Article 6

The Conference underlines the importance of international cooperation in the field of dissemination of the Convention and its annexed Protocols and recognizes the importance of multilateral collaboration relating to instruction, the exchange of experience at all levels, the exchange of instructors and the organization of joint seminars.

The Conference takes note of an invitation by a High Contracting Party to a seminar concerning dissemination.

Article 7

The Conference notes the provisions of Article 7.

Article 8

The Conference agrees that future Review Conferences should be held more frequently, with consideration to be given to holding a Review Conference every five years. The Conference decides, consistent with Article 8.3(c) to convene a further Conference five years following the entry into force of the amendments adopted at the First Review Conference, but in any case not later than 2001, with preparatory expert meetings starting as early as 2000, if necessary.

The Conference welcomes the adoption of the text of an amended Protocol II in accordance with subparagraph 3(a) of this Article.

The Conference recalls the provisions of subparagraph 3(b) of this Article which stipulates that consideration may be given to any proposal for additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols. The Conference welcomes the adoption on 13 October 1995 of the text of an additional Protocol on Blinding Laser Weapons (Protocol IV).

The Conference proposes that the next Review Conference may consider the question of preparing a possible additional Protocol on small-calibre weapons and ammunition.

The Conference proposes that the next Review Conference consider the question of eventual further measures in relation to naval mines and other conventional weapons, which may be deemed to cause unnecessary suffering or to have indiscriminate effects.

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Article 9

The Conference notes with satisfaction that the provisions of this Article have not been invoked.

Article 10

The Conference notes the provisions of Article 10.

Article 11

The Conference notes the request by the delegation of China to correct the original Chinese text of the Convention and its annexed Protocols.

Review of the Protocols

Protocol on Non-Detectable Fragments (Protocol I)

The Conference takes note of the provisions of this Protocol.

Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II) and Technical Annex to the Protocol

The Conference has comprehensively reviewed the scope and operation of the original Protocol. The Conference is deeply concerned that despite the existence of the Protocol, hundreds of people, mostly unarmed civilians, are estimated to be killed or maimed each week by the indiscriminate effect of the irresponsible use of land-mines, in particular anti-personnel mines; and also that unarmed civilians continue to be victims of indiscriminate effects of irresponsible use of booby-traps and other devices. These actions also obstruct agriculture and economic development and reconstruction, and inhibit the repatriation of refugees and the return of internally displaced persons and cause intolerable situations in many parts of the world,

The Conference concluded that the original Protocol should be strengthened in a number of areas. The Conference therefore adopts the amended Protocol which brings about important improvements in such areas as the scope of its application, general restrictions from the humanitarian point of view, substantive prohibitions and restrictions on mine use, transfers, compliance provisions, mine clearance obligations and in the field of technological cooperation, and anticipates that these and other related issues could be further addressed at future review conferences with due regard to continuing humanitarian concerns,

The Conference encourages the High Contracting Parties which defer the application of the technical requirements as specified in the Technical Annex to make all best endeavours to comply with such requirements in accordance with paragraphs 2 and 3 of the Technical Annex during the deferral periods,

The Conference looks forward to the first annual meeting of States parties which will be convened pursuant to new Article 13 after entry into force of the amended Protocol,

The Conference proposes that the Depositary convene, at an early date, following entry into force of the Protocol, a preparatory meeting for the first Annual Conference of the Parties under Article 13 of the amended Protocol. Such a preparatory meeting should elaborate and propose for the Annual Conference the draft Rules of Procedure of the Conference and Agenda items which may include review of the operation and status of the Protocol,

The Conference acknowledges the valuable work of relevant agencies and bodies of the United Nations; of the International Committee of the Red Cross pursuant to its mandate to assist war victims and of NGOs in a number of fields, in particular surgical care and rehabilitation of mine victims, implementation of mine-awareness programmes and mine clearance.

*Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons
(Protocol III)*

The Conference takes note of the provisions of this Protocol.

APPENDIX IV

Text of disarmament resolutions and decisions

Resolution 50/245

Comprehensive nuclear test-ban treaty

The General Assembly,

Recalling its resolution 50/65 of 12 December 1995, in which the Assembly declared its readiness to resume consideration of the item "Comprehensive test-ban treaty", as necessary, before its fifty-first session in order to endorse the text of a comprehensive nuclear-test-ban treaty,

1. *Adopts* the Comprehensive Nuclear-Test-Ban Treaty, as contained in document A/50/1027;
2. *Requests* the Secretary-General, as depositary of the Treaty, to open it for signature, at United Nations Headquarters, at the earliest possible date;
3. *Calls upon* all States to sign and, thereafter, according to their respective constitutional processes, to become parties to the Treaty at the earliest possible date;
4. *Also requests* the Secretary-General, as depositary of the Treaty, to report to the General Assembly at its fifty-second session on the status of signature and ratifications of the Treaty.

Resolution 51/37

Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament

The General Assembly,

Recalling its previous resolutions on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons,

Taking note of paragraph 77 of the Final Document of the Tenth Special Session of the General Assembly,

Determined to prevent the emergence of new types of weapons of mass destruction that have characteristics comparable in destructive effect to those of weapons of mass destruction identified in the definition of weapons of mass destruction adopted by the United Nations in 1948,

Noting that the item entitled "New types of weapons of mass destruction and new systems of such weapons: radiological weapons" was considered in the Conference on Disarmament during its 1994, 1995 and 1996 sessions,

Also noting the desirability of keeping the matter under review, as appropriate,

1. *Reaffirms* that effective measures should be taken to prevent the emergence of new types of weapons of mass destruction;

2. *Requests* the Conference on Disarmament, without prejudice to further overview of its agenda, to keep the matter under review, as appropriate, with a view to making, when necessary, recommendations on undertaking specific negotiations on identified types of such weapons;

3. *Calls upon* all States, immediately following any recommendations of the Conference on Disarmament, to give favourable consideration to those recommendations;

4. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this item by the General Assembly at its fifty-first session;

5. *Requests* the Conference on Disarmament to report the results of any consideration of the matter in its annual reports to the General Assembly;

6. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament".

Resolution 51/38

Objective information on military matters, including transparency of military expenditures

The General Assembly,

Recalling its resolution 49/66 of 15 December 1994 on objective information on military matters, including transparency of military expenditures,

Also recalling its resolution 35/142 B of 12 December 1980, which introduced the United Nations system for the standardized reporting of military expenditures, and its resolution 48/62 of 16 December 1993, calling upon all Member States to participate in it, and its resolution 47/54 B of

9 December 1992, endorsing the guidelines and recommendations for objective information on military matters and inviting Member States to provide relevant information to the Secretary-General regarding their implementation,

Noting that since then national reports on military expenditures and on the guidelines and recommendations for objective information on military matters have been submitted by a number of Member States belonging to different geographic regions,

Welcoming the report of the Secretary-General on ways and means to implement the guidelines and recommendations for objective information on military matters, including, in particular, how to strengthen and broaden participation in the United Nations system for the standardized reporting of military expenditures,

Expressing its appreciation to the Secretary-General for providing Member States with the reports on military expenditures in standardized form reported by States and on guidelines and recommendations for objective information on military matters,

Welcoming the decision of many Member States to exchange and to publish information annually on their military budgets and to implement the guidelines and recommendations for objective information on military matters, as appropriate,

Reaffirming its firm conviction that a better flow of objective information on military matters can help to relieve international tension and contribute to the building of confidence among States and to the conclusion of concrete disarmament agreements,

Convinced that the improvement of international relations forms a sound basis for promoting further openness and transparency in all military matters,

Recalling that the guidelines and recommendations for objective information on military matters recommended certain areas for further consideration, such as the improvement of the United Nations system for the standardized reporting of military expenditures,

1. *Recommends* the guidelines and recommendations for objective information on military matters to all Member States for implementation, fully taking into account specific political, military and other conditions prevailing in a region, on the basis of initiatives and with the agreement of the States of the region concerned;

2. *Calls upon* all Member States to report annually, by 30 April, to the Secretary-General their military expenditures for the latest fiscal year for which data are available, using, for the time being, the reporting instrument as recommended in its resolution 35/142 B;

3. *Requests* the Secretary-General to circulate annually the reports on military expenditures as received from Member States;

4. *Also requests* the Secretary-General to seek the views of Member States and make recommendations on necessary changes to the content and structure of the United Nations system for the standardized reporting of military expenditures in order to strengthen and broaden participation, and to submit a report within existing resources on the subject to the General Assembly at its fifty-second session;

5. *Calls upon* all Member States, in time for the deliberation by the General Assembly at its fifty-second session, to provide the Secretary-General with their views on ways and means to strengthen and broaden participation in the United Nations system for the standardized reporting of military expenditures, including necessary changes to its content and structure;

6. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Objective information on military matters, including transparency of military expenditures".

Resolution 51/39

The role of science and technology in the context of international security and disarmament

The General Assembly,

Recognizing that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Concerned that military applications of scientific and technological developments can contribute significantly to the improvement and upgrading of weapons of mass destruction,

Aware of the need to follow closely the scientific and technological developments that may have a negative impact on international security and disarmament, and to channel scientific and technological developments for beneficial purposes,

Cognizant that the international transfers of dual-use as well as high-technology products, services and know-how for peaceful purposes are important for the economic and social development of States,

Expressing concern over the growing proliferation of ad hoc and exclusive export control regimes and arrangements for dual-use goods and technologies,

Recalling that the Final Document of the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995, noted that restrictions being placed on access to technology through the imposition of non-transparent ad hoc export control regimes with exclusive membership tended to impede the economic and social development of developing countries,

Emphasizing that internationally negotiated guidelines for the transfer of high technology with military applications should take into account the legitimate defence requirements of all States and requirements for the maintenance of international peace and security, while ensuring that access to high-technology products and services and know-how for peaceful purposes is not denied,

1. *Affirms* that scientific and technological progress should be used for the benefit of all mankind to promote the sustainable economic and social development of all States and to safeguard international security, and that international cooperation in the use of science and technology through the transfer and exchange of technological know-how for peaceful purposes should be promoted;

2. *Invites* Member States to undertake additional efforts to apply science and technology for disarmament-related purposes and to make disarmament-related technologies available to interested States;

3. *Urges* Member States to undertake multilateral negotiations with the participation of all interested States in order to establish universally acceptable, non-discriminatory guidelines for international transfers of dual-use goods and technologies and high technology with military applications;

4. *Recalls* the report of the Secretary-General entitled "Scientific and technological developments and their impact on international security", and requests the Secretary-General to update and further develop that report in order to evaluate the impact of recent scientific and technological developments, especially those which have potential military applications, and to submit a report to the General Assembly no later than at its fifty-third session;

5. *Encourages* United Nations bodies to contribute, within existing mandates, to promoting the application of science and technology for peaceful purposes;

6. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "The role of science and technology in the context of international security and disarmament".

Resolution 51/40

The role of science and technology in the context of international security, disarmament and other related fields

The General Assembly,

Recalling its previous resolutions on the subject of the role of science and technology in the context of international security, disarmament and other related fields, in which, *inter alia*, it recognized that scientific and technological developments could have both civilian and military applications and that progress in science and technology for civilian applications needed to be maintained and encouraged,

1. *Invites* Member States to enhance bilateral and multilateral dialogue on the role of science and technology in the context of international security, disarmament and other related fields, with a view to:

(a) Ensuring implementation of relevant commitments already undertaken under international legal instruments;

(b) Exploring ways and means of further developing international legal rules on transfers of high technology with military applications;

2. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "The role of science and technology in the context of international security, disarmament and other related fields".

Resolution 51/41

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994 and 50/66 of 12 December 1995 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of resolution 50/66,

1. *Urges* all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Calls upon* all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of resolution GC(40)RES/22, adopted on 20 September 1996 by the General Conference of the International Atomic Energy Agency at its fortieth regular session, concerning the application of Agency safeguards in the Middle East;

4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their

support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. *Takes note* of the report of the Secretary-General;

9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;

11. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-second session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

Resolution 51/42

Establishment of a nuclear-weapon-free zone in South Asia

The General Assembly,

Recalling its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976, 32/83 of 12 December 1977, 33/65 of 14 December 1978, 34/78 of 11 December 1979, 35/148 of 12 December 1980, 36/88 of 9 December 1981, 37/76 of 9 December 1982, 38/65 of 15 December 1983, 39/55 of 12 December 1984, 40/83 of 12 December 1985, 41/49 of 3 December 1986, 42/29 of 30 November 1987, 43/66 of 7 December 1988, 44/109 of 15 December 1989, 45/53 of 4 December 1990, 46/31 of 6 December 1991, 47/49 of 9 December 1992,

48/72 of 16 December 1993, 49/72 of 15 December 1994 and 50/67 of 12 December 1995 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures that can contribute effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will assist in the strengthening of the security of the States of the region against the use or threat of use of nuclear weapons,

Taking note with appreciation of the declarations issued at the highest level by the Governments of South Asian States that are developing their peaceful nuclear programmes, reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

Welcoming the proposal for the conclusion of a bilateral or regional nuclear-test-ban agreement in South Asia,

Noting the proposal to convene, under the auspices of the United Nations, a conference on nuclear non-proliferation in South Asia as soon as possible, with the participation of the regional and other concerned States,

Noting the proposal to hold consultations among five nations with a view to ensuring nuclear non-proliferation in the region,

Considering that the eventual participation of other States, as appropriate, in this process could be useful,

Bearing in mind the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

Taking note of the report of the Secretary-General,

1. *Reaffirms* its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

2. *Urges once again* the States of South Asia to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to that objective;

3. *Welcomes* the support of all the five nuclear-weapon States for this proposal, and calls upon them to extend the necessary cooperation in the efforts to establish a nuclear-weapon-free zone in South Asia;

4. *Requests* the Secretary-General to communicate with the States of the region and other concerned States in order to ascertain their views on the issue and to promote consultations among them with a view to exploring

the best possibilities of furthering the efforts for the establishment of a nuclear-weapon-free zone in South Asia;

5. *Also requests* the Secretary-General to report on the subject to the General Assembly at its fifty-second session;

6. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

Resolution 51/43

Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Noting that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Determined strictly to abide by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures and arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-

weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session, the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, *inter alia*, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons, with a view to reaching agreement on this item,

Taking note of the proposals submitted under that item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the relevant decision of the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995, and also of the decision adopted by the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992, as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Twentieth Islamic Conference of Foreign Ministers, held at Istanbul from 4 to 8 August 1991, calling upon the Conference on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Taking note further of the unilateral declarations made by all nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against non-nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Noting also the greater willingness to overcome the difficulties encountered in previous years,

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Taking note of Security Council resolution 984 (1995) of 11 April 1995 and the views expressed on it,

Recalling its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994 and 50/68 of 12 December 1995,

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. *Recommends also* that the Conference on Disarmament should actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

Resolution 51/44

Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Text of resolutions and decisions

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development,

Reaffirming also provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, in which it is stated that in order to prevent an arms race in outer space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its previous resolutions on this issue and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing that prevention of an arms race in outer space would avert a grave danger for international peace and security,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space, and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

Regretting the inability of the Conference on Disarmament to re-establish the Ad Hoc Committee in 1996,

Emphasizing the mutually complementary nature of bilateral and multi-lateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling in this context its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, *inter alia*, it reaffirmed the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that the conclusion of an international agreement or agreements to prevent an arms race in outer space remains the fundamental task of the Ad Hoc Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space, and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;

2. *Reaffirms its recognition*, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness, and that it is important strictly to comply with existing agreements, both bilateral and multilateral;

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Requests* the Conference on Disarmament to re-establish the Ad Hoc Committee with a negotiating mandate at the beginning of its 1997

session, taking into account the work undertaken since 1985, with a view to conducting negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects;

7. *Recognizes*, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

8. *Urges* States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral or multilateral negotiations relating to the prevention of an arms race in outer space, if any, so as to facilitate its work;

9. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Prevention of an arms race in outer space".

Resolution 51/45 A

Treaty on the Non-Proliferation of Nuclear Weapons: 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee

The General Assembly,

Recalling its resolution 2373 (XXII) of 12 June 1968, the annex to which contains the Treaty on the Non-Proliferation of Nuclear Weapons,

Noting the provisions of article VIII, paragraph 3, of the Treaty regarding the convening of Review Conferences at five-year intervals,

Recalling the decision on strengthening the review process for the Treaty, of the 1995 Review and Extension Conference of Parties to the Treaty in which it was agreed that Treaty Review Conferences should continue to be held every five years and that, accordingly, the next Review Conference should be held in the year 2000,

Recalling also the decision of the 1995 Review and Extension Conference that the first Preparatory Committee meeting for the 2000 Review Conference should be held in 1997,

Recalling further its resolution 50/70 Q of 12 December 1995, in which it took note of the various decisions of the 1995 Review and Extension Conference,

1. *Takes note* of the decision of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons, following appropriate consultations, to hold the first meeting of the Preparatory Committee in New York from 7 to 18 April 1997;

2. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required

for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee.

