



UNITED NATIONS DIVISION LINGUISTIQUE  
SECTION DES RÉFÉRENCES  
GENERAL ASSEMBLY COPE D'AR  
A RENDRE AU BUR



Distr.  
GENERAL  
A/CONF.95/SR.1  
11 September 1979  
Original: ENGLISH

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

SUMMARY RECORD OF THE FIRST MEETING

held at the Palais des Nations, Geneva,  
on Monday 10 September 1979, at 3.00 p.m.

Temporary President: Mr. COTTAFVI (Director-General,  
United Nations Office at Geneva)

President: Mr. ADENIJI (Nigeria)

CONTENTS

- Opening of the Conference  
Organization of the Conference:  
    Appointment of the President  
    Adoption of the agenda  
    Adoption of the rules of procedure  
    Appointment of Officers other than the President  
    Appointment of members of subsidiary organs  
    Organization of work

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, room E-6108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Conference will be consolidated in a single corrigendum to be issued shortly after the end of the Conference.

GE.79-63772

The meeting was called to order at 3.20 p.m.

OPENING OF THE CONFERENCE (item 1 of the provisional agenda)

1. The TEMPORARY PRESIDENT declared open 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.
2. On the proposal of the Temporary President, the Conference observed a minute of silence for prayer or meditation.
3. The TEMPORARY PRESIDENT, speaking on behalf of the Secretary-General, said that the Conference was a major attempt by the United Nations to achieve agreement on certain practical disarmament measures. The international community had rightly accorded priority to nuclear disarmament, but there was increasing concern about the dangers posed by the development and application of weapons which, though conventional, obliterated the distinction between military and non-military targets or objects. Unprecedentedly rapid advances in weapons technology now threatened to nullify the considerations underlying international humanitarian law applicable to armed conflicts.
4. The deliberations preceding the Conference had yielded the conclusion that that threat could be effectively averted by striking a judicious balance between humanitarian concerns and the requirements of military security. In the light of that understanding, he felt it his duty to urge participants to build upon the foundations laid by the Preparatory Conference in 1978 and thus make a distinct and tangible contribution to the cause of disarmament, world peace and security.
5. The task of the Conference was a complex one, for the issues before it were concerned not only with the conventional weapons whose use might be prohibited or restricted but also with the technical characteristics and effects of such weapons. But the problems were by no means insurmountable, and he hoped that, through a combination of realism and compassion, the Conference would prove that its objectives were eminently attainable.
6. In today's world the unforeseen ramifications of the arms race constituted a challenge to all Powers, great, medium or small, to employ their collective intelligence and vision in facilitating progress towards disarmament. The achievement of international agreements to prohibit or restrict the use of the weapons dealt with by the Conference would promote such progress. He expressed his best wishes for the success of the Conference.

ORGANIZATION OF THE CONFERENCE (item 2 of the provisional agenda)

(a) APPOINTMENT OF THE PRESIDENT

7. The TEMPORARY PRESIDENT called for nominations for the office of President of the Conference.
8. Mr. GHAREKHANI (India) nominated Mr. Adeniji (Nigeria).
9. Mr. THUI (German Democratic Republic) and Mr. CHARRY SALPER (Colombia) seconded the nomination.
10. Mr. Adeniji (Nigeria) was elected President by acclamation.
11. Mr. Adeniji (Nigeria) took the Chair.
12. The PRESIDENT said that the possession of arms for the defence of what nations believed to be their interests was as old as mankind, and so was concern at the consequences of the use of such arms. The greater the sophistication of the instruments of war, the greater was that concern.
13. The first result of common efforts to reduce the horrors of war had been the Declaration of St. Petersburg, of 1868, which laid down the important principle that the only legitimate objective of States in war was to weaken the enemy's military forces, and that the use of arms that needlessly aggravated the suffering of disabled men or rendered their death inevitable should be avoided. The Hague Conferences held at the turn of the century had carried that principle further by stating that the right of belligerents to adopt means of injuring the enemy was not unlimited, and had prohibited, inter alia, the use of dumdum bullets. The Geneva Protocol of 1925 had subsequently prohibited the use of asphyxiating poisons or other gases as well as the use of bacteriological methods of warfare.
14. With the great technological advance in weaponry in recent years, a number of weapons had been developed which by their nature, method of use or effect might be thought considerably to exceed the striking capacity required to incapacitate enemy forces. Indeed, some of those weapons might also be considered indiscriminate in their effects, since they affected both combattants and non-combattants and might strike at both military and non-military targets, thus running counter to the provisions of international humanitarian law.
15. The effect of the uncontrolled use of many such weapons had nowhere been more apparent than in the so-called "bush wars", particularly in Asia and Africa, where, despite the unequal strength of the adversaries, unspeakable brutality was

nevertheless often displayed. Additional Protocol II to the Geneva Conventions had taken account of those non-traditional wars, but rules dealing directly with the conduct of hostilities had to be worked out in line with the development of laws relating to the humanitarian aspects.

