

CONFERENCE ON DISARMAMENT

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LETTER DATED 3 JANUARY 1984 FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE RESOLUTIONS ON DISARMAMENT ADOPTED BY THE GENERAL ASSEMBLY AT ITS THIRTY-EIGHTH SESSION

I have the honour to transmit herewith the resolutions adopted by the General Assembly at its thirty-eighth session, which entrust specific responsibilities to the Conference on Disarmament. The relevant provisions of those resolutions are reproduced in the Annex.

For the information of the Conference, I also have the honour to transmit herewith other resolutions and decisions dealing with disarmament matters, which were adopted by the General Assembly at its thirty-eighth session.

In addition, I should like to draw your attention to the resolutions listed in the Annex which relate to disarmament matters.

(Signed) Javier Pérez de Cuéllar

*/ Reissued for technical reasons

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I. Resolutions dealing with disarmament matters

(a) Resolutions that entrust specific responsibilities to the Conference on Disarmament

At its thirty-eighth session, the General Assembly adopted the following resolutions entrusting specific responsibilities to the Conference on Disarmament:

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| 38/62 | "Cessation of all test explosions of nuclear weapons" |
| 38/63 | "Urgent need for a comprehensive nuclear-test-ban treaty" |
| 38/67 | "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons" |
| 38/68 | "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" |
| 38/70 | "Prevention of an arms race in outer space" |
| 38/72 | "Immediate cessation and prohibition of nuclear-weapon tests" |
| 38/73 G | "Convention on the prohibition of the use of nuclear weapons" |
| 38/182 | "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons" |
| 38/183 C | "Prohibition of the nuclear neutron weapon" |
| 38/183 D | "Nuclear weapons in all aspects" |
| 38/183 G | "Prevention of nuclear war" |
| 38/183 H | "Implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session" |
| 38/183 I | "Report of the Committee on Disarmament" |
| 38/183 K | "Comprehensive programme of disarmament" |

- 38/187 A "Prohibition of chemical and bacteriological weapons"
- 38/187 B "Chemical and bacteriological (biological) weapons"
- 38/188 B "Review Conference of the Parties to 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"
- 38/188 D "Prohibition of the development, production, stockpiling and use of radiological weapons"
- 38/188 E "Prohibition of the production of fissionable material for weapons purposes"

The Conference's attention should be drawn, in particular, to the following provisions contained in those resolutions.

(1) In resolution 38/62, operative paragraph 6 reiterates its appeal to all States members of the Conference on Disarmament to initiate immediately the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests and to exert their best endeavours in order that the Conference may transmit to the General Assembly at its thirty-ninth session the complete draft of such a treaty.

(2) In resolution 38/63, operative paragraph 4 notes that the Committee on Disarmament, in the exercise of its responsibilities as the multilateral disarmament negotiating forum, re-established at its session in 1983 an Ad Hoc Working Group under item 1 of its agenda, entitled "Nuclear-test ban", and that the Ad Hoc Working Group considered the issues under its mandate; operative paragraph 5 also notes that the Committee on Disarmament agreed that the mandate of the Ad Hoc Working Group on a Nuclear-Test Ban may thereafter be revised as decided by the Committee, which will consider this question with appropriate urgency, and that the Committee discussed the matter; operative paragraph 6 requests the Conference on Disarmament: (a) to resume its examination of issues relating to a comprehensive test ban, with a view to the negotiation of a treaty on the subject and, in accordance with the 1983 report on the work of the Committee under this item, to take up the question of a revised mandate for the Ad Hoc Working Group during its 1984 session, (b) to determine, in the context of its negotiations on such a treaty, the institutional and administrative arrangements necessary for establishing, testing and operating an international seismic monitoring network as part of an effective verification system, (c) to initiate investigation of other international measures to improve verification arrangements under such a treaty including an international network to monitor atmospheric radioactivity, operative paragraph 7 urges all members of the Conference on Disarmament, in particular the nuclear-weapon States, to co-operate with the Conference in fulfilling these tasks, and operative paragraph 8 calls upon the Conference on Disarmament to report on progress to the General Assembly at its thirty-ninth session.