Resolution 51/45 B

**The nuclear-weapon-free southern hemisphere
and adjacent areas**

The General Assembly,

Determined to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

Stressing the importance of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, establishing nuclear-weapon-free zones, as well as the Antarctic Treaty,

Recalling that, at its first special session devoted to disarmament, the General Assembly declared, *inter alia*, that the establishment of nuclear-weapon-free zones on the basis of agreements or arrangements freely arrived at among the States of the zone concerned constitutes an important disarmament measure; that the States participating in such zones should undertake to comply fully with all the objectives, purposes and principles of the agreements or arrangements establishing the zones, thus ensuring that they are genuinely free from nuclear weapons; and that the nuclear-weapon States are called upon to give undertakings, negotiated with the competent authority of each zone, in particular, to respect strictly the status of the nuclear-weapon-free zone and to refrain from the use or threat of use of nuclear weapons against the States of the zone,

Recalling also that the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirmed the conviction that the establishment of internationally recognized nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, enhances global and regional peace and security, and encouraged the development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East,

Recalling further the applicable principles and rules of international law relating to rights of passage through maritime space,

1. *Recognizes with satisfaction* that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;

2. *Calls* for the ratification of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba by all regional States, and calls upon all concerned States to continue to work together in order to facilitate adherence to the protocols to nuclear-weapon-free zone treaties by all relevant States that have not yet done so;

3. *Calls upon* all States to consider proposals to establish further nuclear-weapon-free zones, especially in areas such as the Middle East and South Asia, on the basis of arrangements freely arrived at among the States of the region concerned, to strengthen the nuclear non-proliferation regime and, with particular reference to the responsibilities of the nuclear-weapon States, to advance the process of nuclear disarmament with the ultimate goal of eliminating all nuclear weapons;

4. *Calls upon* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, in order to promote the common goals envisaged in those treaties, to explore and implement further ways and means of cooperation, including the consolidation of the status of the nuclear-weapon-free southern hemisphere and adjacent areas;

5. *Encourages* the competent authorities of nuclear-weapon-free zone treaties to provide assistance to the States parties and signatories to such treaties so as to facilitate the accomplishment of these goals;

6. *Decides* to include in the provisional agenda of its fifty-second session an item entitled "The nuclear-weapon-free southern hemisphere and adjacent areas".

Resolution 51/45 C

Convening of the fourth special session of the General Assembly devoted to disarmament

The General Assembly,

Recalling its resolutions 49/75 I of 15 December 1994 and 50/70 F of 12 December 1995,

Recalling also that, there being a consensus to do so in each case, three special sessions of the General Assembly devoted to disarmament were held in 1978, 1982 and 1988, respectively,

Bearing in mind the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, and the objective of general and complete disarmament under effective international control,

Welcoming the recent positive changes in the international landscape, characterized by the end of the cold war, the relaxation of tensions at the global level and the emergence of a new spirit governing relations among nations,

Taking note of paragraph 108 of the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995, which supported the convening of the fourth special session of the General Assembly devoted to disarmament in 1997, which would offer an opportunity to review, from a perspective more in tune with the current international situation, the most critical aspects of the process of disarmament and to mobilize the international community and public opinion in favour of the elimination of nuclear and other weapons of mass destruction and of the control and reduction of conventional weapons,

Taking note also of the interim report of the 1996 substantive session of the Disarmament Commission on the item entitled "Exchange of views on the fourth special session of the General Assembly devoted to disarmament",

Desiring to build upon the constructive exchange of views on the fourth special session of the General Assembly devoted to disarmament during the 1996 substantive session of the Disarmament Commission,

Reiterating its conviction that a special session of the General Assembly devoted to disarmament can set the future course of action in the field of disarmament, arms control and related international security matters,

Emphasizing the importance of multilateralism in the process of disarmament and arms control, peace and security,

Noting that, with the completion of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and the adoption of the Comprehensive Nuclear-Test-Ban Treaty, as well as of amended Protocol II and new Protocol IV 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, the following years would be opportune for the international community to start the process of reviewing the state of affairs in the entire field of disarmament and arms control in the post-cold-war era,

1. *Decides*, subject to the emergence of a consensus on its objectives and agenda, to convene its fourth special session devoted to disarmament in 1999;

2. *Notes* the view of the Secretary-General that preparations for the special session could begin in 1997;

3. *Decides*, subject to the outcome of deliberations concerning the fourth special session of the General Assembly devoted to disarmament at the 1997 substantive session of the Disarmament Commission, to convene a meeting of the Preparatory Committee for the Fourth Special Session of the General Assembly devoted to Disarmament before the end of the fifty-first

session of the Assembly in order to set an exact date and to decide on organizational matters relating to the convening of the special session, and requests the Preparatory Committee to submit its progress report to the Assembly at its fifty-second session;

4. *Requests* the Secretary-General to provide the Preparatory Committee with all necessary assistance, including essential background information and relevant documents as necessary;

5. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Convening of the fourth special session of the General Assembly devoted to disarmament" and, subject to the outcome of deliberations at the 1997 substantive session of the Disarmament Commission, to take up the report of the Preparatory Committee for the Fourth Special Session of the General Assembly Devoted to Disarmament.

Resolution 51/45 D

Relationship between disarmament and development

The General Assembly,

Recalling the provisions of the Final Document of the Tenth Special Session of the General Assembly concerning the relationship between disarmament and development,

Recalling also the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,

Recalling further its resolutions 49/75 J of 15 December 1994 and 50/70 G of 12 December 1995,

Bearing in mind the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,

Stressing the growing importance of the symbiotic relationship between disarmament and development in current international relations,

1. *Acknowledges* the note by the Secretary-General and actions taken in accordance with the Final Document of the International Conference on the Relationship between Disarmament and Development;

2. *Urges* the international community to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever widening gap between developed and developing countries;

3. *Invites* all Member States to communicate to the Secretary-General, by 15 April 1997, their views and proposals for the implementation of the

action programme adopted at the International Conference on the Relationship between Disarmament and Development, as well as any other views and proposals with a view to achieving the goals of the action programme, within the framework of current international relations;

4. *Requests* the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the International Conference;

5. *Also requests* the Secretary-General to submit a report to the General Assembly at its fifty-second session;

6. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Relationship between disarmament and development".

Resolution 51/45 E

Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

The General Assembly,

Recalling its resolution 50/70 M of 12 December 1995,

Emphasizing the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements,

Recognizing that it is necessary duly to take into account the agreements adopted at the United Nations Conference on Environment and Development, as well as prior relevant agreements, in the drafting and the implementation of agreements on disarmament and arms limitation,

Mindful of the detrimental environmental effects of the use of nuclear weapons,

Taking note of the preamble to the Comprehensive Nuclear Test-Ban Treaty, opened for signature on 24 September 1996, concerning the contribution to environmental protection provided by the Treaty,

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament, *inter alia*, to consider effective methods to control radiological means of warfare, in the interest of averting the hazards of using radioactive wastes as a means of radiological warfare, and of their impact on international security and environmental preservation,

Recognizing that prevention of the nuclear arms race on the seabed and the ocean floor and in the subsoil thereof contributes to keeping the peace and protecting the environment,

Convinced of the general interest of mankind in the progress of the exploration and use of outer space for peaceful purposes, and the need to preserve the world's environment in this context,

Desirous that, in the interest of mankind, Antarctica should continue to be used for exclusively peaceful purposes and that the balance of that important ecosystem should be preserved,

Taking note of the environment-related provisions laid down in the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,

Convinced of the importance of strengthening the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction through the adoption of appropriate measures, including possible verification measures, and the drafting of proposals to be included, as appropriate, in a legally binding instrument, on the basis of the findings of the ad hoc working group set up to that effect, and which, *inter alia*, should take into account the necessity of ensuring the preservation of the environment,

Conscious that the international transfer of relevant technologies, services and know-how for peaceful purposes can contribute positively to abiding by environmental norms in the framework of the disarmament and arms limitation agreements,

1. *Invites* the Conference on Disarmament to take every necessary measure to include the relevant environmental norms and provisions in negotiating treaties and agreements on disarmament and arms limitation, taking into account the need to preserve the world's environment and to ensure the strict observance of such environmental norms and provisions during the entire process of implementation of the provisions of the aforementioned treaties and agreements, particularly during the process of destruction of the arms covered by them;

2. *Requests* the Conference on Disarmament to take into account, in the negotiations for a convention on the prohibition of radiological weapons, radioactive wastes as part of the scope of such a convention, as well as express provisions relating to environmental protection;

3. *Expresses grave concern* regarding any use of nuclear wastes that would constitute radiological warfare and have grave implications for the national security of all States and for preserving the environment;

4. *Urges* States parties to comply strictly with the provisions of the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof, and calls on States that possess nuclear weapons and other weapons of mass destruction that have not yet done so, to become

parties to the Treaty, as a major contribution to international peace and the ecologically rational use of the environment;

5. *Calls upon* all States, especially those that have major space programmes, to contribute actively to the attainment of the goals of using outer space for peaceful purposes, preserving the world's environment and preventing the arms race in outer space and, for the sake of international peace and security and of promoting international cooperation, to refrain from acting counter to the spirit of that international legal instrument;

6. *Welcomes* the concrete measures taken by several countries to ensure compliance with the Antarctic Treaty, and calls upon all countries to refrain from carrying out any activity counter to the spirit of that international legal instrument;

7. *Emphasizes* the importance of the compliance by all States parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and calls upon them to cooperate and to preserve the environment in the process of the implementation of the Convention in all its relevant aspects;

8. *Urges* States parties to consider all the relevant norms related to the protection of the environment in implementing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction;

9. *Calls upon* States to adopt unilateral, bilateral, regional and multi-lateral measures so as to contribute to ensuring the application of scientific and technological progress in the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development;

10. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control".

Resolution 51/45 F

Measures to curb the illicit transfer and use of conventional arms

The General Assembly,

Recalling its resolution 46/36 H of 6 December 1991 and its decision 47/419 of 9 December 1992 on international arms transfers,

Recalling also its resolutions 48/75 F and H of 16 December 1993, 49/75 M of 15 December 1994 and 50/70 J of 12 December 1995 on measures to curb the illicit transfer and use of conventional arms,

Recognizing that the availability of massive quantities of conventional weapons and especially their illicit transfer, often associated with destabilizing activities, are most disturbing and dangerous phenomena, in particular for the internal situation of affected States and the violation of human rights,

Bearing in mind that in certain situations mercenaries, terrorists and child soldiers are supplied with weapons acquired from illicit transfers of conventional arms,

Convinced that peace and security are inextricably interlinked with and in some cases imperative for economic development and reconstruction, including in war-stricken countries,

Realizing the urgent need to resolve conflicts and to diminish tension, and to accelerate efforts towards general and complete disarmament with a view to maintaining regional and international peace and security,

Recognizing the curbing of the illicit transfer of arms as an important contribution to the relaxation of tension and peaceful reconciliation processes,

Stressing the need for effective national control measures on the transfer of conventional weapons,

Convinced that effective measures to curb the illicit transfer and use of conventional arms will help enhance regional and international peace, security and economic development,

1. *Welcomes* the adoption by the Disarmament Commission of the report on international arms transfers, with particular reference to General Assembly resolution 46/36 H, as well as a text entitled "Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991";

2. *Invites* Member States:

(a) To enact adequate national legislation and/or regulations and adopt administrative procedures in order to exercise effective control over armaments and the export and import of arms, *inter alia*, with the aim of preventing trafficking in illicit arms and bringing offenders to justice;

(b) To provide the Secretary-General, by 15 April 1997, with relevant information on national control measures on arms transfers with a view to preventing illicit arms transfers;

3. *Also invites* Member States to provide the Secretary-General, by 15 April 1997, with their views on:

(a) Effective ways and means of collecting weapons transferred illicitly, in particular in the light of experience gained by the United Nations;

(b) Concrete proposals concerning measures at national, regional and international levels to curb the illicit transfer and use of conventional arms;

4. *Requests* the Secretary-General:

(a) To submit to the General Assembly at its fifty-second session a report containing the views expressed by Member States;

(b) To report to the General Assembly at its fifty-second session on the effective implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Measures to curb the illicit transfer and use of conventional arms".

Resolution 51/45 G

Nuclear disarmament with a view to the ultimate elimination of nuclear weapons

The General Assembly,

Recalling its resolution 50/70 C of 12 December 1995,

Recognizing that the end of the cold war has increased the possibility of freeing the world from the fear of nuclear war,

Appreciating the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, to which Belarus, Kazakstan, the Russian Federation, Ukraine and the United States of America are party, and looking forward to the early entry into force of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms, which was ratified by the United States of America,

Welcoming the reductions in the nuclear arsenals of other nuclear-weapon States,

Welcoming also the decision of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to extend the Treaty indefinitely, taken without a vote, as well as the decisions on strengthening the review process for the Treaty and on the principles and objectives for nuclear non-proliferation and disarmament,

Noting the reference in the decision on the principles and objectives for nuclear non-proliferation and disarmament to the importance of the following measures for the full realization and effective implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, including the programme of action as reflected below:

(a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty no later than 1996, and utmost restraint that should be exercised by the nuclear-weapon States pending the entry into force of that treaty;

(b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning

the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;

(c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control,

Welcoming the adoption of the Comprehensive Nuclear-Test-Ban Treaty at the fiftieth session of the General Assembly and its opening for signature at the beginning of the current session,

Recalling that nuclear non-proliferation and the promotion of nuclear disarmament are key elements in the maintenance of international peace and security, which is one of the most important purposes of the United Nations,

1. *Urges* States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accede to it at the earliest possible date, recognizing the importance of universal adherence to the Treaty;

2. *Calls* for the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control, and invites them to keep States Members of the United Nations duly informed of the progress and efforts made;

3. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to make their best efforts for a smooth start of the strengthened review process of the Treaty as they convene their first Preparatory Committee, in 1997, with a view to the success of the next Review Conference which should be held in the year 2000;

4. *Calls upon* all States to implement fully their commitments in the field of disarmament and non-proliferation of weapons of mass destruction.

Resolution 51/45 H

Transparency in armaments

The General Assembly,

Recalling its resolutions 46/36 L of 9 December 1991, 47/52 L of 15 December 1992, 48/75 E of 16 December 1993, 49/75 C of 15 December 1994 and 50/70 D of 12 December 1995,

Continuing to take the view that an enhanced level of transparency in armaments contributes greatly to confidence-building and security among States and that the establishment of the United Nations Register of Conven-

tional Arms constitutes an important step forward in the promotion of transparency in military matters,

Welcoming the consolidated report of the Secretary-General on the Register, which includes the returns of Member States for 1995,

Welcoming also the response of Member States to the request contained in paragraphs 9 and 10 of resolution 46/36 L to provide data on their imports and exports of arms, as well as available background information regarding their military holdings, procurement through national production and relevant policies,

Welcoming further the report of the Disarmament Commission at its 1996 session on the subject of international arms transfers, which was adopted by consensus,

Stressing that the continuing operation of the Register and its further development should be reviewed in order to secure a Register that is capable of attracting the widest possible participation,

1. *Reaffirms its determination* to ensure the effective operation of the United Nations Register of Conventional Arms as provided for in paragraphs 7, 8, 9 and 10 of resolution 46/36 L;

2. *Calls upon* Member States to provide the requested data and information for the Register, on the basis of resolutions 46/36 L and 47/52 L and the annex and appendices to the 1994 report of the Secretary-General on the continuing operation of the Register and its further development, to the Secretary-General by 30 April annually;

3. *Reaffirms* its decision, with a view to the further development of the Register, to keep the scope of and participation in the Register under review, and, to that end:

(a) Recalls its request to Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction;

(b) Recalls its request to the Secretary-General, with the assistance of a group of governmental experts to be convened in 1997, on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account the report of the Disarmament Commission at its 1996 session on the subject of international arms transfers, the work of the Conference on Disarmament, the views expressed by Member States and the 1994 report of the Secretary-General on the continuing operation of the Register and its further development, with a view to a decision at its fifty-second session;

4. *Requests* the Secretary-General to ensure that sufficient resources are made available for the Secretariat to operate and maintain the Register;

5. *Invites* the Conference on Disarmament to consider continuing its work undertaken in the field of transparency in armaments;

6. *Reiterates its call upon* all Member States to cooperate at the regional and subregional levels, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-second session on the progress made in implementing the present resolution;

8. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Transparency in armaments".

