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REPORT OF THE SPECIAL COMMITTEE ON ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF NON-USE OF FORCE IN INTERNATIONAL RELATIONS

Report of the Sixth Committee

Rapporteur: Mr. Antonio Vifal (Spain)

1. The item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations" was included in the provisional agenda of the thirty-sixth session of the General Assembly pursuant to paragraph 7 of Assembly resolution 35/50 of 4 December 1980.
2. On the recommendation of the General Committee, the General Assembly decided at its 4th plenary meeting, on 18 September 1981, to include the item in its agenda and to allocate it to the Sixth Committee.
3. In connexion with this item, the Sixth Committee had before it the following documents:
 - (a) Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations; 1/
 - (b) Report of the Secretary-General containing observations received from the Governments of Algeria, Brazil, Czechoslovakia, Mexico, Romania, Saint Vincent and the Grenadines and Suriname (A/36/415).
4. The Committee also had before it the following communications:
 - (a) Letter dated 2 March 1981 from the Permanent Representative of India to the United Nations addressed to the Secretary-General (A/36/116 and Corr.1);

1/ Official Records of the General Assembly, Thirty-sixth session, Supplement No. 41 (A/36/41).

- (b) Note verbale dated 15 July 1981 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General (A/36/388);
- (c) Letter dated 19 August 1981 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/36/446);
- (d) Letter dated 18 September 1981 from the Chargé d'Affaires a.i. of the Permanent Mission of Iran to the United Nations addressed to the Secretary-General (A/36/526);
- (e) Letter dated 25 September 1981 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/36/556);
- (f) Letter dated 5 October 1981 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General (A/36/584);
- (g) Letter dated 9 October 1981 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General (A/36/586).

5. The Committee considered the item at its 2nd meeting, on 22 September 1981, at its 7th to 16th meetings, from 29 September to 8 October and its 27th meeting, on 21 October 1981. The summary records of those meetings (A/C.6/36/SR.2, 7-16 and 27) contain the views of representatives who spoke during the consideration of the item.

6. The Committee had before it a draft resolution (A/C.6/36/L.3 and Corr.1) sponsored by Afghanistan, Angola, Benin, Bulgaria, the Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Ethiopia, the German Democratic Republic, Grenada, Hungary, India, Iraq, the Lao People's Democratic Republic, Madagascar, Mongolia, Morocco, Mozambique, Nicaragua, Poland, Romania, Uganda, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Venezuela, and Viet Nam, later joined by the Libyan Arab Jamahiriya. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations, 2/ as well as other proposals made during the consideration of this item,

"Recalling also its resolution 32/150 of 19 December 1977, whereby it established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations,

^{2/} Ibid., Thirty-fourth Session, Supplement No. 41 (A/34/41 and Corr.1), annex.

"Recalling, in particular, its resolutions 33/96 of 16 December 1978, 34/13 of 9 November 1979 and 35/50 of 4 December 1980, in which it decided that the Special Committee should continue its work,

"Recalling further the important contribution made by the non-aligned countries to the work of the Special Committee, which resulted in the presentation of their working paper 3/ on the subject during the session of the Special Committee in 1981,

"Having considered the report of the Special Committee, 4/

"Taking into account that the Special Committee has not completed the mandate entrusted to it,

"Reaffirming the need for universal and effective application of the principle of the non-use of force in international relations and for assistance by the United Nations in this endeavour,

"Expressing the hope that the Special Committee will, on the basis of the proposals before it, complete the mandate entrusted to it as soon as possible,

"1. Takes note of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;

"2. Decides that the Special Committee shall continue its work with the goal of drafting, at the earliest possible date, a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate;

"3. Requests the Special Committee to consider thoroughly, and to take duly into account, the proposals submitted to it with a view to ensuring a successful completion of its mandate;

"4. Invites the Governments which have not yet done so to communicate their comments or suggestions or to bring them up to date, in accordance with General Assembly resolution 31/9;

"5. Requests the Special Committee to be mindful of the importance of reaching general agreement whenever it has significance for the outcome of its work;

"6. Requests the Secretary-General to provide the Special Committee with the necessary facilities and services;

"7. Invites the Special Committee to submit a report on its work to the General Assembly at its thirty-seventh session;

3/ Ibid., Thirty-sixth Session, Supplement No. 41, sect. III.