(3) In resolution 38/67, operative paragraph 2 notes with satisfaction that in the Committee on Disarmament there is once again no objection, in principle, to the idea of an international convention on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties involved have also been pointed out, operative paragraph 3 expresses its regret that the difficulties as regards evolving a common approach acceptable to all, related to differing perceptions of security interests of some nuclear-weapon States and non-nuclear-weapon States, have once again prevented the Committee on Disarmament from making substantive progress towards the achievement of an agreement, operative paragraph 4 considers that the Conference on Disarmament should continue to explore ways and means to overcome the difficulties encountered in the negotiations to reach appropriate agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and operative paragraph 5 requests the Conference on Disarmament to continue the negotiations, as recommended in the report of the Committee on Disarmament on its 1983 session, with a view to concluding an international instrument of a legally binding character to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

(4) In resolution 38/68, operative paragraph 2 notes with satisfaction that in the Committee 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, operative paragraph 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 Committee on Disarmament, should be further explored in order to overcome the difficulties, and operative paragraph 5 recommends that the Conference on Disarmament should actively continue 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.

(5) In resolution 38/70, operative paragraph 4 reiterates that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has a primary role in the negotiation of an agreement or agreements, as appropriate, on the prevention of an arms race in all its aspects in outer space, operative paragraph 5 requests the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space, operative paragraph 6 also requests the Conference on Disarmament to intensify its consideration of the question of the prevention of an arms race in outer space in all its aspects, taking into account all relevant proposals, including the consideration of the proposal referred to in the preambular part of the resolution, operative

paragraph 7 further requests the Conference on Disarmament to establish an ad hoc working group at the beginning of its session in 1984, with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in all its aspects in outer space, and operative paragraph 8 requests the Conference on Disarmament to report on its consideration of this subject to the General Assembly at its thirty-ninth session.

(6) In resolution 38/72, operative paragraph 2 urges the Conference on Disarmament to proceed promptly to negotiations with a view to elaborating a multilateral treaty on the prohibition of nuclear-weapon tests by all States as a matter of the highest priority, taking into account all existing drafts and proposals and future initiatives, and for that purpose to assign to its subsidiary body a negotiating mandate under an appropriate item of its agenda.

(7) In resolution 38/73 G, operative paragraph 1 reiterates its request to the Conference on Disarmament to commence negotiations, as a matter of priority, in order to achieve agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a basis the annexed draft Convention on the Prohibition of the Use of Nuclear Weapons, and operative paragraph 2 further requests the Conference on Disarmament to report on the results of those negotiations to the General Assembly at its thirty-ninth session.

(8) In resolution 38/182, operative paragraph 1 requests the Conference on Disarmament, in the light of its existing priorities, to intensify negotiations, with the assistance of qualified governmental experts, with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, and to draft possible agreements on particular types of such weapons, and operative paragraph 6 requests the Conference on Disarmament to submit a report on the results achieved to the General Assembly for consideration at its thirty-ninth session.

(9) In resolution 38/183 C, operative paragraph 1 reaffirms the request to the Conference on Disarmament to start without delay negotiations within an appropriate organizational framework with a view to concluding a convention on the prohibition of the development, production, stockpiling, deployment and use of nuclear neutron weapons as an organic element of negotiations, as envisaged in paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, and operative paragraph 3 requests the Conference on Disarmament to submit a report on this question to the General Assembly at its thirty-ninth session.

(10) In resolution 38/183 D, operative paragraph 1 calls upon the Conference on Disarmament to proceed without delay to negotiations on the cessation of the nuclear arms race and nuclear disarmament in accordance with paragraph 50 of the Final Document of the Tenth Special

Session of the General Assembly, the first special session devoted to disarmament, and especially to elaborate a nuclear disarmament programme, and to establish for this purpose an ad hoc working group on the cessation of the nuclear arms race and on nuclear disarmament.