Resolution 51/45 I

Bilateral nuclear arms negotiations and nuclear disarmament

The General Assembly,

Recalling its previous relevant resolutions,

Recognizing the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

Stressing that it is the responsibility and the obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security through disarmament, in particular, nuclear disarmament, which remains the highest priority of our times,

Stressing also that, as stipulated in many agreements and recently reiterated by the unanimous decision by the International Court of Justice, there exists the obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Welcoming the number of positive developments that have created opportunities for nuclear disarmament, in particular, the completion of the implementation of the 1987 Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, removing such weapons from deployed status, the conclusion of bilateral agreements on de-targeting strategic missiles, the cooperative efforts to ensure the safety, security and environmentally sound destruction of nuclear weapons as well as the efforts to deactivate all nuclear delivery systems or other steps to remove them from alert status,

Noting that there are still significant nuclear arsenals and that the primary responsibility for nuclear disarmament, with the objective of the elimination of nuclear weapons, rests with all nuclear-weapon States, in particular, those possessing the largest stockpiles,

Recalling the expressed commitment by the nuclear-weapon States to pursue systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of the elimination of those weapons, which should be carried out within a time-bound framework,

Recalling also the agreement between the Russian Federation and the United States of America to intensify their dialogue to compare conceptual approaches and to develop concrete steps to adapt the nuclear forces and practices on both sides to the changed international security situation, including the possibility, after ratification of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms, of further reductions of and limitations on remaining nuclear forces,

Taking note of the joint statement of 10 May 1995 by the Russian Federation and the United States of America on the Treaty on the Limitation of Anti-Ballistic Missile Systems,

Welcoming the reductions made by other nuclear-weapon States in some of their nuclear-weapons programmes, and encouraging all nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

Affirming that bilateral and multilateral negotiations on nuclear disarmament should facilitate and complement each other,

1. *Welcomes* the entry into force and implementation of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991 by the former Union of Soviet Socialist Republics and the United States of America, including the Protocol to that Treaty, signed at Lisbon on 23 May 1992 by the parties thereto, and the exchange of documents of ratification between the United States of America, Belarus, Kazakhstan, the Russian Federation and Ukraine on 5 December 1994 at Budapest, as well as the ratification by the United States of America of the 1993 Treaty on Further Reduction and Limitation of Strategic Offensive Arms, and urges the parties concerned to make further efforts to bring that Treaty into force at the earliest possible date;

2. *Encourages* the United States of America and the Russian Federation to continue their efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;

3. *Welcomes* the removal of all nuclear weapons from the territory of Kazakstan, as from June 1995, and from the territory of Ukraine, as from June 1996;

4. *Encourages and supports* the Russian Federation and the United States of America in intensifying their work for deep reductions in their nuclear armaments, and calls upon those States to accord the highest priority to this work, in order to contribute to the elimination of nuclear weapons within a time-bound framework;

5. *Invites* the Russian Federation and the United States of America to keep the States Members of the United Nations and the Conference on Disarmament duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions;

6. *Calls upon* the Conference on Disarmament to take such information into account in the negotiations to be held on nuclear disarmament leading to the elimination of nuclear weapons within a time-bound framework.

Resolution 51/45 J

Prohibition of the dumping of radioactive wastes

The General Assembly,

Bearing in mind resolutions CM/Res.1153 (XLVIII) of 1988 and CM/Res.1225 (L) of 1989, adopted by the Council of Ministers of the Organization of African Unity, concerning the dumping of nuclear and industrial wastes in Africa,

Welcoming resolution GC(XXXIV)/RES/530 establishing a Code of Practice on the International Transboundary Movement of Radioactive Waste, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency at its thirty-fourth regular session,

Welcoming also resolution GC(XXXVIII)/RES/6, adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency at its thirty-eighth regular session, inviting the Board of Governors and the Director General of the Agency to commence preparations for a convention on the safety of radioactive waste management, and noting the progress that has been made in that regard,

Taking note of the commitment by the participants at the Summit on Nuclear Safety and Security, held in Moscow on 19 and 20 April 1996, to ban the dumping at sea of radioactive wastes,

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament,

inter alia, to consider effective methods of control against the use of radiological methods of warfare,

Recalling resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity, on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa,

Aware of the potential hazards underlying any use of radioactive wastes that would constitute radiological warfare and its implications for regional and international security, in particular for the security of developing countries,

Recalling all its resolutions on the matter since its forty-third session in 1988, including its resolution 50/70 E of 12 December 1995,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament,

1. *Takes note* of the part of the report of the Conference on Disarmament relating to a future convention on the prohibition of radiological weapons;

2. *Expresses grave concern* regarding any use of nuclear wastes that would constitute radiological warfare and have grave implications for the national security of all States;

3. *Calls upon* all States to take appropriate measures with a view to preventing any dumping of nuclear or radioactive wastes that would infringe upon the sovereignty of States;

4. *Requests* the Conference on Disarmament to take into account, in the negotiations for a convention on the prohibition of radiological weapons, radioactive wastes as part of the scope of such a convention;

5. *Also requests* the Conference on Disarmament to intensify efforts towards an early conclusion of such a convention and to include in its report to the General Assembly at its fifty-second session the progress recorded in the negotiations on this subject;

6. *Takes note* of resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity, on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa;

7. *Expresses the hope* that the effective implementation of the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste will enhance the protection of all States from the dumping of radioactive wastes on their territories;

8. *Welcomes* the current efforts of the International Atomic Energy Agency in the preparation of a draft convention on the safe management of

radioactive wastes and the appropriate recommendations made by the participants at the Summit on Nuclear Safety and Security, held in Moscow on 19 and 20 April 1996, in particular their call on all States generating nuclear wastes with nuclear installations to participate actively in the preparation of this convention under the auspices of the International Atomic Energy Agency and to encourage its effective finalization and prompt adoption;

9. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Prohibition of the dumping of radioactive wastes".

Resolution 51/45 K
Regional disarmament

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992, 48/75 I of 16 December 1993, 49/75 N of 15 December 1994 and 50/70 K of 12 December 1995 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session,

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Taking note of the recent proposals for disarmament and nuclear non-proliferation at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in

accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of smaller States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at the regional and subregional levels;

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports* and encourages efforts aimed at promoting confidence-building measures at the regional and subregional levels in order to ease regional tensions and to further disarmament and nuclear non-proliferation measures at the regional and subregional levels;

6. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Regional disarmament".

Resolution 51/45 L

Assistance to States for curbing the illicit traffic in small arms and collecting them

The General Assembly,

Recalling its resolutions 46/36 H of 6 December 1991, 47/52 G and J of 9 December 1992, 48/75 H and J of 16 December 1993, 49/75 G of 15 December 1994 and 50/70 H of 12 December 1995,

Considering that the illicit circulation of massive quantities of small arms throughout the world impedes development and is a source of increased insecurity,

Considering also that the illicit international transfer of small arms and their accumulation in many countries constitute a threat to the populations and to national and regional security and are a factor contributing to the destabilization of States,

Basing itself on the statement of the Secretary-General relating to the request of Mali concerning United Nations assistance for the collection of small arms,

Text of resolutions and decisions

Gravely concerned at the extent of the insecurity and banditry linked to the illicit circulation of small arms in Mali and the other affected States of the Saharo-Sahelian subregion,

Taking note of the first conclusions of the United Nations advisory missions sent to the affected countries of the subregion by the Secretary-General to study the best way of curbing the illicit circulation of small arms and ensuring their collection,

Taking note also of the interest shown by other States of the subregion in receiving a United Nations advisory mission,

Noting the actions taken and those recommended at the meetings of the States of the subregion held at Banjul, Algiers and Bamako to establish close regional cooperation with a view to strengthening security,

1. *Welcomes* the initiative taken by Mali concerning the question of the illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion;

2. *Also welcomes* the action taken by the Secretary-General in implementation of this initiative in the context of General Assembly resolution 40/151 H of 16 December 1985;

3. *Thanks* the Governments concerned in the subregion for the substantial support that they have given to the United Nations advisory missions, and welcomes the declared readiness of other States to receive the United Nations Advisory Mission;

4. *Encourages* the Secretary-General to continue his efforts, in the context of the implementation of resolution 49/75 G and of the recommendations of the United Nations advisory missions, to curb the illicit circulation of small arms and to collect such arms in the affected States that so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the Organization of African Unity;

5. *Notes* that, as part of its efforts to halt the flow of small arms into Mali and the Saharo-Sahelian subregion, the Malian Government oversaw the destruction, at the "Flame of Peace" ceremony held at Timbuktu on 27 March 1996, of thousands of small arms handed over by ex-combatants of the armed movements of northern Mali;

6. *Encourages* the setting up in the countries of the Saharo-Sahelian subregion of national commissions against the proliferation of small arms;

7. *Requests* the Secretary-General to continue to examine the issue and to report to the General Assembly at its fifty-second session.

Resolution 51/45 M

**Advisory opinion of the International Court of
Justice on the legality of the threat or use
of nuclear weapons**

The General Assembly,

Recalling its resolution 49/75 K of 15 December 1994, in which it requested the International Court of Justice to render an advisory opinion on whether the threat or use of nuclear weapons is permitted in any circumstance under international law,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Recalling its resolution 50/70 P of 12 December 1995, in which it called upon the Conference on Disarmament to establish an ad hoc committee on nuclear disarmament to commence negotiations on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework,

Recalling also the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the objective of determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons,

Recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons, and welcoming every effort towards this end,

Reaffirming also the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum,

Noting the adoption of the Comprehensive Nuclear-Test-Ban Treaty by the General Assembly in its resolution 50/245 of 10 September 1996,

Regretting the absence of multilaterally negotiated and legally binding security assurances against the threat or use of nuclear weapons against non-nuclear-weapon States,

Convinced that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth,

1. *Expresses its appreciation* to the International Court of Justice for responding to the request made by the General Assembly at its forty-ninth session;

2. *Takes note* of the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996;

3. *Underlines* the unanimous conclusion of the Court that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

4. *Calls upon* all States to fulfil that obligation immediately by commencing multilateral negotiations in 1997 leading to an early conclusion of a nuclear-weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

5. *Requests* the Secretary-General to provide the necessary assistance to support the implementation of the present resolution;

6. *Decides* to include in the provisional agenda of its fifty-second session an item entitled "Follow-up to the Advisory Opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

Resolution 51/45 N

Consolidation of peace through practical disarmament measures

The General Assembly,

Reaffirming the purpose of the United Nations to maintain peace and security and, in this context, reaffirming in particular the role of the United Nations in the field of disarmament, as well as the commitment of Member States to take concrete steps in order to strengthen that role,

Convinced that a comprehensive and integrated approach towards certain practical disarmament measures, such as, *inter alia*, arms control, particularly with regard to small arms and light weapons, confidence-building measures, demobilization and reintegration of former combatants, demining and conversion, often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective rehabilitation and social and economic development,

Noting in this context the reports of the Secretary-General entitled "An Agenda for Peace" and "Supplement to an Agenda for Peace" in which the

Secretary-General, *inter alia*, stressed the urgent need for “practical disarmament in the context of the conflicts the United Nations is actually dealing with and of the weapons, most of them light weapons, that are actually killing people in the hundreds of thousands”, and in which, with regard to practical disarmament measures, the Secretary-General stated that “the assembly, control and disposal of weapons has been a central feature of most of the comprehensive peace settlements in which the United Nations has played a peace-keeping role”,

Recalling its resolutions 49/75 M of 15 December 1994 and 50/70 B and 50/70 J of 12 December 1995 concerning small arms and light weapons, as well as the control and the illicit transfer of such weapons, and, in this context, encouraging the work of the United Nations expert panel on small arms,

Welcoming the adoption by the Disarmament Commission of the “Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991”,

Recalling its resolutions 49/75 G of 15 December 1994 and 50/70 H of 12 December 1995, in which it welcomed the initiative taken by Mali concerning the question of illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion, as well as the action taken by the Secretary-General in the implementation of that initiative,

Welcoming, in this context, the measures taken and other ongoing efforts by the Central African States to promote, within the framework of the United Nations Standing Advisory Committee on Security Questions in Central Africa, confidence-building and conflict prevention in their subregion,

Recalling its resolution 50/70 D of 12 December 1995 on transparency in armaments, and continuing to take the view that an enhanced level of transparency could contribute to confidence-building and security among States,

Recalling also its resolutions 50/70 O and 50/74 of 12 December 1995 and 50/82 of 14 December 1995 addressing the global landmine problem,

Welcoming the adoption on 3 May 1996 of an amended Protocol II by the Review Conference of the States Parties 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 as a further step, and also welcoming respective national measures adopted by a growing number of States,

1. *Stresses* the particular importance of certain practical disarmament measures, such as the collection, control and disposal of arms, especially small arms and light weapons, coupled with restraint over the production and procurement as well as transfers of such arms, the demobilization and reintegration of former combatants, demining and conversion, for the main-

tenance and consolidation of peace and security in areas that have suffered from conflict;

2. *Underlines* the important role of the United Nations in providing a political framework for such practical disarmament measures in those areas and in facilitating their implementation;

3. *Requests* the Secretary-General, in the light of experience gained from conflict resolution, to make recommendations and suggestions for an integrated approach to such practical disarmament measures, taking also into account the work of the United Nations expert panel on small arms, and to report thereon to the General Assembly at its fifty-second session;

4. *Also requests* the Secretary-General, in this connection, to seek the views of Member States on this subject and to include them in his report;

5. *Calls upon* Member States, as well as regional arrangements or agencies, to assist the Secretary-General in his endeavours in this regard and to contribute actively to the implementation of such practical disarmament measures;

6. *Encourages* United Nations organs and agencies to join in this task within the framework of their responsibilities, in particular the United Nations Institute for Disarmament Research on the basis of its Disarmament and Conflict Resolution Project;

7. *Decides* to include in the provisional agenda of its fifty-second session an item entitled "Consolidation of peace through practical disarmament measures".

Resolution 51/45 O
Nuclear disarmament

The General Assembly,

Recalling its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and its resolution 50/70 P of 12 December 1995 on nuclear disarmament,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the creation of a nuclear-weapon-free world,

Determined to achieve the objective of prohibiting the development, production, stockpiling and use of nuclear weapons and their destruction, and to conclude such an international convention or conventions at an early date,

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted

to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time-frames, wherever feasible, for progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Taking note of the adoption of the Comprehensive Nuclear-Test-Ban Treaty by the General Assembly in its resolution 50/245 on 10 September 1996,

Recognizing that the Comprehensive Nuclear-Test-Ban Treaty and any proposed treaty on fissile material for nuclear weapons or other nuclear explosive devices must constitute disarmament measures, and not only non-proliferation measures, and that these measures, together with an international legal instrument on adequate security assurances for non-nuclear-weapon States and an international convention prohibiting the use of nuclear weapons, must be integral steps leading to the total elimination of nuclear weapons within a time-bound framework,

Recognizing also that the end of the cold war has brought about favourable conditions for creating a world free of nuclear weapons,

Welcoming the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, to which Belarus, Kazakstan, the Russian Federation, Ukraine and the United States of America are States parties,

Welcoming also the conclusion of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms by the Russian Federation and the United States of America and the ratification of that Treaty by the United States of America, and looking forward to the full implementation of the START I and START II Treaties by the States parties, and to further concrete steps for nuclear disarmament by all nuclear-weapon States,

Noting with appreciation the unilateral measures by the nuclear-weapon States for nuclear arms limitation, and encouraging them to undertake further such measures,

Recognizing the complementarity of bilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

Taking note of the advisory opinion of the International Court of Justice dated 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*,

and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Taking note also of paragraph 84 and other relevant recommendations in the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995, calling upon the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to commence negotiations early in 1996 on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework, and paragraph 26 of the Communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegations of the Non-Aligned Countries, held in New York on 25 September 1996,

Expressing its regret that the Conference on Disarmament has not been able as yet to establish an ad hoc committee on nuclear disarmament, as called for in Assembly resolution 50/70 P,

Taking note of the proposal of twenty-eight delegations to the Conference on Disarmament that are members of the Group of 21 for a programme of action for the elimination of nuclear weapons, and expressing its conviction that this proposal will be an important input and will contribute to negotiations on this question in the Conference,

1. *Recognizes* that, in view of the end of the cold war and recent political developments, the time is now opportune for all nuclear-weapon States to undertake effective disarmament measures with a view to the total elimination of these weapons within a time-bound framework;

2. *Recognizes also* that there is a genuine need to de-emphasize the role of nuclear weapons, and to review and revise nuclear doctrines accordingly;

3. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

4. *Calls upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and a phased programme of progressive and balanced deep reductions of nuclear weapons, and to carry out effective nuclear disarmament measures with a view to the total elimination of these weapons within a time-bound framework;

5. *Calls upon* the Conference on Disarmament to establish, on a priority basis, an ad hoc committee on nuclear disarmament to commence negotiations early in 1997 on a phased programme of nuclear disarmament and

for the eventual elimination of nuclear weapons within a time-bound framework through a nuclear weapons convention;

6. *Urges* the Conference on Disarmament to take into account in this regard the proposal of the twenty-eight delegations for a programme of action for the elimination of nuclear weapons;

7. *Requests* the Secretary-General to submit to the General Assembly at its fifty-second session a report on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Nuclear disarmament".

