

by the Committee on Disarmament<sup>10</sup> urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

*Noting* the in-depth negotiations undertaken in the Conference on Disarmament and its *Ad Hoc* Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons<sup>23</sup> with a view to reaching agreement on this item,

*Taking note* of the proposals submitted under that item in the Conference on Disarmament, including the drafts of an international convention,

*Taking note also* of the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,<sup>7</sup> as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Eighteenth Islamic Conference of Foreign Ministers, held at Riyadh from 13 to 16 March 1989, calling upon the Conference on Disarmament to work urgently towards an agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,<sup>24</sup>

*Noting also* the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

1. *Reaffirms* the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference 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;

3. *Appeals* to all States, especially the nuclear-weapon States, to demonstrate the political will necessary to reach agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

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 Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. *Recommends also* 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;

6. *Decides* to include in the provisional agenda of its forty-fifth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

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#### 44/112. Prevention of an arms race in outer space

*The General Assembly,*

*Inspired* by the great prospects opening up before mankind as a result of man's entry into outer space,

*Recognizing* the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

*Reaffirming* that the exploration and use of outer space, including the Moon and other celestial bodies, shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind,

*Reaffirming also* the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes,

*Recalling* the obligation of all States, in accordance with the Charter of the United Nations, to refrain from the threat or use of force, including in their space activities,

*Recalling also* that the States parties to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies<sup>25</sup> have undertaken, in article III, to carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law and the Charter of the United Nations, in the interests of maintaining international peace and security and promoting international cooperation and understanding,

*Reaffirming*, in particular, article IV of the above-mentioned Treaty, which stipulates that States parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies or station such weapons in outer space in any other manner,

*Reaffirming also* paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,<sup>17</sup> in which it is stated that in order to prevent an arms race in outer space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

*Noting* its resolutions 36/97 C and 36/99 of 9 December 1981, as well as resolutions 37/83 of 9 December 1982, 37/99 D of 13 December 1982, 38/70 of 15 December 1983, 39/59 of 12 December 1984, 40/87 of 12 December 1985, 41/53 of 3 December 1986, 42/33 of 30 November 1987 and 43/70 of 7 December 1988 and the relevant paragraphs of the final document on international security and disarmament adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries held at Belgrade from 4 to 7 September 1989,<sup>7</sup>

*Recognizing* the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective,

<sup>23</sup> *Ibid.*, Fortieth Session, Supplement No. 27 and corrigendum (A/40/27 and Corr.1), sect. III.F

<sup>24</sup> See A/44/235-S/20600, annex, para. 30.

<sup>25</sup> Resolution 222 (XXI) annex.

*Gravely concerned* at the danger posed to all mankind by an arms race in outer space and, in particular, by developments that could further undermine international peace and security and retard the pursuit of general and complete disarmament,

*Encouraged* by the widespread interest expressed by Member States in the course of negotiations on and following the adoption of the above-mentioned Treaty in ensuring that the exploration and use of outer space should be for peaceful purposes, and taking note of proposals submitted to the General Assembly at its tenth special session and at its regular sessions and to the Conference on Disarmament,

*Noting* the grave concern expressed by the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space at the extension of an arms race into outer space and the recommendations<sup>26</sup> made to the competent organs of the United Nations, in particular the General Assembly, and also to the Committee on Disarmament,<sup>10</sup>

*Noting also* that in 1989 the *Ad Hoc* Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment, undertook the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,<sup>27</sup> and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

*Convinced* that additional measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space,

*Emphasizing* the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, and with the existing legal régime concerning the use of outer space,

*Emphasizing also* the necessity of maintaining the effectiveness of relevant existing treaties, and in this context reaffirming the vital importance of a strict compliance with the Treaty on the Limitation of Anti-Ballistic Missile Systems,<sup>28</sup>

*Recognizing* that bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America could facilitate the multilateral negotiations for the prevention of an arms race in outer space in accordance with paragraph 27 of the Final Document of the Tenth Special Session of the General Assembly,

*Noting* the importance in this context of bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America that have continued since 1985, including at their summit meetings in Washington and Moscow on a complex of questions concerning space and nuclear arms,

*Hopeful* that concrete results would emerge from these negotiations as soon as possible,

*Emphasizing* the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space,

*Taking note* of that part of the report of the Conference on Disarmament relating to this question,<sup>29</sup>

*Welcoming* the re-establishment of an *Ad Hoc* Committee on the Prevention of an Arms Race in Outer Space during the 1989 session of the Conference on Disarmament, in the exercise of the negotiating responsibilities of this sole multilateral negotiating body on disarmament, to continue to examine and to identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space,

1. *Reaffirms* that general and complete disarmament under effective international control warrants that outer space shall be used exclusively for peaceful purposes and that it shall not become an arena for an arms race;

2. *Recognizes*, as stated in the report of the *Ad Hoc* Committee on the Prevention of an Arms Race in Outer Space, that the legal régime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal régime plays a significant role in the prevention of an arms race in that environment, the need to consolidate and reinforce that régime and enhance its effectiveness, and the importance of strict compliance with existing agreements, both bilateral and multilateral;<sup>30</sup>

3. *Emphasizes* that further measures with appropriate and effective provisions for verification to prevent an arms race in outer space should be adopted by the international community;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and to take immediate measures to prevent an arms race in outer space in the interest of maintaining international peace and security and promoting international co-operation and understanding;

5. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Requests* the Conference on Disarmament to consider as a matter of priority the question of preventing an arms race in outer space;

7. *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 relevant proposals and initiatives, including those presented in the *Ad Hoc* Committee at the 1989 session of the Conference and at the forty-fourth session of the General Assembly;

8. *Further requests* the Conference on Disarmament to re-establish an *ad hoc* committee with an adequate mandate at the beginning of its 1990 session, with a view to undertaking negotiations for the conclusion of an agreement or agreements, as appropriate, to prevent an arms race in outer space in all its aspects;

9. *Urges* the Union of Soviet Socialist Republics and the United States of America to pursue intensively their bilateral negotiations in a constructive spirit aimed at reaching early agreement for preventing an arms race in outer space, and to advise the Conference on Disarmament periodically of the progress of their bilateral sessions so as to facilitate its work;

<sup>26</sup> See *Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982* (A/CONF.101/10 and Corr.1 and 2), para. 426.

