



General Assembly

Distr.
GENERAL

A/39/740
3 December 1984
ENGLISH
ORIGINAL: FRENCH

Thirty-ninth session
Agenda item 50

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

Report of the First Committee

Rapporteur: Mr. Ngaré KESSELY (Chad)

I. INTRODUCTION

1. 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: report of the Secretary-General" was included in the provisional agenda of the thirty-ninth session in accordance with General Assembly resolution 38/66 of 15 December 1983.
2. At its 3rd plenary meeting, on 21 September 1984, 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 15 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 45 to 65 and item 142 which was allocated to the First Committee by the General Assembly at its 27th plenary meeting on 9 October, followed by statements on specific disarmament agenda items and continuation of the general debate, as necessary. The deliberation on those items took place between the 3rd and the 36th meetings, from 17 October to 12 November (see A/C.1/39/PV.3-36).
4. In connection with item 50, the First Committee had before it the report of the Secretary-General (A/39/471).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/39/L.52

5. On 12 November, Austria, Belgium, Cuba, Denmark, Finland, France, the German Democratic Republic, Greece, Ireland, Italy, the Netherlands, New Zealand, Nigeria, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia submitted a 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" (A/C.1/39/L.52), which was later also sponsored by Ecuador. The draft resolution was introduced by the representative of Sweden at the 39th meeting, on 15 November.

6. At its 41st meeting, on 19 November, the Committee adopted draft resolution A/C.1/39/L.52 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:

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 resolutions 32/152 of 19 December 1977, 35/153 of 12 December 1980, 36/93 of 9 December 1981, 37/79 of 9 December 1982 and 38/66 of 15 December 1983,

Recalling with satisfaction the adoption, on 10 October 1980, of 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, 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), 1/

Reaffirming its conviction that general agreement on the prohibition or restriction of use of specific conventional weapons would significantly reduce the suffering of civilian populations and of combatants,

Taking note with satisfaction of the report of the Secretary-General, 2/

1/ A/CONF.95/15 and Corr.2, annex I.

2/ A/39/471.

1. Notes with satisfaction that an increasing number of States have either signed, ratified, accepted or acceded 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 was opened for signature in New York on 10 April 1981;

2. Further notes with satisfaction that, consequent upon the fulfilment of the conditions set out in article 5 of the Convention, the Convention and the three Protocols entered into force on 2 December 1983;

3. Urges all States that have not yet done so to exert their best endeavours to become parties to the Convention and the Protocols annexed thereto as early as possible, so as ultimately to obtain universality of adherence;

4. Notes that, under article 8 of the Convention, conferences may be convened to consider amendments to the Convention or any of the annexed Protocols, 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 Protocols;

5. Requests the Secretary-General as depositary of the Convention and its three annexed Protocols to inform the General Assembly from time to time of the state of adherence to the Convention and its Protocols;

6. Decides to include in the provisional agenda of its fortieth 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".