Resolution 51/45 P

Measures to uphold the authority of the 1925 Geneva Protocol

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolution 43/74 of 7 December 1988,

Determined to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control,

Recalling the long-standing determination of the international community to achieve the effective prohibition of the development, production, stockpiling and use of chemical and biological weapons as well as the continuing support for measures to uphold the authority of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, as expressed by consensus in many previous resolutions,

Welcoming the end of the cold war, the ensuing easing of international tension and the strengthening of trust between States,

Welcoming also the recent initiatives by some States parties to withdraw their reservations to the 1925 Geneva Protocol,

1. *Renews its previous call* to all States to observe strictly the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and reaffirms the vital necessity of upholding its provisions;

2. *Calls upon* those States that continue to maintain reservations to the 1925 Geneva Protocol to withdraw those reservations;

3. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution.

Resolution 51/45 Q

**Conventional arms control at the regional
and subregional levels**

The General Assembly,

Recalling its resolutions 48/75 J of 16 December 1993, 49/75 O of 15 December 1994 and 50/70 L of 12 December 1995,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control.

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

Noting with particular interest the initiatives taken in this regard in different regions of the world, in particular the commencement of consultations among a number of Latin American countries and the proposals for conventional arms control made in the context of South Asia, and recognizing, in the context of this subject, the relevance and value of the Treaty on Conventional Armed Forces in Europe, which is a cornerstone of European security,

Believing that militarily significant States, and States with larger military capabilities, have a special responsibility in promoting such agreements for regional security,

Believing also that an important objective of conventional arms control in regions of tension should be to prevent the possibility of military attack launched by surprise and to avoid aggression,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament, as a first step, to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Conventional arms control at the regional and subregional levels".

Resolution 51/45 R

Bilateral nuclear arms negotiations and nuclear disarmament

The General Assembly,

Recalling its previous relevant resolutions,

Recognizing the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

Mindful that it is the responsibility and obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security and, in this connection, to adopt and implement measures towards the attainment of general and complete disarmament under strict and effective international control,

Appreciating a number of positive developments in the field of nuclear disarmament, in particular the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, and the treaties on the reduction and limitation of strategic offensive arms,

Appreciating also the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons, and acknowledging the importance of the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control,

Welcoming the steps that have already been taken by the Russian Federation and the United States of America to begin the process of reducing the number of nuclear weapons and removing such weapons from a deployed status, and bilateral agreements on the issue of de-targeting strategic nuclear missiles,

Noting the new climate of relations between the States of the former Soviet Union and the United States of America, which permits them to intensify their cooperative efforts to ensure the safety, security and environmentally sound destruction of nuclear weapons,

Noting also that the Russian Federation and the United States of America concurred that, once the Treaty between them on Further Reduction and Limitation of Strategic Offensive Arms was ratified, they would proceed to deactivate all nuclear delivery systems to be reduced under the Treaty by removing their nuclear warheads or taking other steps to remove them from alert status,

Noting further the commitment between the Russian Federation and the United States of America to intensify their dialogue to compare conceptual

approaches and to develop concrete steps to adapt the nuclear forces and practices on both sides to the changed international security situation, including the possibility, after ratification of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms, of further reductions of and limitations on remaining nuclear forces,

Taking note of the joint statement of 10 May 1995 by the Russian Federation and the United States of America on the Treaty on the Limitation of Anti-Ballistic Missile Systems,

Recalling the Moscow Summit Declaration on Nuclear Safety and Security of April 1996,

Urging early action to complete the ratification of the Treaty on the Further Reduction and Limitation of Strategic Offensive Arms and further intensification of efforts to accelerate the implementation of agreements and unilateral decisions relating to nuclear arms reduction,

Welcoming the significant reductions made by other nuclear-weapon States, and encouraging all nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

1. *Welcomes* the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991 by the former Union of Soviet Socialist Republics and the United States of America, including the Protocol to that Treaty, signed at Lisbon on 23 May 1992 by the parties thereto, and the exchange of documents of ratification between the United States of America, Belarus, Kazakstan, the Russian Federation and Ukraine on 5 December 1994 at Budapest;

2. *Also welcomes* the signing of the Treaty between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms in Moscow on 3 January 1993, and urges the parties to take the steps necessary to bring that Treaty into force at the earliest possible date;

3. *Expresses its satisfaction* at the entry into force and ongoing implementation of the 1991 Treaty as well as the ratification by the United States of America of the 1993 Treaty, and expresses the hope that it will soon be possible for the Russian Federation to ratify that Treaty also;

4. *Expresses further satisfaction* at the continuing implementation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, in particular at the completion by the parties of the destruction of all their declared missiles subject to elimination under the Treaty;

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5. *Welcomes* the removal of all nuclear weapons from the territory of Kazakstan as of 1 June 1995, and from the territory of Ukraine as of 1 June 1996;

6. *Encourages* the Russian Federation, the United States of America, Belarus, Kazakstan and Ukraine to continue their cooperative efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;

7. *Welcomes* the accession to the Treaty on the Non-Proliferation of Nuclear Weapons, of Belarus, Kazakstan and Ukraine as non-nuclear-weapon States, which thereby provided notable enhancement to the non-proliferation regime;

8. *Encourages and supports* the Russian Federation and the United States of America in their efforts to reduce their nuclear weapons and to continue to give those efforts the highest priority in order to contribute to the ultimate goal of eliminating those weapons;

9. *Invites* the Russian Federation and the United States of America to keep other States Members of the United Nations duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions.

Resolution 51/45 S

An international agreement to ban anti-personnel landmines

The General Assembly,

Recalling with satisfaction its resolutions 48/75 K of 16 December 1993, 49/75 D of 15 December 1994 and 50/70 O of 12 December 1995, in which it, *inter alia*, urged States to implement moratoriums on the export of anti-personnel landmines,

Also recalling with satisfaction its resolutions 49/75 D and 50/70 O, in which it, *inter alia*, established as a goal of the international community the eventual elimination of anti-personnel landmines,

Noting that, according to the 1995 report of the Secretary-General entitled "Assistance in mine clearance", it is estimated that there are one hundred and ten million landmines in the ground in more than sixty countries throughout the world,

Noting also that, according to the same report, the global landmine crisis continues to worsen as an estimated two million new landmines are laid each year, while only an estimated one hundred and fifty thousand were cleared in 1995,

Expressing deep concern that anti-personnel landmines kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and the return of internally displaced persons, and have other severe consequences for years after emplacement,

Gravely concerned about the suffering and casualties caused to non-combatants as a result of the proliferation, as well as the indiscriminate and irresponsible use, of anti-personnel landmines,

Recalling with satisfaction its resolutions 48/7 of 19 October 1993, 49/215 A of 23 December 1994 and 50/82 of 14 December 1995 calling for assistance in mine clearance,

Welcoming the recent decisions taken at the Review Conference of the States Parties 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, particularly with respect to the amended Protocol II to the Convention, and believing that the amended Protocol is an essential part of the global effort to address problems caused by the proliferation, as well as the indiscriminate and irresponsible use, of anti-personnel landmines,

Welcoming also the adoption of the declaration entitled "Towards a Global Ban on Anti-Personnel Mines" by participants at the Ottawa International Strategy Conference on 5 October 1996, including its call for the earliest possible conclusion of a legally binding international agreement to ban anti-personnel landmines, and further welcoming the follow-on conference at Brussels in June 1997,

Welcoming further the recent decisions taken by States to adopt various bans, moratoriums or other restrictions on the use, stockpiling, production and transfer of anti-personnel landmines, and other measures taken unilaterally as well as multilaterally,

Recognizing the need to conclude an international agreement to ban all anti-personnel landmines as soon as possible,

1. *Urges* States to pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines with a view to completing the negotiation as soon as possible;

2. *Urges* States that have not yet done so to accede 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 and Protocol II as amended on 3 May 1996, and urges all States immediately to comply to the fullest extent possible with the applicable rules of Protocol II as amended;

3. *Welcomes* the various bans, moratoriums or other restrictions already declared by States on anti-personnel landmines;

4. *Calls upon* States that have not yet done so to declare and implement such bans, moratoriums or other restrictions – particularly on operational use and transfer – at the earliest possible date;

5. *Requests* the Secretary-General to prepare a report on steps taken to complete an international agreement banning the use, stockpiling, production and transfer of anti-personnel landmines, and on other steps taken by Member States to implement such bans, moratoriums or other restrictions and to submit it to the General Assembly at its fifty-second session under the item entitled “General and complete disarmament”;

6. *Requests* Member States to provide the requested information for the report of the Secretary-General on steps taken to complete an international agreement banning the use, stockpiling, production and transfer of anti-personnel landmines, and on other steps taken to implement bans, moratoriums or other restrictions on anti-personnel landmines and to submit such information to the Secretary-General by 15 April 1997.

Resolution 51/45 T

Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions on the subject of chemical and bacteriological (biological) weapons, in particular resolution 47/39 of 30 November 1992, adopted without a vote, in which it commended the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,

Noting with satisfaction that, since the Convention was opened for signature at a signing ceremony held in Paris from 13 to 15 January 1993, one hundred and sixty States have signed the Convention,

Determined to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

Convinced of the urgent necessity of universal adherence to the Convention so as to abolish an entire category of weapons of mass destruction, and thus eliminate the risk to mankind of renewed use of these inhumane weapons,

Noting the ongoing work of the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons,

Text of resolutions and decisions

1. *Welcomes* the fact that the required sixty-five instruments of ratification have now been deposited and that the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction will therefore enter into force on 29 April 1997;
2. *Stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities should be among the original parties to the Convention and, in this context, the importance of the United States of America and the Russian Federation, having declared possession of chemical weapons, being among the original States parties to the Convention;
3. *Also stresses* that this would promote the full realization and effective implementation of the Convention;
4. *Calls upon* all States that have not yet done so to sign and/or ratify the Convention without delay;
5. *Notes* that the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons, at its fourteenth session from 22 to 26 July 1996, entrusted the Chairman of the Commission, in close consultation with its member States, with the task of convening, as necessitated by circumstances in connection with the occurrence of the trigger point, a meeting of the Commission to provide appropriate guidance;
6. *Urges* the Preparatory Commission for the Organization on the Prohibition of Chemical Weapons to intensify efforts to complete its remaining work;
7. *Decides* to include in the provisional agenda of its fifty-second session an item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

Resolution 51/46 A

United Nations Disarmament Information Programme

The General Assembly,

Recalling its decision taken in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,

Bearing in mind its various resolutions on the subject, including resolution 47/53 D of 9 December 1992, in which it decided, *inter alia*, that the World Disarmament Campaign should be known thereafter as the "United Nations Disarmament Information Programme" and the World Disarmament Campaign Voluntary Trust Fund as the "Voluntary Trust Fund for the United Nations Disarmament Information Programme",

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Recalling its resolution 49/76 A of 15 December 1994,

Having examined the report of the Secretary-General of 19 July 1996 on the United Nations Disarmament Information Programme,

Deeply concerned by the continuing decrease in contributions to the Programme, which has already affected a number of activities, beginning with the suspension of publications such as the *Disarmament Newsletter* and *Topical Papers*,

1. *Takes note with concern* of the report of the Secretary-General of 19 July 1996 on the United Nations Disarmament Information Programme;

2. *Commends* the Secretary-General for his efforts to make effective use of the limited resources available to him in disseminating as widely as possible information on arms limitation and disarmament to Governments, the media, non-governmental organizations, educational communities and research institutes, and in carrying out a seminar and conference programme;

3. *Stresses* the importance of the Programme, as a significant instrument in enabling developing countries to participate fully in the deliberations and negotiations on disarmament in the various United Nations bodies;

4. *Notes with appreciation* the contributions to the efforts of the Programme by the United Nations information centres and the regional centres for disarmament;

5. *Recommends* that the Programme focus its efforts:

(a) To inform, to educate and to generate public understanding of the importance of multilateral action and support for it, including action by the United Nations and the Conference on Disarmament, in the field of arms limitation and disarmament, in a factual, balanced and objective manner, in particular through the continuing publication in all official languages of *The United Nations Disarmament Yearbook* and *Disarmament: A Periodic Review by the United Nations*, and the updating of the *Status of Multilateral Arms Regulation and Disarmament Agreements*;

(b) To facilitate unimpeded access to and an exchange of information on ideas between the public sector and public interest groups and organizations, and to provide an independent source of balanced and factual information that takes into account a range of views to help further an informed debate on arms limitation, disarmament and security;

(c) To organize meetings to facilitate exchanges of views and information between governmental and non-governmental sectors and between governmental and other experts in order to facilitate the search for common ground;

6. *Invites* all Member States to contribute to the Voluntary Trust Fund for the United Nations Disarmament Information Programme;

7. *Commends* the Secretary-General for supporting the efforts of universities, other academic institutions and non-governmental organizations ac-

tive in the educational field in widening the worldwide availability of disarmament education, and invites him to continue to support and cooperate with educational institutions and non-governmental organizations engaged in such efforts, without cost to the regular budget of the United Nations;

8. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report covering both the implementation of the activities of the Programme by the United Nations system during the previous two years and the activities of the Programme contemplated by the system for the following two years;

9. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "United Nations Disarmament Information Programme".

Resolution 51/46 B

United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific

The General Assembly,

Recalling its resolutions 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989, by which it established the United Nations Regional Centre for Peace and Disarmament in Asia and renamed it the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, with headquarters at Kathmandu and with the mandate of providing, on request, substantive support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific region for the implementation of measures for peace and disarmament, through appropriate utilization of available resources,

Welcoming the report of the Secretary-General, in which he expresses his belief that the mandate of the Regional Centre not only remains valid but is even more relevant today in the changed international environment,

Commending the useful activities carried out by the Regional Centre in encouraging regional and subregional dialogue for the enhancement of openness, transparency and confidence-building, as well as the promotion of disarmament and security through the organization of regional meetings, which has come to be widely known within the Asia-Pacific region as the "Kathmandu process",

Noting that trends in the post-cold-war era have emphasized the function of the Regional Centre in assisting Member States as they deal with new security concerns and disarmament issues emerging in the region,

Recognizing the need for the Regional Centre to pursue effectively its expanded function,

Expressing its appreciation to the Regional Centre for its organization of substantive regional meetings at Kathmandu and at Hiroshima, Japan, in 1996,

Appreciating highly the important role Nepal has played as the host nation of the headquarters of the Regional Centre,

1. *Reaffirms* its resolution 50/71 D of 12 December 1995, in particular its strong support for the continued operation and further strengthening of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific as an essential promoter of the regional peace and disarmament dialogue in the Asia-Pacific region known as the "Kathmandu process";

2. *Expresses its appreciation* for the political support and financial contribution received by the Regional Centre;

3. *Appeals* to Member States, in particular those within the Asia-Pacific region, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions in order to strengthen the programme of activities of the Regional Centre and its implementation;

4. *Requests* the Secretary-General to provide all necessary support, within existing resources, to the Regional Centre in carrying out its programme of activities;

5. *Also requests* the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution;

6. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific".