(11) In resolution 38/183 G, operative paragraph 1 requests again the Conference on Disarmament, to undertake, as a matter of the highest priority, negotiations with a view to achieving agreement on appropriate and practical measures for the prevention of nuclear war, taking into account the documents referred to in General Assembly resolution 37/78 I as well as other existing proposals and future initiatives, and operative paragraph 2 further requests the Conference on Disarmament to establish for that purpose an ad hoc working group on the subject at the beginning of its 1984 session.

(12) In resolution 38/183 H, operative paragraph 5 once again calls upon the Conference on Disarmament to concentrate its work on the substantive and priority items on its agenda, to proceed to negotiations on nuclear disarmament and on prevention of nuclear war without further delay and to elaborate drafts of treaties on a nuclear-weapon test ban and on a complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, and operative paragraph 8 invites all States engaged in disarmament and arms limitation negotiations outside the framework of the United Nations to keep the General Assembly and the Conference on Disarmament informed on the status and/or results of such negotiations, in conformity with the relevant provisions of the Final Document of the Tenth Special Session.

(13) In resolution 38/183 I, operative paragraph 1 expresses deep concern and disappointment that the Committee on Disarmament has not been enabled, this year either, to reach concrete agreements on disarmament issues to which the United Nations has assigned greatest priority and urgency and which have been under consideration for a number of years, operative paragraph 2 requests the Conference on Disarmament to intensify its work, so as to make the utmost effort to achieve concrete results in the shortest possible period of time on the specific priority issues of disarmament on its agenda, operative paragraph 3 urges once again the Conference on Disarmament to continue or undertake, during its session to be held in 1984, substantive negotiations on the priority questions of disarmament on its agenda, in accordance with the provisions of the Final Document of the Tenth Special Session of the General Assembly and other relevant resolutions of the Assembly on those questions, and, in order to reach that goal, to provide the existing ad hoc working groups with appropriate negotiating mandates and to establish, as a matter of urgency, the ad hoc working groups on the cessation of the nuclear arms race and nuclear disarmament, on the prevention of nuclear war and on the prevention of an arms race in outer space, operative paragraph 4 urges the Conference on Disarmament to undertake, without further delay, the elaboration of a draft international treaty on a nuclear-weapon test ban and to submit a progress report to the General Assembly at its thirty-ninth session, operative paragraph 5 also urges the Conference on Disarmament to accelerate

its work on the elaboration of a draft international convention on the complete and effective prohibition of all chemical weapons and on their destruction and to submit the preliminary draft of such a convention to the General Assembly at its thirty-ninth session, operative paragraph 6 calls upon the Conference on Disarmament to organize its work in such a way as to concentrate most of its attention and time on substantive negotiations on priority issues of disarmament; operative paragraph 7 calls upon the members of the Conference on Disarmament who have opposed the negotiation on some substantive issues of disarmament to enable the Conference, by adopting a positive stand, to fulfil effectively the mandate that the international community has entrusted to it in the field of negotiations on disarmament; operative paragraph 8 invites the members of the Conference on Disarmament involved in separate negotiations on specific priority questions of disarmament to intensify their efforts in order to achieve a positive conclusion of those negotiations without further delay and to submit to the Conference a full report on their separate negotiations and the results achieved in order to contribute most directly to the negotiations in the Conference, in accordance with paragraph 3 above, and operative paragraph 9 requests the Conference on Disarmament to submit a report on its work to the General Assembly at its thirty-ninth session.

(14) In resolution 38/183 K, operative paragraph 1 urges the Conference on Disarmament, as soon as it considers that the circumstances are propitious for that purpose, to renew its work on the elaboration of the comprehensive programme of disarmament previously requested, to submit to the General Assembly at its thirty-ninth session a progress report on the matter and to submit to the Assembly, not later than at its forty-first session, a complete draft of such a programme.

