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Thirty-sixth session  
Agenda item 52

UNITED NATIONS CONFERENCE ON PROHIBITIONS OR RESTRICTIONS OF USE OF  
CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY  
INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

Report of the First Committee

Rapporteur: Mr. Alemayehu Makonnen (Ethiopia)

### I. INTRODUCTION

1. The item entitled "United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects: report of the Secretary-General" was included in the provisional agenda of the thirty-sixth session in accordance with General Assembly resolution 35/153 of 12 December 1980.
2. At its 4th plenary meeting, on 18 September 1981, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.
3. At its 2nd meeting, on 7 October, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 39 to 56, 128 and 135. The general debate on these items took place at the 3rd to 26th meetings, from 19 October to 4 November (see A/C.1/36/PV.3-26).
4. In connexion with item 52, the First Committee had before it the following documents:
  - (a) Note verbale dated 22 April 1981 from the Chargé d'Affaires a.i. of the Permanent Mission of the Federal Republic of Germany to the United Nations addressed to the Secretary-General (A/36/221);
  - (b) Letter dated 10 April 1981 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General (A/36/224);

- (c) Note verbale dated 23 April 1981 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General (A/36/225);
- (d) Note verbale dated 28 May 1981 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General (A/36/309);
- (e) Note verbale dated 18 June 1981 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General (A/36/334);
- (f) Report of the Secretary-General (A/36/406).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/36/L.40

5. On 16 November, Belgium, Bulgaria, Cuba, Denmark, Ecuador, Finland, France, the German Democratic Republic, Greece, Ireland, Italy, Jamaica, Mexico, the Netherlands, New Zealand, Nigeria, Norway, Spain, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and Yugoslavia submitted a draft resolution (A/C.1/36/L.40), which was subsequently also sponsored by Bangladesh, Mongolia, Panama, and Viet Nam. The draft resolution was introduced by the representative of Nigeria at the 33rd meeting, on 18 November.
6. At its 39th meeting, on 23 November, the Committee adopted draft resolution A/C.1/36/L.40 without a vote (see para. 7).

## III. RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations Conference on Prohibitions or Restrictions of Use of  
Certain Conventional Weapons Which May Be Deemed to Be Excessively  
Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolutions 32/152 of 19 December 1977, 33/70 of 14 December 1978, 34/82 of 11 December 1979 and 35/153 of 12 December 1980,

Recalling the successful conclusion of the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which resulted in a Convention and three Protocols, adopted by the Conference on 10 October 1980,

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namely, 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 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),

Reaffirming its conviction that the suffering of civilian populations and of combatants would be further significantly reduced if general agreement could be attained on the prohibition or restriction for humanitarian reasons of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Taking note with satisfaction of the report of the Secretary-General, in which indication had been given that many States have already signed the Convention which was open for signature in New York on 10 April 1981,

1. Urges those States which have not yet done so to exert their best endeavours to sign and ratify 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 the Protocols annexed thereto as early as possible so as to obtain its entry into force, and ultimately its universal adherence;

2. Notes that, under article 8 of the Convention, conferences may be convened to consider amendments to the Convention or any of the Protocols annexed thereto to consider additional Protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols, or to review the scope and operation of the Convention and the Protocols annexed thereto and to consider any proposal for amendments to the Convention or to the existing Protocols and any proposals for additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols;

3. Requests the Secretary-General, as Depositary of the Convention and the three Protocols annexed thereto, to inform the General Assembly from time to time of the state of adherence to the Convention and its Protocols;

4. Decides to include in the provisional agenda of its thirty-seventh session the item entitled "United Nations Convention on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

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