Resolution 51/46 C

Regional confidence-building measures

The General Assembly,

Recalling the purposes and principles of the United Nations and its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations,

Bearing in mind the guidelines for general and complete disarmament adopted at its tenth special session, the first special session devoted to disarmament,

Recalling its resolutions 43/78 H and 43/85 of 7 December 1988, 44/21 of 15 November 1989, 45/58 M of 4 December 1990, 46/37 B of 6 December 1991, 47/53 F of 15 December 1992, 48/76 A of 16 December 1993, 49/76 C of 15 December 1994 and 50/71 B of 12 December 1995,

Considering the importance and effectiveness of confidence-building measures taken at the initiative and with the participation of all States con-

cerned and taking into account the specific characteristics of each region, in that they can contribute to regional disarmament and to international security, in accordance with the principles of the Charter,

Convinced that the resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Convinced also that development can be achieved only in a climate of peace, security and mutual confidence both within and among States,

Bearing in mind the establishment by the Secretary-General on 28 May 1992 of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the purpose of which is to encourage arms limitation, disarmament, non-proliferation and development in the subregion,

Recalling the Brazzaville Declaration on Cooperation for Peace and Security in Central Africa,

1. *Takes note* of the report of the Secretary-General on regional confidence-building measures, which deals with the activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa in the period since the adoption by the General Assembly of resolution 50/71 B;

2. *Reaffirms its support* for efforts aimed at promoting confidence-building measures at regional and subregional levels in order to ease tensions and conflicts in the subregion and to further disarmament, non-proliferation and the peaceful settlement of disputes in Central Africa;

3. *Also reaffirms its support* for the programme of work of the Standing Advisory Committee adopted at the organizational meeting of the Committee held at Yaoundé in July 1992;

4. *Welcomes* the fact that the Committee's programme of work has led to specific actions and measures promoting confidence-building and security in the Central African subregion;

5. *Notes* the holding of the First Summit of Heads of State and Government of Countries Members of the United Nations Standing Advisory Committee on Security Questions in Central Africa, at Yaoundé on 8 July 1996;

6. *Welcomes with great satisfaction* the signature at that Summit of the Non-Aggression Pact between the States members of the United Nations Standing Advisory Committee, and reaffirms its conviction that the Pact is likely to contribute to the prevention of conflicts and further confidence-building in the Central African subregion;

7. *Invites* the States members of the Standing Advisory Committee that have not yet signed the Pact to do so, and encourages all member States to expedite ratification so that it may enter into force as soon as possible;

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8. *Welcomes with satisfaction* the Final Declaration of the First Summit of the Standing Advisory Committee, which aims at the implementation of the following measures:

(a) The promotion of participatory systems of governance as a means of preventing conflicts;

(b) The organization, under United Nations auspices, of training seminars for officers in the armed forces, republican guard, gendarmerie and police forces of the Central African States, in order to promote a culture of peace by explaining, once again, their role in a democratic context;

(c) The development of a programme to combat illicit arms trafficking, in order to remove this source of insecurity and a threat to the stability of States in the subregion;

(d) The setting-up, under United Nations auspices, of an early warning system as the basic instrument for preventive diplomacy in Central Africa;

(e) The strengthening of cooperation between States of the subregion and bilateral and multilateral partners on the question of peace and security in Central Africa;

9. *Expresses its conviction* that the democratic process offers a valuable means to build confidence, promote development and prevent conflicts, and welcomes with satisfaction the decision taken by the States members of the Standing Advisory Committee to hold a subregional conference at Brazzaville in January 1997 on the topic "Democratic institutions and peace in Central Africa";

10. *Welcomes* the holding, under United Nations auspices, of the first training seminar for instructors in peace operations, at Yaoundé from 9 to 17 September 1996, with a view to strengthening the capacity of the units specializing in peace operations in the armed forces of the States members of the Standing Advisory Committee;

11. *Expresses its gratitude* to those Governments which responded favourably to the request from the General Assembly and contributed towards financing the aforementioned training seminar;

12. *Emphasizes once again* the importance of continuing with this training programme in order to strengthen the participation of States members of the Standing Advisory Committee in future United Nations peace operations;

13. *Commends* the Secretary-General for having established the Trust Fund for the United Nations Standing Advisory Committee on Security Questions in Central Africa;

14. *Appeals* to Member States and governmental and non-governmental organizations to make additional voluntary contributions to the Trust Fund for the implementation of the programme of work of the Standing Advis-

ory Committee, in particular the measures and objectives referred to in paragraphs 8, 9 and 12 of the present resolution;

15. *Requests* the Secretary-General to continue to provide assistance to the States members of the Standing Advisory Committee to ensure that they are able to carry on with their efforts;

16. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-second session a report on the implementation of the present resolution;

17. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Regional confidence-building measures".

Resolution 51/46 D

Convention on the Prohibition of the Use of Nuclear Weapons

The General Assembly,

Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,

Bearing in mind the advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*,

Convinced that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would contribute to the elimination of the nuclear threat and to the climate for negotiations leading to the ultimate elimination of nuclear weapons, thereby strengthening international peace and security,

Conscious that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of the complete elimination of nuclear weapons,

Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly, it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Determined to achieve an international convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

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Stressing that an international convention on the prohibition of the use of nuclear weapons would be an important step in a phased programme towards the complete elimination of nuclear weapons within a time-bound framework,

Noting with regret that the Conference on Disarmament, during its 1996 session, was unable to undertake negotiations on this subject as called for in General Assembly resolution 50/71 E of 12 December 1995,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations, in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a possible basis the draft Convention on the Prohibition of the Use of Nuclear Weapons annexed to the present resolution;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

ANNEX

Draft Convention on the Prohibition of the Use of Nuclear Weapons

The States Parties to the present Convention,

Alarmed by the threat to the very survival of mankind posed by the existence of nuclear weapons,

Convinced that any use of nuclear weapons constitutes a violation of the Charter of the United Nations and a crime against humanity,

Desiring to achieve a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons,

Bearing in mind the advisory opinion of the International Court of Justice that there exists an obligation of all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Determined, therefore, to achieve an international convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

Convinced that the present Convention would be an important step in a phased programme towards the complete elimination of nuclear weapons within a time-bound framework,

Determined to continue negotiations for the achievement of this goal,

Have agreed as follows:

Article 1

The States Parties to the present Convention solemnly undertake not to use or threaten to use nuclear weapons under any circumstances.

Article 2

This Convention shall be of unlimited duration.

Article 3

1. The present Convention shall be open to all States for signature. Any State that does not sign the Convention before its entry into force in accordance with paragraph 3 of the present article may accede to it at any time.

2. The present Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. The present Convention shall enter into force on the deposit of instruments of ratification by twenty-five Governments, including the Governments of the five nuclear-weapon States, in accordance with paragraph 2 of the present article.

4. For States whose instruments of ratification or accession are deposited after the entry into force of the Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of entry into force of this Convention, as well as of the receipt of other notices.

6. The present Convention shall be registered by the depositary in accordance with Article 102 of the Charter of the United Nations.

Article 4

The present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed the present Convention, opened for signature at _____ on the _____ day of _____ one thousand nine hundred and _____

Resolution 51/46 E

**United Nations Regional Centre for Peace
and Disarmament in Africa**

The General Assembly,

Recalling its resolutions 40/151 G of 16 December 1985, 41/60 D of 3 December 1986, 42/39 J of 30 November 1987 and 43/76 D of 7 December

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1988 on the United Nations Regional Centre for Peace and Disarmament in Africa, and its resolution 46/36 F of 6 December 1991 and 47/52 G of 9 December 1992 on regional disarmament, including confidence-building measures,

Reaffirming its resolutions 48/76 E of 16 December 1993, 49/76 D of 15 December 1994 and 50/71 C of 12 December 1995 on the United Nations Regional Centre for Peace and Disarmament in Africa and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,

Mindful of the provisions of Article 11, paragraph 1, of the Charter of the United Nations stipulating that a function of the General Assembly is to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms limitation,

Taking into account the guidelines for international arms transfers adopted by the Disarmament Commission at its 1996 substantive session,

Welcoming the activities carried out by the United Nations Regional Centre for Peace and Disarmament in Africa, which have contributed substantially to understanding and cooperation among the African States and have thereby strengthened its role in the areas of peace, disarmament, security and development,

Bearing in mind the financial situation of the Regional Centre as described by the Secretary-General in his report on the activities of the Regional Centre,

Underlining, therefore, the need to provide the Regional Centre with financial stability so as to facilitate the effective planning and implementation of its programmes of activities,

1. *Expresses its gratitude* to the Member States, international governmental and non-governmental organizations and foundations that have, so far, contributed to the Trust Fund for the United Nations Regional Centre for Peace and Disarmament in Africa;

2. *Commends* the activities carried out by the Regional Centre in identifying and broadening the understanding of pressing disarmament and security issues in the African region;

3. *Reaffirms its support* for the further operation and strengthening of the Regional Centre, and encourages it to continue to intensify its efforts in promoting cooperation with subregional and regional organizations, as well as among the African States, in order to facilitate the development of effective measures of confidence-building, arms limitation and disarmament, with a view to promoting peace and security;

4. *Appeals once again* to Member States, mainly to African countries, as well as to international governmental and non-governmental organizations

and foundations, to make regular and appropriate voluntary contributions in order to revitalize the Regional Centre, strengthen its programmes of activities and facilitate the effective implementation of such programmes;

5. *Requests* the Secretary-General, in the light of the current financial situation of the Regional Centre, to intensify his efforts in exploring new ways and means of funding, and to continue to provide all necessary support to the Regional Centre for better achievements and results;

6. *Also requests* the Secretary-General to ensure that the Director of the Regional Centre is, as far as possible and within existing resources, locally based in order to revitalize the activities of the Regional Centre;

7. *Further requests* the Secretary-General to report to the General Assembly at its fifty-third session, under the item entitled "Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly", on the activities of the United Nations Regional Centre for Peace and Disarmament in Africa, and on the implementation of the present resolution.

Resolution 51/46 F

United Nations disarmament fellowship, training and advisory services

The General Assembly,

Recalling its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, to establish a programme of fellowships on disarmament, as well as its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly, the second special session devoted to disarmament, in which it decided, *inter alia*, to continue the programme,

Noting with satisfaction that the programme has already trained an appreciable number of public officials selected from geographical regions represented in the United Nations system, most of whom are now in positions of responsibility in the field of disarmament affairs in their respective countries or Governments,

Recalling all the annual resolutions on the matter since the thirty-seventh session of the General Assembly, in 1982, including resolution 50/71 A of 12 December 1995,

Noting with satisfaction that the programme, as designed, continues to enable an increased number of public officials, in particular from the developing countries, to acquire more expertise in the sphere of disarmament,

Believing that the forms of assistance available to Member States, in particular to developing countries, under the programme will enhance the

capabilities of their officials to follow ongoing deliberations and negotiations on disarmament, both bilateral and multilateral,

1. *Reaffirms* its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly and the report of the Secretary-General approved by the Assembly in its resolution 33/71 E of 14 December 1978;

2. *Expresses its appreciation* to the Governments of Germany and Japan for inviting the 1996 fellows to study selected activities in the field of disarmament, thereby contributing to the fulfilment of the overall objectives of the programme;

3. *Commends* the Secretary-General for the diligence with which the programme has continued to be carried out;

4. *Requests* the Secretary-General to continue to implement annually the Geneva-based programme within existing resources and to report thereon to the General Assembly at its fifty-third session;

5. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "United Nations disarmament fellowship, training and advisory services".

Resolution 51/47 A

Expansion of the membership of the Conference on Disarmament

The General Assembly,

Having considered the report of the Conference on Disarmament and in particular the section concerning the expansion of the membership of the Conference,

Stressing the role of the Conference on Disarmament as the sole multilateral global negotiating body on disarmament,

Convinced that a more representative membership of the Conference on Disarmament from among the United Nations would contribute to the more effective pursuit of disarmament goals affecting the entire international community,

Recalling that, since 1978, when agreement was reached at the first special session of the General Assembly devoted to disarmament that the membership of the then Committee on Disarmament would be reviewed at regular intervals, there have been thirty-seven applications for membership in the Conference,

Recalling also that, in 1993, the Special Coordinator for Membership of the Conference on Disarmament proposed that twenty-three applicants for membership should be admitted to the Conference and proposed further that a dynamic solution to the question of membership should be pursued,

Recalling further decision CD/1406 of the Conference on Disarmament, adopted at its 739th plenary meeting on 17 June 1996, admitting twenty-three countries as members of the Conference,

Recalling its resolution 50/72 C of 12 December 1995, adopted without a vote, in which it urged that, following the presentation of progress reports by the President of the Conference, the other applicants to date be further considered by the Conference at its 1996 session,

Noting the request of the Conference on Disarmament that its President continue consultations on a further expansion of its membership and report to it at the beginning of its 1997 session,

1. *Recognizes* the legitimate aspirations of all countries that have applied for membership to participate fully in the work of the Conference on Disarmament;

2. *Calls upon* the Conference on Disarmament to consider all remaining applications for membership with a view to reaching a decision on its further enlargement before the end of its 1997 session.

Resolution 51/47 B

Report of the Disarmament Commission

The General Assembly,

Having considered the report of the Disarmament Commission,

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993, 49/77 A of 15 December 1994 and 50/72 D of 12 December 1995,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

1. *Takes note* of the report of the Disarmament Commission;

2. *Commends* the Disarmament Commission for its adoption by consensus, at its 1996 substantive session, of a set of guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991, which were recommended to the Assembly for consideration;

3. *Endorses* the guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991, as adopted by the Disarmament Commission;

4. *Notes with satisfaction* that the Disarmament Commission has made significant progress in the discussions on its agenda item regarding

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the convening of the fourth special session of the General Assembly devoted to disarmament;

5. *Reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee, the Disarmament Commission and the Conference on Disarmament;

6. *Also reaffirms* the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

7. *Encourages* the Disarmament Commission to continue to make every effort to enhance its working methods so as to enable it to give focused consideration to a limited number of priority issues in the field of disarmament, bearing in mind the decision it has taken to move its agenda towards a three-item phased approach;

8. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly, and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items of its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";

9. *Recommends* that, pursuant to the adopted three-item phased approach, the Disarmament Commission, at its 1996 organizational session, adopt the following items for consideration at its 1997 substantive session:

(a) The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned;

(b) The fourth special session of the General Assembly devoted to disarmament;

(c) [to be added];¹⁵

10. *Requests* the Disarmament Commission to meet for a period not exceeding four weeks during 1997 and to submit a substantive report to the General Assembly at its fifty-second session;

11. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament, together with all the official records of the fifty-first session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

¹⁵ The new item on conventional weapons will be decided by the Disarmament Commission at its 1996 organization.

12. *Also requests* the Secretary-General to ensure full provision to the Disarmament Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end;

13. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Report of the Disarmament Commission".

Resolution 51/47 C

Report of the Conference on Disarmament

The General Assembly,

Having considered the report of the Conference on Disarmament,

Convinced that the Conference on Disarmament, as the single multilateral disarmament negotiating forum of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

Considering, in this respect, that the present international climate should give additional impetus to multilateral negotiations with the aim of reaching concrete agreements,

1. *Reaffirms* the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. *Welcomes* the determination of the Conference on Disarmament to fulfil that role in the light of the evolving international situation, with a view to making early substantive progress on priority items of its agenda;

3. *Welcomes also* the decision taken by the Conference on Disarmament on 17 June 1996 to expand its membership with the admission of twenty-three new members;

4. *Encourages* the Conference on Disarmament to continue further review of its membership;

5. *Also encourages* the Conference on Disarmament to intensify further the ongoing review of its agenda and methods of work;

6. *Urges* the Conference on Disarmament to make every effort to reach a consensus on its agenda and programme of work at the beginning of its 1997 session;

7. *Requests* the Secretary-General to continue to ensure the provision to the Conference on Disarmament of adequate administrative, substantive and conference support services;

8. *Requests* the Conference on Disarmament to submit a report on its work to the General Assembly at its fifty-second session;

9. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Report of the Conference on Disarmament".

Resolution 51/48

The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind the relevant United Nations resolutions,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is resolution GC(40)RES/22 adopted on 20 September 1996, and noting the danger of nuclear proliferation, especially in areas of tension,

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Mindful of the importance of placing all nuclear facilities in the region of the Middle East under full-scope safeguards of the International Atomic Energy Agency,

Recalling the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope International Atomic Energy Agency safeguards,

Recalling also the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet party to the Treaty to accede to it at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

Noting that, since the adoption of the aforementioned resolution and decision on 11 May 1995, Djibouti and the United Arab Emirates have become parties to the Treaty, and that Oman will become a party to the Treaty at the earliest date, and noting also that Israel shall be the only State in the Middle East that has not yet become a party to the Treaty and has not declared its intention to do so,

Concerned about threats posed to security and stability by the proliferation of nuclear weapons and other weapons of mass destruction in the region,

Stressing the importance of undertaking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle

East, in order to consolidate the non-proliferation regime and enhance peace and security in the region,

Noting the adoption of the Comprehensive Nuclear-Test-Ban Treaty by the General Assembly and its signature by one hundred and thirty-two States, including a number of States in the region,

1. *Welcomes* the accession of Djibouti to the Treaty on the Non-Proliferation of Nuclear Weapons on 22 August 1996, as well as the decision of Oman, expressed by its Minister of State for Foreign Affairs before the General Assembly on 1 October 1996, to accede to the Treaty;

2. *Calls upon* the only State in the region that is not yet party to the Treaty and has not declared its intention to do so, to accede to the Treaty without further delay, and not to develop, produce, test or otherwise acquire nuclear weapons and to renounce possession of nuclear weapons, and to place all unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

3. *Requests* the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "The risk of nuclear proliferation in the Middle East".