(15) In resolution 38/187 A, operative paragraph 3 urges the Conference on Disarmament to intensify the negotiations in the Ad Hoc Working Group on Chemical Weapons in fulfilment of its present mandate, to achieve accord on a chemical weapons convention at the earliest possible date and, for this purpose, to proceed immediately to drafting such a convention for submission to the General Assembly at its thirty-ninth session.

(16) In resolution 38/187 B, operative paragraph 3 urges the Conference on Disarmament, as a matter of high priority, to intensify, during its session in 1984, the negotiations on a convention on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, taking into account all existing proposals and future initiatives with a view to the final elaboration of a convention at the earliest possible date and to re-establish its Ad Hoc Working Group on Chemical Weapons for this purpose, and operative paragraph 4 requests the Conference on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-ninth session.

(17) In resolution 38/188 B, operative paragraph 5 requests the Conference on Disarmament, in consultation with the States parties to 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, taking into account existing proposals and any relevant technological developments, to proceed promptly with consideration of further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof, and operative paragraph 7 requests the Conference on Disarmament to report on its consideration of further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof to the General Assembly at its fortieth session.

(18) In resolution 38/188 D, operative paragraph 1 requests the Conference on Disarmament to continue negotiations with a view to a prompt conclusion of the elaboration of a convention prohibiting the development, production, stockpiling and use of radiological weapons in order that it may be submitted to the General Assembly at its thirty-ninth session, operative paragraph 2 further requests the Conference on Disarmament to continue its search for a prompt solution to the question of prohibition of attacks on nuclear facilities, including the scope of such prohibition, taking into account all proposals submitted to it to this end, and operative paragraph 3 takes note of the recommendation of the Ad Hoc Working Group on Radiological Weapons, in the report adopted by the Committee on Disarmament, to re-establish an Ad Hoc Working Group at the beginning of its 1984 session to continue its work and in that context to review and assess how best to make progress on the subject matter.

(19) In resolution 38/188 E, the operative paragraph requests the Conference on Disarmament, at an appropriate stage of its work on the item entitled "Nuclear weapons in all aspects", to pursue its consideration of the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the General Assembly informed of the progress of that consideration.

In the above mentioned resolutions 38/70, 38/182, 38/183 C, 38/188 B, and 38/188 D, the General Assembly requested the Secretary-General to transmit to the Conference on Disarmament all relevant documents. They are the following:

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| 38/70 | A/38/27, A/38/194, A/38/495-S/16035, A/C.1/38/L.24 and Rev.1 and 2, A/C.1/38/L.28, A/C.1/38/L.36 and Rev.1, A/38/633, A/38/640 and A/38/647. |
| 38/182 | A/38/27, A/38/495-S/16035, A/38/529, A/C.1/38/L.25 and A/38/627. |
| 38/183 C | A/38/27, A/38/42, A/38/132-S/15675 and Corr.1 and 2, A/38/425, A/38/495-S/16035, A/38/529, A/C.1/38/13, A/C.1/38/L.12 and A/38/628. |

38/188 B A/38/27, A/C.1/38/L.9 and A/38/640.

38/188 D A/38/27, A/C.1/38/L.23 and Rev.1 and A/38/640.

The relevant records of the consideration of the subjects covered by those resolutions transmitting documentation are contained in documents A/38/PV.5 to 33, A/38/PV.97, A/38/PV.103, A/C.1/38/PV.3 to 31 and A/C.1/38/PV.33, 34, 38, 39 and 41.

All those documents and records were distributed during the thirty-eighth session of the General Assembly to all Members of the United Nations, including all Members of the Conference on Disarmament.