4/ Ibid.

"8. Decides to include in the provisional agenda of its thirty-seventh session the item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations".

7. At the 27th meeting, on 21 October, the representative of Mongolia introduced a revised version of the draft resolution (A/C.6/36/L.3/Rev.1) (see para. 12) on behalf of the following sponsors: Afghanistan, Angola, Benin, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Ethiopia, German Democratic Republic, Grenada, Hungary, India, Iraq, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Mongolia, Morocco, Mozambique, Nicaragua, Poland, Romania, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Venezuela, and Viet Nam.

8. The Committee had before it a statement by the Secretary-General (A/C.6/36/L.4) of the administrative and financial implications of the draft resolution, as well as observations by the Committee on Conferences submitted in accordance with paragraph 6 of General Assembly resolution 35/10 A (A/C.6/36/L.4/Add.1).

9. At the 27th meeting, on 21 October, draft resolution A/C.6/36/L.3/Rev.1 was put to the Committee for a decision. At the request of the representative of the United States, it was put to a vote. The representative of Mongolia requested that the vote be recorded. The Committee adopted the draft resolution by 87 votes to 15, with 9 abstentions. The result of the voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Bhutan, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chile, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Guinea, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, Canada, Denmark, France, Iceland, Israel, Italy, Japan, Luxembourg, Netherlands, Norway, Portugal, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, China, Germany, Federal Republic of, Greece, Ireland, Malawi, New Zealand, Turkey.

10. Statements in explanation of vote were made by the representatives of Norway, the United Kingdom of Great Britain and Northern Ireland (on behalf of the members of the European Communities), Spain, Chile, the United States of America, Argentina, Brazil, Israel, China, Tunisia, Australia and Japan.

11. The representatives of the Bahamas, Panama, Uganda, Benin, Nigeria, Saint Lucia, Costa Rica, Guyana, Togo and Equatorial Guinea stated that, had they been present during the voting, they would have voted in favour of the draft resolution. The representatives of Sweden and Haiti indicated that they would have abstained.

RECOMMENDATION OF THE SIXTH COMMITTEE

12. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Special Committee on Enhancing the Effectiveness of
the Principle of Non-Use of Force in International Relations

The General Assembly,

Recalling its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations, 5/ as well as other proposals made during the consideration of the item, entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations",

Recalling also its resolution 32/150 of 19 December 1977, whereby it established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations,

Recalling, in particular, its resolutions 33/96 of 16 December 1978, 34/13 of 9 November 1979 and 35/50 of 4 December 1980, in which it decided that the Special Committee should continue its work,

Recalling further the important contribution made by the non-aligned countries to the work of the Special Committee, which resulted in the presentation of their working paper on the subject during the session of the Special Committee in 1981, 6/

Having considered the report of the Special Committee, 7/

5/ Ibid., Thirty-fourth Session, Supplement No. 41 (A/34/41 and Corr.1), annex.

6/ Ibid., Thirty-sixth Session, Supplement No. 41, sect. III.

7/ Ibid., Supplement No. 41 (A/36/41).

Taking into account the fact that the Special Committee has not completed the mandate entrusted to it,

Reaffirming the need for universal and effective application of the principle of non-use of force in international relations and for assistance by the United Nations in this endeavour,

Expressing the hope that the Special Committee will, on the basis of the proposals before it, complete the mandate entrusted to it as soon as possible,

1. Takes note of the report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations;
2. Decides that the Special Committee shall continue its work with the goal of drafting, at the earliest possible date, a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate;
3. Requests the Special Committee to consider thoroughly, and to take duly into account, the proposals submitted to it with a view to ensuring a successful completion of its mandate;
4. Requests the Special Committee to take due account of the efforts made by the non-aligned countries during the Committee's session in 1981 to facilitate the organization of the work of the Committee;
5. Invites the Governments that have not yet done so to communicate their comments or suggestions or to bring them up to date, in accordance with General Assembly resolution 31/9;
6. Requests the Special Committee to be mindful of the importance of reaching general agreement whenever it has significance for the outcome of its work;
7. Requests the Secretary-General to provide the Special Committee with the necessary facilities and services;
8. Invites the Special Committee to submit a report on its work to the General Assembly at its thirty-seventh session;
9. Decides to include in the provisional agenda of its thirty-seventh session the item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations".