Resolution 51/49

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 resolution 50/74 of 12 December 1995 and previous resolutions referring 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,

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention, together with the Protocol on Non-Detectable Fragments (Protocol I), the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), which entered into force on 2 December 1983,

Also recalling with satisfaction the adoption, on 13 October 1995, of the Protocol on Blinding Laser Weapons (Protocol IV),

Reaffirming its conviction that a general and verifiable agreement on prohibitions or restrictions on the use of certain conventional weapons would significantly reduce the suffering of civilians and combatants,

Noting that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional weapons not covered by the existing Protocols or to review the scope and application of the Convention and the Protocols annexed thereto and to examine any proposed amendments or additional protocols,

Welcoming the fact that the Review Conference of the States Parties 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 met at resumed sessions at Geneva from 15 to 19 January 1996 and from 22 April to 3 May 1996 and concluded its work,

Particularly welcoming the adoption on 3 May 1996 of the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II),

Recalling the desire expressed by the States party to the Convention that all States, pending the entry into force of the amended Protocol, respect and ensure respect for the substantive provisions of the amended Protocol to the fullest extent possible,

Also recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols annexed thereto,

Welcoming the national measures adopted by an increasing number of Member States relating to bans, moratoriums or restrictions on the transfer, use or production of anti-personnel landmines or to the reduction of existing stockpiles of such mines,

Desirous of reinforcing international cooperation in the area of prohibitions or restrictions on the use of certain conventional weapons, in particular for the removal of minefields, mines and booby traps,

Recalling, in this respect, its resolution 50/82 of 14 December 1995 and previous resolutions on assistance in mine clearance,

Noting with appreciation contributions pledged to the Voluntary Trust Fund for Assistance in Mine Clearance,

1. *Registers its satisfaction* with the report of the Secretary-General;
2. *Welcomes* the fact that additional States have ratified or accepted 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, or have acceded to the Convention;
3. *Urgently calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention and

its Protocols, and upon successor States to take appropriate measures so that ultimately adherence to these instruments will be universal;

4. *Calls upon* the Secretary-General, in his capacity as depositary of the Convention and the Protocols annexed thereto, to continue to inform it periodically of ratifications and acceptances of and accessions to the Convention and the Protocols;

5. *Takes note with appreciation* of the final report of the Review Conference of the States Parties 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, adopted at Geneva on 3 May 1996;

6. *Commends* the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) to all States, with a view to achieving the widest possible adherence to this instrument at an early date, and calls, in particular, on the States parties to express their consent to be bound by the Protocol with a view to its entry into force as soon as possible;

7. *Again commends* the Protocol on Blinding Laser Weapons (Protocol IV) to all States, with a view to achieving the widest possible adherence to this instrument at an early date, and calls, in particular, on the States parties to express their consent to be bound by the Protocol with a view to its entry into force as soon as possible;

8. *Decides* to include in the provisional agenda of its fifty-second 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".

Resolution 51/52

Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

The General Assembly,

Recalling that in its resolution 1911 (XVIII) of 27 November 1963 it expressed the hope that the States of Latin America would take appropriate measures to conclude a treaty that would prohibit nuclear weapons in Latin America,

Recalling also that in the same resolution it voiced its confidence that, once such a treaty was concluded, all States, and in particular the nuclear-weapon States, would lend it their full cooperation for the effective realization of its peaceful aims,

Considering that in its resolution 2028 (XX) of 19 November 1965 it established the principle of an acceptable balance of mutual responsibilities

and obligations between nuclear-weapon States and those which do not possess such weapons,

Recalling that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) was opened for signature at Mexico City on 14 February 1967,

Taking note of the thirtieth anniversary on 14 February 1997 of the opening for signature of the Treaty of Tlatelolco,

Recalling that in its preamble the Treaty of Tlatelolco states that military denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling also that in its resolution 2286 (XXII) of 5 December 1967 it welcomed with special satisfaction the Treaty of Tlatelolco as an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

Recalling further that in 1990, 1991 and 1992 the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean approved and opened for signature a set of amendments to the Treaty of Tlatelolco, with the aim of enabling the full entry into force of that instrument,

Recalling resolution C/E/RES.27 of the Council of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, in which the Council calls for the promotion of cooperation and consultations with other nuclear-weapon-free zones,

Noting with satisfaction that, with the full adherence on 6 May 1996 of Guyana, the Treaty of Tlatelolco is in force for thirty-one sovereign States of the region,

Also noting with satisfaction that the amended Treaty of Tlatelolco is fully in force for Argentina, Brazil, Chile, Guyana, Jamaica, Mexico, Peru, Suriname and Uruguay,

1. *Welcomes* the concrete steps taken by some countries of the region during the past year for the consolidation of the regime of military denuclearization established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco);

2. *Notes with satisfaction* the full adherence of Guyana to the Treaty of Tlatelolco;

3. *Urges* the countries of the region that have not yet done so to deposit their instruments of ratification of the amendments to the Treaty of Tlatelolco approved by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean in its resolutions 267 (E-V) of 3 July 1990, 268 (XII) of 10 May 1991 and 290 (E-VII) of 26 August 1992;

4. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

Resolution 51/53

African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)

The General Assembly,

Recalling its resolution 50/78 of 12 December 1995 and all its other relevant resolutions, as well as those of the Organization of African Unity,

Noting and welcoming with satisfaction the successful conclusion of the signing ceremony of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) that was held at Cairo on 11 April 1996,

Recalling the Cairo Declaration adopted on that occasion, which emphasized that nuclear-weapon-free zones, especially in regions of tension, such as the Middle East, enhance global and regional peace and security,

Noting with satisfaction the statement made by the President of the Security Council on behalf of the members of the Council on 12 April 1996, in which it was stated that the signature of the African Nuclear-Weapon-Free Zone Treaty constituted an important contribution by the African countries to the maintenance of international peace and security,

Considering that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and the viability of the African nuclear-weapon-free zone,

Bearing in mind resolution CM/Res.1660 (LXIV) on expediting the process of ratification of the Treaty of Pelindaba, adopted by the Council of Ministers of the Organization of African Unity at its sixty-fourth ordinary session, held at Yaoundé from 1 to 5 July 1996,

1. *Calls upon* African States to sign and ratify the African Nuclear-Weapon-Free Zone Treaty as soon as possible so that it may enter into force without delay;

2. *Expresses its appreciation* to the international community and in particular to the nuclear-weapon States which have signed the Protocols that concern them, and calls upon them to ratify the Protocols as soon as possible;

3. *Calls upon* the States contemplated in Protocol III to the Treaty to take all necessary measures to ensure the speedy application of the Treaty to territories for which they are, *de jure* or *de facto*, internationally responsible and which lie within the limits of the geographical zone established in the Treaty;

4. *Calls upon* the African States parties to the Treaty on the Non-Proliferation of Nuclear Weapons which have not yet concluded comprehensive

safeguards agreements with the International Atomic Energy Agency pursuant to the Treaty to do so, thereby satisfying the requirements of article 9 (b) and annex II to the Treaty of Pelindaba when it enters into force;

5. *Expresses its profound gratitude* to the Secretary-General for the diligence with which he has rendered effective assistance to the signatories to the African Nuclear-Weapon-Free Zone Treaty in accordance with resolution 50/78;

6. *Expresses its gratitude* to the Secretary-General of the Organization of African Unity and the Director General of the International Atomic Energy Agency for the diligence with which they have rendered effective assistance to the signatories to the Treaty;

7. *Requests* the Secretary-General to continue to extend assistance, within existing resources, to the signatories in 1997 in order to achieve the aims of the present resolution;

8. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "African Nuclear-Weapon-Free Zone Treaty".

Resolution 51/54

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are one hundred and thirty-nine States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, including all the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Review Conferences, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Recalling its resolution 46/35 A, adopted without a vote on 6 December 1991, in which it welcomed, *inter alia*, the establishment, proceeding from

the recommendations of the Third Review Conference, of an ad hoc group of governmental experts open to all States parties to identify and examine potential verification measures from a scientific and technical standpoint,

Recalling also its resolution 48/65, adopted without a vote on 16 December 1993, in which it commended the final report of the Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint, agreed to by consensus at the last meeting of the Ad Hoc Group at Geneva on 24 September 1993,

Recalling further its resolution 49/86, adopted without a vote on 15 December 1994, in which it welcomed the final report of the Special Conference of the States Parties to the Convention, adopted by consensus on 30 September 1994, in which the States parties agreed to establish an ad hoc group, open to all States parties, whose objective should be to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention, to be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States parties,

Recalling the provisions of the Convention related to scientific and technological cooperation and the related provisions of the final report of the Ad Hoc Group of Governmental Experts, the final report of the Special Conference of the States Parties to the Convention, held from 19 to 30 September 1994, and the final documents of the Review Conferences,

1. *Welcomes* the information and data provided to date, and reiterates its call upon all States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention;

2. *Also welcomes* the progress made by the Ad Hoc Group in pursuing the mandate established by the Special Conference of the States Parties to the Convention on 30 September 1994, and urges the Ad Hoc Group, in order to fulfil its mandate, to intensify its work with a view to completing it as soon as possible before the commencement of the Fifth Review Conference and to submit its report, which shall be adopted by consensus, to the States parties to be considered at a special conference;

3. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, as well as the decisions contained in the final report of the Special Conference, including all necessary assistance to the Ad Hoc Group;

4. *Welcomes* the convening, at the request of the States parties, of the Fourth Review Conference of the Parties to the Convention at Geneva from 25 November to 6 December 1996;

5. *Calls upon* all signatory States that have not yet ratified the Convention to do so without delay, and also calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

6. *Decides* to include in the provisional agenda of its fifty-second session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

Decision 51/414

Non-proliferation of weapons of mass destruction and of vehicles for their delivery in all its aspects

The General Assembly, at its 79th plenary meeting on 10 December 1996, on the recommendation of the First Committee, recalling its decision 50/420 of 12 December 1995, decided to include in the provisional agenda of its fifty-second session the item entitled "Non-proliferation of weapons of mass destruction and of vehicles for their delivery in all its aspects".

APPENDIX V

TABLE OF RESOLUTIONS AND DECISIONS ON DISARMAMENT QUESTIONS

<i>Resolution/ Decision No.</i>	<i>Title/Agenda Item</i>	<i>Page References*</i>	<i>Sponsors**/Note</i>
50/245	Comprehensive nuclear-test-ban treaty (65)	18 241	Albania, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia , Austria, Bahamas, Bahrain, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia/Herzeg, Brazil, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central Afr Rep, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech

RESOLUTIONS

* The first reference refers to the page where discussion of the resolution begins in the resumed 50th session of the General Assembly; the second reference (in italics) refers to the page where the text of the resolution is reproduced.

** The State that introduced the draft resolution or decision is shown in bold type.

Resolution/ Decision No.	Title/Agenda Item	Page References*	Sponsors**/Vote
50/245 (cont.)			Republic, Denmark, Djibouti, Dominica, Dominican Rep, Ecuador, El Salvador, Equat Guinea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mauritania, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Palau, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Rwanda, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Sao Tome and Principe, Senegal, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Tajikistan, Thailand, theFYR of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen and Zaure (158-3-5)

51/37	Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons (60)	54 241	Afghanistan, Armenia, Austria, Azerbaijan, Bangladesh, Belarus , Belgium, Bolivia, Brazil, Bulgaria, Chile, Costa Rica, Czech Republic, Denmark, Egypt, El Salvador, Estonia, Finland, Germany, Greece, Hungary, Iceland, India, Indonesia, Italy, Kazakhstan, Kyrgyzstan, Lithuania, Luxembourg, Mongolia, Netherlands, Nigeria, Russian Fed, Slovakia, Slovenia, Sri Lanka, Sweden, Tajikistan, theFYR Macedonia, Ukraine, United Kingdom, Uruguay and Viet Nam (without a vote)
51/38	Objective information on military matters, including transparency of military expenditures (61 (b))	108 242	Afghanistan, Argentina, Australia, Austria, Belgium, Bulgaria, Chile, Denmark, Finland, France, Germany , Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Portugal, Rep of Moldova, Romania, Spain, Sweden, United Kingdom and United States (without a vote)
51/39	The role of science and technology in the context of international security and disarmament (63)	152 244	Bangladesh, Bhutan, Costa Rica, Cuba, Guyana, India , Indonesia, Iran (Islamic R), Kenya, Lesotho, Libyan AJ, Malaysia, Nepal, Nigeria, Pakistan, Singapore and Sri Lanka (105-39-24)

* The first reference refers to the page where discussion of the resolution begins in the First Committee; the second reference (in italics) refers to the page where the text of the resolution is reproduced.

** The State that introduced the draft resolution or decision is shown in bold type.

<i>Resolution/ Decision No.</i>	<i>Title/Agenda Item</i>	<i>Page References*</i>	<i>Sponsors**/Vote</i>
51/40	The role of science and technology in the context of international security, disarmament and other related fields (64)	153 245	Australia, Austria, Bolivia, Brazil, Bulgaria, Cambodia, Canada , Chile, Czech Republic, Denmark, Ecuador, Finland, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Kazakhstan, Lithuania, Luxembourg, New Zealand, Nicaragua, Norway, Poland, Rep of Korea, Rep of Moldova, Romania, South Africa and Sweden (161-0-8)
51/41	Establishment of a nuclear-weapon-free zone in the region of the Middle East (67)	58 246	Egypt (without a vote)
51/42	Establishment of a nuclear-weapon-free zone in South Asia (68)	61 248	Bangladesh and Pakistan (156-3-8)
51/43	Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (69)	54 250	Bangladesh, Brunei Dar-Salam, Colombia, Cuba, Dem PR of Korea, Egypt, Ghana, Guatemala, Indonesia, Iran (Islamic R), Libyan AJ, Malaysia, Myanmar, Pakistan , Philippines, Sri Lanka, Sudan, Viet Nam and Zaire (125-0-45)

51/44	Prevention of an arms race in outer space (70)	150 252	Algeria, Bangladesh, Bolivia, Brunei Dar-Salam, Chile, China, Cuba, Dem PR of Korea, Egypt , India, Indonesia, Iran (Islamic R), Malaysia, Marshall Islands, Mongolia, Myanmar, Nigeria, Papua N Guinea and Sri Lanka (126-0-44)
51/45 A	Treaty on the Non-Proliferation of Nuclear Weapons: 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee (71 (j))	53 255	Sri Lanka (on behalf of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons) (167-0-2)
51/45 B	The nuclear-weapon-free southern hemisphere and adjacent areas (71)	59 256	Algeria, Angola, Argentina, Bahamas, Belize, Benin, Bolivia, Botswana, Brazil , Brunei Dar-Salam, Cambodia, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Jamaica, Kenya, Lesotho, Liberia, Malaysia, Marshall Islands, Mexico, Micronesia (FS), Mongolia, Mozambique, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Panama, Papua N Guinea,

* The first reference refers to the page where discussion of the resolution begins in the First Committee; the second reference (in italics) refers to the page where the text of the resolution is reproduced.

** The State that introduced the draft resolution or decision is shown in bold type.

Resolution/ Decision No.	Title/Agenda Item	Page References*	Sponsors**/Vote
51/45 B (cont.)			Paraguay, Peru, Philippines, Samoa, Sierra Leone, Singapore, Solomon Islands, South Africa, Suriname, Thailand, the FYR Macedonia, Togo, Trinidad-Tobago, Tunisia, UR of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Zaire, Zimbabwe (129-3-38)
51/45 C	Convening of the fourth special session of the General Assembly devoted to disarmament (71 (d))	164 257	Colombia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) (163-2-5)
51/45 D	Relationship between disarmament and development (71 (e))	151 259	Colombia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) (without a vote)
51/45 E	Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control (71)	154 260	Colombia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) (137-4-27)
51/45 F	Measures to curb the illicit transfer and use of conventional arms (71 (f))	110 262	Afghanistan , Bangladesh, Belgium, Cambodia, France, Germany, Haiti, India, Indonesia, Nicaragua, South Africa, Sri Lanka, United Kingdom, Zaire and Zimbabwe (without a vote)

Table of resolutions and decisions

51/45 G	Nuclear disarmament with a view to the ultimate elimination of nuclear weapons (71 (i))	47 264	Australia, Austria, Canada, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Japan, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Romania, Spain, Sweden, United Kingdom and Venezuela (159-0-11)
51/45 H	Transparency in armaments (71 (b))	108 265	Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Bahamas, Belarus, Belgium, Brazil, Bhutan, Bolivia, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Malta, Marshall Islands, Monaco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Rep of Korea, Rep of Moldova, Romania, Russian Fed, Samoa, San Marino, Sao Tome and Principe, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa,

* The first reference refers to the page where discussion of the resolution begins in the First Committee; the second reference (in italics) refers to the page where the text of the resolution is reproduced.