(b) Other resolutions dealing with disarmament matters

At its thirty-eighth session, the General Assembly also adopted the following resolutions dealing with disarmament matters:

- 38/61 "Implementation of General Assembly resolution 37/71 concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)"
- 38/64 "Establishment of a nuclear-weapon-free zone in the region of the Middle East"
- 38/65 "Establishment of a nuclear-weapon-free zone in South Asia"
- 38/66 "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"
- 38/69 "Israeli nuclear armament"
- 38/71 A "Relationship between disarmament and development"
- 38/71 B "Relationship between disarmament and development"
- 38/73 A "Confidence-building measures"
- 38/73 B "Freeze on nuclear weapons"
- 38/73 C "United Nations programme of fellowships on disarmament"

- 38/73 D "World Disarmament Campaign"
- 38/73 E "Nuclear arms freeze"
- 38/73 F "World Disarmament Campaign actions and activities"
- 38/73 H "Disarmament and international security"
- 38/73 I "Convening of the third special session of the General Assembly devoted to disarmament"
- 38/73 J "Regional disarmament"
- 38/74 "Implementation of the conclusions of the Second Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and establishment of a preparatory committee for the Third Review Conference"
- 38/75 "Condemnation of nuclear war"
- 38/76 "Nuclear-weapon freeze"
- 38/181 A "Implementation of the Declaration on the Denuclearization of Africa"
- 38/181 B "Nuclear capability of South Africa"
- 38/183 A "Bilateral nuclear-arms negotiations"
- 38/183 B "Non-use of nuclear weapons and prevention of nuclear war"
- 38/183 E "Report of the Disarmament Commission"
- 38/183 F "International co-operation for disarmament"
- 38/183 J "Report of the Disarmament Commission"
- 38/183 L "Disarmament Week"
- 38/183 M "Implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session"
- 38/183 N "Bilateral nuclear-arms negotiations"
- 38/183 O "Advisory Board on Disarmament Studies"
- 38/183 P "Bilateral nuclear-arms negotiations"

- 38/184 A "Reduction of military budgets"
- 38/184 B "Reduction of military budgets"
- 38/185 "Implementation of the Declaration of the Indian Ocean as a Zone of Peace"
- 38/186 "World Disarmament Conference"
- 38/187 C "Chemical and bacteriological (biological) weapons"
- 38/188 A "Study on conventional disarmament"
- 38/188 C "Measures to provide objective information on military capabilities"
- 38/188 F "Curbing the naval arms race: limitation and reduction of naval armaments, extension of confidence-building measures to seas and oceans"
- 38/188 G "Study on the naval arms race"
- 38/188 H "Independent Commission on Disarmament and Security Issues"
- 38/188 I "Review of and supplement to the Comprehensive study on the question of nuclear-weapon-free zones in all its aspects"
- 38/188 J "Institutional arrangements relating to the process of disarmament"

In addition, the General Assembly adopted a decision (38/447) pursuant to which the draft statute of the United Nations Institute for Disarmament Research should be returned to the Board of Trustees of the Institute with a request that the Board spell out the meaning of the provisions of the draft statute, so that the Assembly can take a decision on that draft statute at its thirty-ninth session.

II. Resolutions related to disarmament matters

It should also be noted that, at its thirty-eighth session, the General Assembly adopted the following resolutions which are related to disarmament matters:

- 38/8 "Report of the International Atomic Energy Agency"

- 38/9 "Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security"
- 38/60 "United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy"
- 38/77 "Question of Antarctica"
- 38/78 "Effects of atomic radiation"
- 38/80 "International co-operation in the peaceful uses of outer space"
- 38/81 "Comprehensive review of the whole question of peace-keeping operations in all their aspects"
- 38/126 "Development and strengthening of good-neighbourliness between States"
- 38/131 "Peaceful settlement of disputes between States"
- 38/132 "Draft Code of Offences against the Peace and Security of Mankind"
- 38/133 "Report of the Special Committee on Enhancing the Effectiveness of the Principles of Non-Use of Force in International Relations"
- 38/141 "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization"
- 38/189 "Strengthening of security and co-operation in the Mediterranean region"
- 38/190 "Review of the implementation of the Declaration on the Strengthening of International Security"
- 38/191 "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security"