16. The Conference could not have been held at a more auspicious time, since unprecedented public interest in issues of world security had been aroused by the convening, in 1978, of the first special session of the General Assembly devoted to disarmament. That session had confirmed the danger which the continued accumulation of armaments and the lack of progress towards disarmament constituted for the survival of mankind. A comprehensive Programme of Action had been adopted, but after more than a year it had hardly begun to be implemented. Part of that Programme related to the present Conference, and paragraph 86 of the final document of the special session (A/S-10/23) stated that the Conference should seek agreement, in the light of humanitarian and military considerations, on the prohibition or restriction of use of certain conventional weapons including those which might cause unnecessary suffering or have indiscriminate effects, and that the Conference should consider specific categories of such weapons, including those that had been the subject-matter of previously conducted discussions. The Conference would therefore make a significant contribution to disarmament if it could show that the Programme of Action could be effectively implemented.

17. He did not underrate the complexity of the task, since it would not be easy to strike the necessary balance, between humanitarian concerns and military requirements. It could, however, be done and participants owed it to humanity to exert their best endeavours to bring the Conference to a successful conclusion.

18. Great benefit would be derived from the work done by the Preparatory Conference at its two sessions, during which a broad exchange of views had been held and a number of proposals had been put forward. He hoped that the deliberations of the Conference would be marked by unity of purpose and co-operation and would be conducted in a spirit of dedication to the cause of humanitarian law and of disarmament.

(b) ADOPTION OF THE AGENDA

19. The provisional agenda (A/CONF.95/1) was adopted.

(c) ADOPTION OF THE RULES OF PROCEDURE (A/CONF.95/2)

20. The PRESIDENT drew attention to the provisional rules of procedure recommended by the Preparatory Conference (A/CONF.95/2) and to paragraph 39 of the report of the Preparatory Conference (A/CONF.95/3), which referred to the question of decision-making.

21. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) pointed out, in the Russian text rule 11, paragraph 2, the words "in making decisions" had been mistranslated as "in voting".

22. Mr. de la GORSE (France) observed that a similar mistake had been made in the French text of rule 31.

23. The PRESIDENT said that the Secretariat would take the necessary steps to bring the various language versions into line with each other.

24. The provisional rules of procedure (A/CONF.95/2) were adopted.

(d) APPOINTMENT OF OFFICERS OTHER THAN THE PRESIDENT

25. The PRESIDENT announced that, in accordance with the rules of procedure, the Conference had to appoint 11 Vice-Presidents, the Rapporteur, the Chairman of the Committee of the Whole and the Chairman of the Drafting Committee. Those officers, who, together with the President, constituted the General Committee, had to be appointed so as to ensure the representative character of that Committee. He understood that the regional groups wished to have time to hold consultations and he therefore suggested that discussion of the question should be deferred until the following meeting.

26. It was so agreed.

(e) APPOINTMENT OF MEMBERS OF SUBSIDIARY ORGANS

27. The PRESIDENT drew attention to the fact that under rule 4, paragraph 1, of the rules of procedure, the Conference had to appoint, on the proposal of the President, five members of the Credentials Committee. He suggested that the membership of the Committee should be the same as that of the Credentials Committee of the Preparatory Conference, namely Ecuador, Morocco, Poland, the Syrian Arab Republic and United States of America.

28. It was so agreed.

29. The PRESIDENT said that, under rule 34, paragraph 1, of the rules of procedure, the Conference had to establish a Drafting Committee consisting of 10 members, including its Chairman, who was to be appointed pursuant to rule 6. He suggested that the Conference should defer appointment of the members of the Drafting Committee so as to allow time for consultations.

30. It was so agreed.

(g) ORGANIZATION OF WORK

31. The PRESIDENT said that since the Conference had only three weeks in which to complete its work, it was imperative to use the available time as efficiently as possible, particularly in the case of agenda item 3. Since a general debate had been held at the first session of the Preparatory Conference, in which many delegations had participated, and since a number of statements had been made at plenary meetings at the second session, he thought that the period devoted to general statements should be confined to the first week of the present Conference.

32. With respect to the structure of the Conference and the tasks of particular organs, the Preparatory Conference, in paragraph 40 of its report, had recommended that the question of an "umbrella treaty" with optional protocols or clauses embodying prohibitions or restrictions of use of certain conventional weapons deemed to be excessively injurious or to have indiscriminate effects should be taken up in a subsidiary organ, which should commence its work immediately after the opening of the Conference. In that connexion he suggested that, as provided for in rule 35 of the rules of procedure, a working group should be set up to deal with the matter. In view of the limited time available, that working group should be in a position to report to the Conference by the middle of the following week.

33. With respect to the consideration of prohibitions or restrictions of use of specific categories of weapons, he recalled that a number of proposals had been submitted during the two sessions of the Preparatory Conference. In addition, at its second session, the Preparatory Conference had adopted reports containing texts on certain weapons. He suggested that those texts should be referred immediately to the Committee of the Whole, which could establish working groups as appropriate.

34. It was so agreed.

The meeting rose at 4.10 p.m.