** The State that introduced the draft resolution or decision is shown in bold type.

<i>Resolution/ Decision No.</i>	<i>Title/Agenda Item</i>	<i>Page References*</i>	<i>Sponsors**/Note</i>
51/45 H (cont.)			Spain, Swaziland, Sweden, theFYR Macedonia, Turkey, Ukraine, United Kingdom, United States and Zaire (154-0-15)
51/45 I	Bilateral nuclear-arms negotiations and nuclear disarmament (71)	51 267	Colombia (on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries) (107-37-24)
51/45 J	Prohibition of the dumping of radioactive wastes (71 (c))	65 269	France, Russian Fed, Burundi (on behalf of the States Members of the United Nations that are members of the African Group of States), Monaco, Mongolia and Nigeria (without a vote)
51/45 K	Regional disarmament (71 (g))	111 271	Albania, Armenia, Bangladesh, Bolivia, Chile, Colombia, Congo, Egypt, Ghana, Indonesia, Liberia, Mali, Nepal, New Zealand, Niger, Pakistan, Papua N Guinea, Sri Lanka, Sudan, theFYR Macedonia, Togo, Tunisia, Turkey, Ukraine, Zaire and Zimbabwe (170-0-1)
51/45 L	Assistance to States for curbing the illicit traffic in small arms and collecting them (71)	113 272	Benin, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chad, Congo, Côte d'Ivoire, Djibouti, Gabon, Guinea, Guinea-Bissau, Haiti, Japan, Liberia, Mali, Mauritania, Niger, Togo and Zaire (without a vote)

Table of resolutions and decisions

Afghanistan, Algeria, Bangladesh, Belize, Brazil, Burundi, Colombia, Costa Rica, Ecuador, El Salvador, Fiji, Ghana, Guatemala, Guyana, India, Indonesia, Iran (Islamic R), Iraq, Lesotho, Libyan AJ, Malawi, **Malaysia**, Mali, Marshall Islands, Mexico, Mongolia, Myanmar, Namibia, Niger, Nigeria, Papua N Guinea, Paraguay, Peru, Philippines, Qatar, Samoa, San Marino, Singapore, Solomon Islands, Sri Lanka, Thailand, UR of Tanzania, Uruguay, Viet Nam and Zimbabwe (115-22-32)

Afghanistan, Angola, Australia, Austria, Bangladesh, Belarus, Cambodia, Cameroon, Canada, Central Afr Rep, Chile, Congo, Costa Rica, Côte d'Ivoire, Denmark, El Salvador, Ethiopia, Gabon, Gambia, Georgia, **Germany**, Guatemala, Hungary, Ireland, Japan, Lesotho, Lithuania, Mali, Malta, Marshall Islands, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Peru, Poland, Portugal, Rep of Moldova, Romania, Sweden and Uruguay (without a vote)

62
274

51/45 M Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons (71 (k))

111
275

51/45 N Consolidation of peace through practical disarmament measures (71)

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** The State that introduced the draft resolution or decision is shown in bold type.

<i>Resolution/ Decision No.</i>	<i>Title/Agenda Item</i>	<i>Page References*</i>	<i>Sponsors **/Note</i>
51/45 O	Nuclear disarmament (71 (i))	49 277	Algeria, Angola, Bangladesh, Burundi, Cambodia, Colombia, Costa Rica, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Ghana, India, Indonesia, Iran (Islamic R), Iraq, Kenya, Lesotho, Malaysia, Marshall Islands, Mexico, Mongolia, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Pakistan, Papua N Guinea, Philippines, Samoa, Sri Lanka, Sudan, Thailand, UR of Tanzania, Venezuela, Viet Nam, Zaire, Zambia, Zimbabwe (110-39-20)
51/45 P	Measures to uphold the authority of the 1925 Geneva Protocol (71)	88 280	Colombia (on behalf of States Members of the United Nations that are members of the Movement of Non-Aligned Countries) (165-0-7)
51/45 Q	Conventional arms control at the regional and subregional levels (71 (h))	112 281	Bangladesh, Belgium, Benin, Czech Republic, El Salvador, France, Germany, Italy, Mexico, Nepal, Norway, Pakistan , Portugal, Spain, theFYR Macedonia, United Kingdom and Zaire (164-1-2)
51/45 R	Bilateral nuclear-arms negotiations and nuclear disarmament (71)	51 282	Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kazakstan, Kyrgyzstan, Latvia, Liechtenstein, Luxembourg, Marshall Islands, Monaco, Nether-

lands, New Zealand, Norway, Poland, Portugal, Rep of Korea, Rep of Moldova, Romania, Russian Fed, Slovakia, Slovenia, Spain, Sweden, Tajikistan, the FYR Macedonia, Turkey, United Kingdom and United States (160-0-11)

Afghanistan, Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Burundi, Cambodia, Canada, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Palau, Panama,

51/45 R
(cont.)

51/45 S An international agreement to ban anti-personnel landmines (71)

143
284

* The first reference refers to the page where discussion of the resolution begins in the First Committee; the second reference (in italics) refers to the page where the text of the resolution is reproduced.

** The State that introduced the draft resolution or decision is shown in bold type.

<i>Resolution/ Decision No.</i>	<i>Title/Agenda Item</i>	<i>Page References*</i>	<i>Sponsors**/Note</i>
51/45 S (cont.)			Paraguay, Peru, Philippines, Poland, Portugal, Rep of Moldova, Romania, Rwanda, Samoa, San Marino, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, theFYR Macedonia, Togo, Tunisia, Turkmenistan, United Kingdom, United States , Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zaire, Zambia and Zimbabwe (155-0-10)
51/45 T	Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (71)	86 286	Canada, India, Iran (Islamic R), Mexico and Poland (without a vote)
51/46 A	United Nations Disarmament Information Programme (72 (a))	169 287	Bolivia, Brazil, Chile, Costa Rica, Guatemala, India, Indonesia, Kenya, Mexico , Myanmar, Nicaragua, Pakistan, South Africa and Sri Lanka (without a vote)
51/46 B	United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific (72 (d))	173 289	Australia, Bangladesh, Brunei Dar-Salam, Cambodia, Indonesia, Japan, Lao PDR, Malaysia, Marshall Islands, Mongolia , Myanmar, Nepal, New Zealand, Philippines, Rep of Korea, Sri Lanka, Thailand and Viet Nam (without a vote)

Table of resolutions and decisions

113	Congo (on behalf of the States members of the United Nations Standing Advisory Committee on Security Questions in Central Africa) (without a vote)	113
290	Regional confidence-building measures (72 (c))	290
51/46 C		
	Bangladesh, Bhutan, Bolivia, Botswana, Brunei Dar-Salam, Colombia, Costa Rica, Cuba, Dem PR of Korea, Ecuador, Egypt, El Salvador, Ethiopia, Haiti, India, Indonesia, Iran (Islamic R), Lao PDR, Lesotho, Libyan AJ, Malaysia, Mexico, Myanmar, Nepal, Nigeria, Sudan and Viet Nam (114-31-27)	
51/46 D	Convention on the Prohibition of the Use of Nuclear Weapons (72 (e))	50 293
	Togo (on behalf of the States Members of the United Nations that are members of the African Group of States) (without a vote)	172 295
51/46 E	United Nations Regional Centre for Peace and Disarmament in Africa (72 (d))	170 297
51/46 F	United Nations disarmament fellowship, training and advisory services (72 (b))	
	Australia, Algeria, Argentina, Bangladesh, Botswana, Brazil, China, Congo, Côte d'Ivoire, Cuba, Dem PR of Korea, Egypt, Germany, Greece, Guatemala, Indonesia, Iran (Islamic R), Japan, Kenya, Liberia, Mongolia, Myanmar, New Zealand, Nicaragua, Niger, Nigeria, Pakistan, Sri Lanka, Moldova, Romania, South Africa, Sri Lanka, Sweden, Thailand, Togo, UR of Tanzania, Viet Nam and Zaire (without a vote)	

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** The State that introduced the draft resolution or decision is shown in bold type.

<i>Resolution/ Decision No.</i>	<i>Title/Agenda Item</i>	<i>Page References*</i>	<i>Sponsors**/Vote</i>
51/47 A	Expansion of the membership of the Conference on Disarmament (73 (b))	161 298	Austria, Belarus, Belgium, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Finland, France, Germany, Greece, Guatemala, Ireland, Italy, Kazakhstan, Kuwait, Kyrgyzstan, Lithuania, Luxembourg, Malaysia, Netherlands, Portugal, Slovenia, Spain, Sweden, theFYR Macedonia, Tunisia and United Kingdom (171-0-2)
51/47 B	Report of the Disarmament Commission (73 (a))	156 299	Colombia, Finland, Germany, Jordan, Mongolia, Nicaragua, Nigeria, Pakistan, Poland, Romania, Ukraine and UR of Tanzania (without a vote)
51/47 C	Report of the Conference on Disarmament (73 (b))	160 301	Poland (without a vote)
51/48	The risk of nuclear proliferation in the Middle East (74)	55 302	Egypt (on behalf of States Members of the United Nations that are members of the League of Arab States) and Malaysia (129-3-32)
51/49	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 (75)	143 303	Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Ecuador, El Salvador, Finland, France, Germany, Guatemala, Hungary, Iceland, India, Ireland, Italy, Japan, Luxembourg, Malta, Monaco, Mongolia, Netherlands, New Zealand,

Table of resolutions and decisions

51/49 (<i>cont.</i>)	Nicaragua, Norway, Poland, Portugal, Rep of Moldova, Panama, Paraguay, Romania, Russian Fed, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, theFYR Macedonia, United Kingdom and United States (without a vote)		
51/52	Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (78)	57 305	Antigua-Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Rep, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Suriname, Trinidad-Tobago, Uruguay and Venezuela (without a vote)
51/53	The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) (79)	57 307	South Africa (on behalf of the States Members of the United Nations that are members of the African Group of States) (without a vote)
51/54	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (80)	88 308	Argentina, Armenia, Australia, Austria, Belarus, Bangladesh, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Croatia, Cuba, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary ,

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** The State that introduced the draft resolution or decision is shown in bold type.

<i>Resolution/ Decision No.</i>	<i>Title/Agenda Item</i>	<i>Page References*</i>	<i>Sponsors**/Vote</i>
51/54 (cont.)			Iceland, India, Ireland, Italy, Japan, Kenya, Kyrgyzstan, Luxembourg, Mauritius, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Rep of Korea, Rep of Moldova, Romania, Russian Fed, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, theFYR Macedonia, Turkey, Ukraine, United Kingdom and United States (without a vote)

DECISIONS

51/414	Non-proliferation of weapons of mass destruction and of vehicles for their delivery in all its aspects (71 (j))	54 310	Mexico (121-0-52)
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* The first reference refers to the page where discussion of the resolution begins in the First Committee; the second reference (in italics) refers to the page where the text of the resolution is reproduced.

** The State that introduced the draft resolution or decision is shown in bold type.

- 50/245 (cont.) Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, U A Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zaire, Zimbabwe
- Against:* Bhutan, India, Libyan AJ
- Abstaining:* Cuba, Lebanon, Mauritius, Syrian AR, U R Tanzania
- 51/37 Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons 54
- Adopted without a vote*
- 51/38 Objective information on military matters including transparency of military expenditures 108
- Adopted without a vote*
- 51/39 The role of science and technology in the context of international security and disarmament 152
- Adopted by a recorded vote of 105 to 39, with 24 abstentions, as follows.^b*
- In favour:* Afghanistan, Algeria, Angola, Antigua-Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Dar-Salam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, China, Colombia,

^b Subsequent to the voting the delegation of Germany informed the Secretariat that it had intended to vote against the draft resolution.

51/39
(cont.) Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic R), Jamaica, Jordan, Kenya, Kuwait, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Madagascar, Malawi, Malaysia, Maldives, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, St Kitts-Nevis, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Syrian AR, Thailand, Togo, Trinidad-Tobago, Tunisia, Uganda, U A Emirates, U R Tanzania, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Rep of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, theFYR Macedonia, Turkey, United Kingdom, United States

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Bosnia/Herzeg, Brazil, Canada, Chile, Georgia, Germany, Japan, Kazakstan, Kyrgyzstan, Latvia, Marshall Islands, Micronesia (FS), Rep of Korea, Russian Fed, Samoa, Solomon Islands, South Africa, Tajikistan, Ukraine, Uruguay

51/40 The role of science and technology in the context of international security, disarmament and other related fields

153

Adopted by a recorded vote of 161 to none, with 8 abstentions, as follows:

51/40
(cont.)

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Latvia, Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, St Kitts-Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Dem PR of Korea, India, Iran (Islamic R), Japan, Micronesia (FS), Pakistan, Sri Lanka, United States

Voting patterns of resolutions and decisions

		<i>Reference in text</i>
51/41	Establishment of a nuclear-weapon-free zone in the region of the Middle East	58
	<i>Adopted without a vote</i>	
51/42	Establishment of a nuclear-weapon-free-zone in South Asia	61
	<i>Adopted by a recorded vote of 156 to 3, with 8 abstentions, as follows:</i>	
	<p><i>In favour:</i> Albania, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Iran (Islamic R), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libyan AJ, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, St Kitts-Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe</p>	

51/42
(cont.)

Against: Bhutan, India, Mauritius

Abstaining: Afghanistan, Algeria, Cuba, Cyprus, Indonesia, Lao PDR, Myanmar, Viet Nam

51/43

Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

54

Adopted by a recorded vote of 125 to none, with 45 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua-Barbuda, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Dar-Salam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic R), Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, St Kitts-Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian AR, Tajikistan, Thailand, Togo, Trinidad-Tobago, Tunisia, Uganda, Ukraine, U A Emirates, U R Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

51/43 *Abstaining:* Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia/Herzeg, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Rep of Korea, Rep of Moldova, Romania, Russian Fed, San Marino, Slovakia, Slovenia, Spain, Sweden, theFYR Macedonia, Turkey, United Kingdom, United States

51/44 Prevention of an arms race in outer space

150

Adopted by a recorded vote of 126 to none, with 44 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua-Barbuda, Armenia, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Dar-Salam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic R), Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Rep of Korea, Russian Fed, St Kitts-Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian AR, Tajikistan, Thailand, Togo, Trinidad-Tobago, Tunisia, Uganda, Ukraine, U A Emirates, U R Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

51/44 *Abstaining:* Albania, Andorra, Argentina, Austria, Belgium, Bosnia/Herzeg, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Rep of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, theFYR Macedonia, Turkey, United Kingdom, United States, Uzbekistan

51/45 General and complete disarmament

A Treaty on the Non-Proliferation of Nuclear Weapons: 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee 53

Adopted by a recorded vote of 167 to none, with 2 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic R), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Latvia, Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger,

51/45 A Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, (cont.) Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: India, Israel

B The nuclear-weapon-free southern hemisphere and adjacent areas

59

Adopted by a recorded vote of 129 to 3, with 38 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic R), Ireland, Jamaica, Jordan, Kazakstan, Kenya, Kuwait, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (FS), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, St Kitts-Nevis,

51/45 B Saint Lucia, St Vincent-Gren, Samoa, San Marino,
(cont.) Saudi Arabia, Senegal, Sierra Leone, Singapore,
Solomon Islands, South Africa, Sri Lanka, Sudan,
Suriname, Swaziland, Sweden, Syrian AR, Thailand,
theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia,
Uganda, Ukraine, U A Emirates, U R Tanzania,
Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen,
Zambia, Zimbabwe

Against: France, United Kingdom, United States

Abstaining: Andorra, Belgium, Bulgaria, Canada,
Croatia, Cyprus, Czech Republic, Denmark, Estonia,
Finland, Georgia, Germany, Hungary, Iceland, India,
Israel, Italy, Japan, Kyrgyzstan, Latvia, Lithuania,
Luxembourg, Mauritius, Monaco, Netherlands, Norway,
Poland, Portugal, Rep of Korea, Rep of Moldova,
Romania, Russian Fed, Slovakia, Slovenia, Spain,
Tajikistan, Turkey, Uzbekistan

C Convening of the fourth special session of the General Assembly devoted to disarmament 164

Adopted by a recorded vote of 163 to 2, with 5 abstentions, as follows:^c

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti,

^c Subsequent to the voting the delegations of Denmark, Latvia, Seychelles and Tajikistan informed the Secretariat that they had intended to vote in favour of the draft resolution.

- 51/45 C Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic R), Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe
- Against:* Israel, United States
- Abstaining:* Denmark, Latvia, Russian Fed, Tajikistan, Uzbekistan
- D Relationship between disarmament and development 151
- Adopted without a vote*
- E Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control 154
- Adopted by a recorded vote of 137 to 4, with 27 abstentions, as follows:*^d
- In favour:* Afghanistan, Algeria, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Dar-Salam, Burkina Faso, Burundi,

^d Subsequent to the voting, the delegation of Latvia informed the Secretariat that it had intended to vote in favour of the draft resolution.

- 51/45 E (cont.) Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Dem PR of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic R), Ireland, Jamaica, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Rep of Moldova, Russian Fed, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Uganda, Ukraine, U A Emirates, U R Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe
- Against:* France, Israel, United Kingdom, United States
- Abstaining:* Albania, Andorra, Belgium, Bosnia/Herzeg, Bulgaria, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Iceland, Italy, Japan, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Rep of Korea, Romania, Slovakia, Slovenia, Spain, Tajikistan, Turkey, Uzbekistan
- F Measures to curb the illicit transfer and use of conventional arms 110
- Adopted without a vote*
- G Nuclear disarmament with a view to the ultimate elimination of nuclear weapons 47
- Adopted by a recorded vote of 159 to none, with 11 abstentions, as follows:*

51/45 G
(cont.)