<sup>27</sup> See *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 27 (A/44/27)*, para. 90.

<sup>28</sup> United Nations, *Treaty Series*, vol. 944, No. 13446.

<sup>29</sup> *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 27 (A/44/27)*, sect. III.E.

<sup>30</sup> *Ibid.*, para. 90 (para. 77 of the quoted text).

10. *Calls upon* all States, especially those with major space capabilities, to refrain, in their activities relating to outer space, from actions contrary to the observance of the relevant existing treaties or to the objective of preventing an arms race in outer space;

11. *Takes note* of the report of the Secretary-General on the question of the prevention of an arms race in outer space,<sup>31</sup> submitted in accordance with resolution 42/33 of 30 November 1987;

12. *Requests* the Conference on Disarmament to report on its consideration of this subject to the General Assembly at its forty-fifth session;

13. *Requests* the Secretary-General to transmit to the Conference on Disarmament all documents relating to the consideration of this subject by the General Assembly at its forty-fourth session;

14. *Decides* to include in the provisional agenda of its forty-fifth session the item entitled "Prevention of an arms race in outer space".

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15 December 1989*

#### 44/113. Implementation of the Declaration on the Denuclearization of Africa

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##### IMPLEMENTATION OF THE DECLARATION

*The General Assembly,*

*Bearing in mind* the Declaration on the Denuclearization of Africa<sup>32</sup> adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

*Recalling* its resolution 1652 (XVI) of 24 November 1961, its earliest on the subject, as well as its resolutions 2033 (XX) of 3 December 1965, 31/69 of 10 December 1976, 32/81 of 12 December 1977, 33/63 of 14 December 1978, 34/76 A of 11 December 1979, 35/146 B of 12 December 1980, 36/86 B of 9 December 1981, 37/74 A of 9 December 1982, 38/181 A of 20 December 1983, 39/61 A of 12 December 1984, 40/89 A of 12 December 1985, 41/55 A of 3 December 1986, 42/34 A of 30 November 1987 and 43/71 A of 7 December 1988, in which it called upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone,

*Recalling* that in its resolution 33/63 it vigorously condemned any overt or covert attempt by South Africa to introduce nuclear weapons into the continent of Africa and demanded that South Africa refrain forthwith from conducting any nuclear explosion in the continent or elsewhere,

*Bearing in mind* the provisions of resolution CM/Res.1101(XLVI)/Rev.1<sup>33</sup> on the denuclearization of Africa adopted by the Council of Ministers of the Organization of African Unity at its forty-sixth ordinary session, held at Addis Ababa from 20 to 25 July 1987,

*Having taken note* of the report of the United Nations Institute for Disarmament Research entitled "South

Africa's nuclear capability",<sup>34</sup> undertaken in co-operation with the Department for Disarmament Affairs of the Secretariat and in consultation with the Organization of African Unity, as well as of the report of the Disarmament Commission,<sup>35</sup>

*Noting* the actions taken by those Governments which have taken measures to restrict co-operation with South Africa in nuclear and other fields,

*Expressing regret* that, despite the threat that South Africa's nuclear capability constitutes to international peace and security and, in particular, to the realization of the objective of the Declaration on the Denuclearization of Africa, the Disarmament Commission, although it considered the question during its substantive session in 1989, failed once again to reach a consensus on this important item on its agenda,

1. *Strongly renews its call* upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone;

2. *Reaffirms* that the implementation of the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity would be an important measure to prevent the proliferation of nuclear weapons and to promote international peace and security;

3. *Expresses once again its grave alarm* at South Africa's possession and continued development of nuclear-weapon capability;

4. *Condemns* South Africa's continued pursuit of a nuclear capability and all forms of nuclear collaboration by any State, corporation, institution or individual with the racist régime that enable it to frustrate the objective of the Declaration on the Denuclearization of Africa, which seeks to keep Africa free from nuclear weapons;

5. *Calls upon* all States, corporations, institutions and individuals to desist from further collaboration with the racist régime that may enable it to frustrate the objective of the Declaration on the Denuclearization of Africa;

6. *Demands once again* that the racist régime of South Africa refrain from manufacturing, testing, deploying, transporting, storing, using or threatening to use nuclear weapons;

7. *Appeals* to all States that have the means to do so to monitor South Africa's research on and development and production of nuclear weapons and to publicize any information in that regard;

8. *Demands once again* that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;

9. *Requests* the Secretary-General to provide all necessary assistance that the Organization of African Unity may seek regarding the modalities and elements for the preparation and implementation of the relevant convention or treaty on the denuclearization of Africa;

10. *Decides* to include in the provisional agenda of its forty-fifth session the item entitled "Implementation of the Declaration on the Denuclearization of Africa".

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<sup>31</sup> A/43/506 and Corr.1 and Add.1 and 2.

<sup>32</sup> *Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.*

<sup>33</sup> See A/42/699, annex I.

<sup>34</sup> A/39/470.

<sup>35</sup> *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 42 (A/44/42).*