In favour: Afghanistan, Albania, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Latvia, Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Algeria, Brazil, China, Cuba, Dem PR of Korea, India, Iran (Islamic R), Israel, Mauritius, Myanmar, Nigeria

H Transparency in armaments

108

Adopted by a recorded vote of 154 to none, with 15 abstentions, as follows:

51/45 H (cont.) *In favour:* Afghanistan, Albania, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Ecuador, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Tajikistan, Thailand, theFYR of Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Algeria, Cuba, Dem PR of Korea, Djibouti, Egypt, India, Indonesia, Iran (Islamic R), Lebanon, Libyan AJ, Mexico, Myanmar, Nigeria, Saudi Arabia, Syrian AR

I Bilateral nuclear-arms negotiations and nuclear disarmament

51

51/45 I (cont.) *Adopted by a recorded vote of 107 to 37, with 24 abstentions, as follows:*

In favour: Afghanistan, Algeria, Angola, Antigua-Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Dar-Salam, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic R), Jamaica, Jordan, Kenya, Kuwait, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Madagascar, Malawi, Malaysia, Maldives, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian AR, Thailand, Togo, Trinidad-Tobago, Tunisia, Uganda, U A Emirates, U R Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Albania, Andorra, Armenia, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Marshall Islands, Micronesia (FS), Monaco, Netherlands, Norway, Poland, Portugal, Rep of Moldova, Romania, Russian Fed, Slovakia, Slovenia, Spain, theFYR Macedonia, Turkey, United Kingdom, United States

Abstaining: Argentina, Australia, Austria, Azerbaijan, Belarus, Bosnia/Herzeg, Cambodia, Croatia, Cyprus, Ireland, Japan, Kazakstan, Kyrgyzstan, Liechtenstein, Malta, New Zealand, Paraguay, Rep of Korea, San Marino, Solomon Islands, Sweden, Tajikistan, Ukraine, Uzbekistan

	<i>Reference in text</i>
51/45 J Prohibition of the dumping of radioactive wastes	65
<i>Adopted without a vote</i>	
K Regional disarmament	111
<i>Adopted by a recorded vote of 170 to none, with 1 abstention, as follows:</i>	
<i>In favour:</i> Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Dem PR of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic R), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Latvia, Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, United States, Uruguay, Uzbekistan,	

Voting patterns of resolutions and decisions

		<i>Reference in text</i>
51/45 K (cont.)	<p>Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe</p> <p style="padding-left: 2em;"><i>Against:</i> None</p> <p style="padding-left: 2em;"><i>Abstaining:</i> India</p>	
L	<p>Assistance to States for curbing the illicit traffic in small arms and collecting them</p> <p style="padding-left: 2em;"><i>Adopted without a vote</i></p>	113
M	<p>Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons</p> <p style="padding-left: 2em;"><i>Adopted by a recorded vote of 115 to 22, with 32 abstentions, as follows:</i></p> <p style="padding-left: 2em;"><i>In favour:</i> Afghanistan, Algeria, Angola, Antigua-Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of Korea, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic R), Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Thailand, Trinidad-Tobago, Tunisia, Uganda, U A Emirates, U R Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe</p> <p style="padding-left: 2em;"><i>Against:</i> Albania, Belgium, Canada, Czech Republic, France, Germany, Hungary, Italy, Luxembourg, Monaco,</p>	62

51/45 M Netherlands, Poland, Portugal, Romania, Russian Fed,
(cont.) Slovakia, Slovenia, Spain, theFYR Macedonia, Turkey,
United Kingdom, United States

Abstaining: Andorra, Argentina, Armenia, Australia,
Austria, Azerbaijan, Belarus, Benin, Bulgaria, Croatia,
Cyprus, Denmark, Equat Guinea, Estonia, Finland,
Georgia, Iceland, Israel, Japan, Kazakstan, Kyrgyzstan,
Latvia, Liechtenstein, Lithuania, Norway, Rep of Korea,
Rep. of Moldova, Senegal, Tajikistan, Togo, Ukraine,
Uzbekistan

N Consolidation of peace through practical disarmament 111
measures

Adopted without a vote

O Nuclear disarmament 49

*Adopted by a recorded vote of 110 to 39, with 20 absten-
tions, as follows:*

In favour: Afghanistan, Algeria, Angola, Antigua-
Barbuda, Bahamas, Bahrain, Bangladesh, Barbados,
Belize, Benin, Bhutan, Bolivia, Botswana, Brazil,
Brunei Dar-Salam, Burkina Faso, Burundi, Cambodia,
Cameroon, Cape Verde, Chad, China, Colombia,
Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of
Korea, Djibouti, Dominica, Ecuador, Egypt, El
Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana,
Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana,
Haiti, Honduras, India, Indonesia, Iran (Islamic R),
Jamaica, Jordan, Kenya, Kuwait, Lao PDR, Lebanon,
Lesotho, Liberia, Libyan AJ, Madagascar, Malawi,
Malaysia, Maldives, Mali, Marshall Islands, Mexico,
Micronesia (FS), Mongolia, Morocco, Mozambique,
Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria,
Oman, Pakistan, Panama, Paraguay, Peru, Philippines,
Qatar, St Kitts-Nevis, Saint Lucia, St Vincent-Gren,
Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore,
Solomon Islands, Sri Lanka, Sudan, Suriname,
Swaziland, Syrian AR, Thailand, Togo, Trinidad-Tobago,
Tunisia, Uganda, U A Emirates, U R Tanzania, Uruguay,

51/45 O Vanuatu, Venezuela, Viet Nam, Yemen, Zambia,
(cont.) Zimbabwe

Against: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Rep of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, theFYR Macedonia, Turkey, United Kingdom, United States

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Bosnia/Herzeg, Chile, Cyprus, Equat Guinea, Georgia, Japan, Kazakstan, Kyrgyzstan, Malta, New Zealand, Rep of Korea, Russian Fed, South Africa, Tajikistan, Ukraine, Uzbekistan

P Measures to uphold the authority of the 1925 Geneva Protocol 88

Adopted by a recorded vote of 165 to none, with 7 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic R), Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Latvia, Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall

51/45 P Islands, Mauritius, Mexico, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Moldova, Romania, Rwanda, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Belarus, Israel, Kazakstan, Rep of Korea, Russian Fed, Tajikistan, United States

Q Conventional arms control at the regional and sub-regional levels 112

Adopted by a recorded vote of 164 to 1, with 2 abstentions, as follows:^e

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Dem PR of Korea, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea,

^e Subsequent to the voting the delegation of Bahrain informed the Secretariat that it had intended to vote in favour of the draft resolution.

51/45 Q (cont.) Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic R), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, Rwanda, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom, U R Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe

Against: India

Abstaining: Cuba, Libyan AJ

R Bilateral nuclear arms negotiations and nuclear disarmament 51

Adopted by a recorded vote of 160 to none, with 11 abstentions, as follows:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon,

51/45 R (cont.) Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Lao PDR, Latvia, Lesotho, Liberia, Libyan AJ, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Rep of Moldova, Romania, Russian Fed, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Turkey, Ukraine, U A Emirates, United Kingdom, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Cuba, Dem PR of Korea, India, Indonesia, Iran (Islamic R), Lebanon, Myanmar, Sri Lanka, Syrian AR, Uganda, U R Tanzania

S An international agreement to ban anti-personnel landmines 143

Adopted by a recorded vote of 155 to none, with 10 abstentions, as follows:^f

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada,

^f Subsequent to the voting the delegations of Bangladesh and Belgium informed the Secretariat that they had intended to vote in favour of the draft resolution.

- 51/45 S (cont.) Cape Verde, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Jordan, Kazakstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Rep of Moldova, Romania, Rwanda, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Tajikistan, Thailand, theFYR Macedonia, Togo, Trinidad-Tobago, Tunisia, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Belarus, China, Cuba, Dem PR of Korea, Israel, Pakistan, Rep of Korea, Russian Fed, Syrian AR, Turkey

- 51/45 T Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

86

Adopted without a vote

51/46	Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly	
A	United Nations Disarmament Information Programme <i>Adopted without a vote</i>	169
B	United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific <i>Adopted without a vote</i>	173
C	Regional confidence-building measures <i>Adopted without a vote</i>	113
D	Convention on the Prohibition of the Use of Nuclear Weapons	50

Adopted by a recorded vote of 114 to 31, with 27 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua-Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Dar-Salam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic R), Jamaica, Jordan, Kenya, Kuwait, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Micronesia (FS), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Qatar, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian AR, Thailand, Togo, Trinidad-Tobago, Tunisia, Uganda, U A Emirates,

Voting patterns of resolutions and decisions

*Reference
in text*

- 51/46 D Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam,
(cont.) Yemen, Zambia, Zimbabwe
- Against:* Albania, Andorra, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Turkey, United Kingdom, United States, Uzbekistan
- Abstaining:* Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia/Herzeg, Comoros, Cyprus, Equat Guinea, Estonia, Georgia, Ireland, Israel, Japan, Kazakstan, Kyrgyzstan, Liechtenstein, Malta, New Zealand, Rep of Korea, Rep of Moldova, Russian Fed, Sweden, Tajikistan, theFYR Macedonia, Ukraine
- E United Nations Regional Centre for Peace and Disarmament in Africa 172
- Adopted without a vote*
- F United Nations disarmament fellowship, training and advisory services 170
- Adopted without a vote*
- 51/47 Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session
- A Expansion of the membership of the Conference on Disarmament 161
- Adopted by a recorded vote of 171 to none, with 2 abstentions, as follows:*
- In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica,

- 51/47 A Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic,
(cont.) Dem PR of Korea, Denmark, Djibouti, Dominica,
Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea,
Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia,
Georgia, Germany, Ghana, Grenada, Guatemala,
Guinea, Guinea-Bissau, Guyana, Haiti, Honduras,
Hungary, Iceland, India, Indonesia, Iran (Islamic R),
Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakstan,
Kenya, Kuwait, Kyrgyzstan, Lao PDR, Latvia,
Lebanon, Lesotho, Liberia, Libyan AJ, Liechtenstein,
Lithuania, Luxembourg, Madagascar, Malawi, Malaysia,
Maldives, Mali, Marshall Islands, Mauritius, Mexico,
Micronesia (FS), Monaco, Mongolia, Morocco,
Mozambique, Myanmar, Namibia, Nepal, Netherlands,
New Zealand, Nicaragua, Niger, Nigeria, Norway,
Oman, Pakistan, Panama, Papua N Guinea, Paraguay,
Peru, Philippines, Poland, Portugal, Qatar, Rep of
Korea, Rep of Moldova, Romania, Russian Fed,
Rwanda, St Kitts-Nevis, Saint Lucia, St Vincent-Gren,
Samoa, San Marino, Saudi Arabia, Senegal, Seychelles,
Sierra Leone, Singapore, Slovakia, Slovenia, Solomon
Islands, South Africa, Spain, Sri Lanka, Sudan,
Suriname, Swaziland, Sweden, Syrian AR, Tajikistan,
Thailand, theFYR Macedonia, Togo, Trinidad-Tobago,
Tunisia, Uganda, Ukraine, U A Emirates, United
Kingdom, U R Tanzania, Uruguay, Uzbekistan,
Vanuatu, Venezuela, Viet Nam, Yemen, Zambia,
Zimbabwe
- Against:* None
- Abstaining:* Turkey, United States
- B Report of the Disarmament Commission 156
Adopted without a vote
- C Report of the Conference on Disarmament 160
Adopted without a vote
- 51/48 The risk of nuclear proliferation in the Middle East 55
*Adopted by a recorded vote of 129 to 3, with 32 absten-
tions, as follows:*

51/48
(cont.)

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua-Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bosnia/Herzeg, Botswana, Brunei Dar-Salam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Dem PR of Korea, Denmark, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Finland, France, Germany, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic R), Ireland, Italy, Jamaica, Japan, Jordan, Kuwait, Kyrgyzstan, Lebanon, Lesotho, Libyan AJ, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Niger, Nigeria, Oman, Pakistan, Panama, Papua N Guinea, Peru, Philippines, Poland, Portugal, Qatar, Rep of Korea, Romania, Russian Fed, St Kitts-Nevis, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian AR, Thailand, theFYR Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, U A Emirates, United Kingdom, U R Tanzania, Vanuatu, Viet Nam, Yemen, Zambia, Zimbabwe

Against: Israel, Micronesia (FS), United States

Abstaining: Barbados, Bolivia, Brazil, Canada, Congo, Côte d'Ivoire, Equat Guinea, Estonia, Ethiopia, Fiji, Gabon, Georgia, Guatemala, India, Kazakstan, Kenya, Latvia, Liberia, Lithuania, Marshall Islands, Mongolia, Myanmar, Nepal, Nicaragua, Norway, Paraguay, Singapore, Tajikistan, Trinidad-Tobago, Uruguay, Uzbekistan, Venezuela

51/49	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	143
	<i>Adopted without a vote</i>	
51/52	Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)	57
	<i>Adopted without a vote</i>	
51/53	African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)	57
	<i>Adopted without a vote</i>	
51/54	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction	88
	<i>Adopted without a vote</i>	
Decision		
51/414	Non-proliferation of weapons of mass destruction and of vehicles for their delivery in all its aspects	54
	<i>Adopted by a recorded vote of 121 to none, with 52 abstentions, as follows:</i>	
	<i>In favour:</i> Afghanistan, Algeria, Angola, Antigua-Barbuda, Australia, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Bosnia/Herzeg, Botswana, Brazil, Brunei Dar-Salam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Dem PR of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Equat Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic R), Jamaica, Jordan, Kenya, Kuwait, Lao PDR, Lebanon, Lesotho, Liberia, Libyan AJ, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico,	

51/414 (cont.) Micronesia (FS), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua N Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, St Kitts-Nevis, Saint Lucia, St Vincent-Gren, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian AR, Thailand, Togo, Trinidad-Tobago, Tunisia, Uganda, U A Emirates, U R Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against: None

Abstaining: Albania, Andorra, Argentina, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Rep of Korea, Rep of Moldova, Romania, Russian Fed, Slovakia, Slovenia, Spain, Sweden, Tajikistan, theFYR Macedonia, Turkey, Ukraine, United Kingdom, United States, Uzbekistan

APPENDIX VII

Abbreviations and acronyms

ABM	Anti-Ballistic Missile
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
BWC	Biological Weapons Convention
CARICOM	Caribbean Community
CCWC	Convention on Certain Conventional Weapons
CD	Conference on Disarmament
CFE	Conventional Armed Forces in Europe
COCOM	Coordinating Committee for Multilateral Export Controls
CTBT	Comprehensive Nuclear-Test-Ban Treaty
CTBTO	Comprehensive Nuclear-Test-Ban Treaty Organization
CWC	Chemical Weapons Convention
DPRK	Democratic People's Republic of Korea
EC	European Community
ECOMOG	Economic Community of West African States Monitoring Observer Group
ECOWAS	Economic Community of West African States
EEA	European Economic Area
EFTA	European Free Trade Area
EU	European Union
FAA	Angolan Armed Forces
GSE	Ad Hoc Group of Scientific Experts
GSETT-3	Group of Scientific Experts Technical Test Three
G-7	Group of Seven
IAEA	International Atomic Energy Agency
ICBM	Intercontinental Ballistic Missile
ICGEB	International Centre for Genetic Engineering and Biotechnology
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
IDC	International Data Centre

Abbreviations and acronyms

IMS	International Monitoring System
MIRV	Multiple Independently Targetable Re-entry Vehicle
MINUGUA	United Nations Mission for the Verification of Human Rights in Guatemala
MTCR	Missile Technology Control Regime
NATO	North Atlantic Treaty Organization
NGOs	Non-Governmental Organizations
NPT	Nuclear Non-Proliferation Treaty
NSG	Nuclear Suppliers Group
NTM	National Technical Means
OAS	Organization of American States
OAU	Organization of African Unity
OPCW	Organisation for the Prohibition of Chemical Weapons
OSCE	Organization for Security and Cooperation in Europe
OSI	On-Site Inspection
PTBT	Partial Test-Ban Treaty
PNEs	Peaceful Nuclear Explosions
RUF	Revolutionary United Front
SADC	Southern African Development Community
START	Strategic Arms Reduction Talks (I and II)
TMD	Theatre Missile Defence
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNIDIR	United Nations Institute for Disarmament Research
UNIDO	United Nations Industrial Development Organization
UNITA	União Nacional para a Independencia Total de Angola
UNSCOM	United Nations Special Commission
URNG	Unidad Revolucionaria Nacional Guatemalteca
VEREX	Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint
WHO	World Health Organization

SELECTIVE INDEX

A reference to a chapter indicates the main place in *The Yearbook* where a subject is discussed. Under entries *resolution on*, the first page reference indicates where it is discussed in a chapter, the second indicates where it appears in the appendix of resolution texts (appendix IV). For information concerning the titles and sponsorship of resolutions, refer to appendix V.

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