

convene a meeting for the purpose of the consultations mentioned therein and to render such assistance as might be required to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia.

*Bearing in mind* the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly<sup>14</sup> regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

*Taking note* of the report of the Secretary-General,<sup>15</sup>

1. *Reaffirms* its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

2. *Urges once again* the States of South Asia, and such other neighbouring non-nuclear-weapon States as may be interested, to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to this objective;

3. *Calls upon* those nuclear-weapon States that have not done so to respond positively to this proposal and to extend the necessary co-operation in the efforts to establish a nuclear-weapon-free zone in South Asia;

4. *Requests* the Secretary-General to render such assistance as may be required to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia and to report on the subject to the General Assembly at its thirty-ninth session;

5. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

97th plenary meeting  
15 December 1983

**38/66. 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 and 37/79 of 9 December 1982,

*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),<sup>16</sup>

*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,<sup>17</sup>

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, upon the fulfilment of the conditions set out in article 5 of the Convention, the Convention and the three Protocols annexed thereto entered into force on 2 December 1983;

3. *Urges* all States which 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 to obtain ultimately universal 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 annexed Protocols and any proposals for additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols;

5. *Requests* the Secretary-General as the 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 said Convention and its Protocols;

6. *Decides* to include in the provisional agenda of its thirty-ninth 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."

97th plenary meeting  
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**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**

*The General Assembly:*

*Convinced* of the need to take effective measures for the strengthening of the security of States and prompted by the desire shared by all nations to eliminate war and prevent nuclear conflagration,

*Taking into account* the principle of non-use of force or threat of force enshrined in the Charter of the United Nations and reaffirmed in a number of United Nations declarations and resolutions,

*Considering* that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

*Recognizing* that effective measures to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons can constitute a positive contribution to the prevention of the spread of nuclear weapons,

*Noting with satisfaction* the desire of States in various regions to prevent nuclear weapons from being introduced into their territories, including through the establishment of nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region con-

<sup>14</sup> Resolution S-10/2.

<sup>15</sup> A/38/198.

<sup>16</sup> A/CONF.95/15 and Corr.2, annex I. For the printed text of the Convention and its Protocols, see *United Nations, Disarmament Yearbook*, vol. 5, 1980 (United Nations publication, Sales No. E.81.X.4), appendix VII.

<sup>17</sup> A/38/405.

cerned, and being anxious to contribute to the attainment of this objective,

*Concerned* at the continuing escalation of the arms race, in particular the nuclear-arms race, and the increased danger of recourse to use or threat of use of nuclear weapons,

*Desirous* of promoting the implementation of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,<sup>18</sup> the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

*Recalling* its resolutions on this subject as well as the relevant part of the special report of the Committee on Disarmament,<sup>19</sup> submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament,

*Noting* that the Committee on Disarmament considered in 1983 the item entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" and the work done by its *Ad Hoc* Working Group on this item, as reflected in the report of the Committee on Disarmament,<sup>20</sup>

*Noting* the proposals submitted under that item in the Committee on Disarmament, including the drafts of an international convention, and the widespread international support for the conclusion of such a convention,

*Wishing* to promote an early and successful completion of the negotiations in the Conference on Disarmament,<sup>21</sup> aimed at the elaboration of a convention on the item,

*Further noting* that the idea of interim arrangements as a first step towards the conclusion of such a convention has also been considered in the Committee on Disarmament, particularly in the form of a Security Council resolution on this subject, and reaffirming the calls made in that respect in General Assembly resolutions 35/154 of 12 December 1980, 36/94 of 9 December 1981 and 37/80 of 9 December 1982,

*Convinced* that abandoning policies of first use of nuclear weapons would, *inter alia*, constitute a substantive contribution to the efforts to achieve progress towards effective strengthening of the security guarantees for non-nuclear-weapon States,

*Welcoming once again* the solemn declarations made by some nuclear-weapon States concerning non-first-use of nuclear weapons, in particular the obligation not to be the first to use nuclear weapons, assumed at the highest political level or confirmed at the twelfth special session of the General Assembly,

*Convinced further* that, if all nuclear-weapon States were to assume obligations not to be the first to use nuclear weapons, that would be tantamount, in practice, to banning the use of nuclear weapons against all States, including all non-nuclear-weapon States,

*Considering* that, in the search for a solution to the problem of security assurances, priority should be given to the legitimate security concerns of the non-nuclear-weapon States which, by virtue of their forgoing the nuclear option and of not allowing nuclear weapons to be stationed on their territories, have every right to expect to be most effectively guaranteed against the use or threat of use of nuclear weapons,

1. *Reaffirms once again* 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 Committee on Disarmament there is once again no objection, in principle, to the idea of an international convention on this subject, although the difficulties involved have also been pointed out;

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;

4. *Considers* that the Conference on Disarmament should continue to explore ways and means to overcome the difficulties encountered in the negotiations to reach an appropriate agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

5. *Requests* the Conference on Disarmament to continue the negotiations, as recommended in the report of the Committee on Disarmament on its 1983 session,<sup>20</sup> 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;

6. *Decides* to include in the provisional agenda of its thirty-ninth session the item entitled "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".

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### 38/68. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

*The General Assembly,*

*Bearing in mind* the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

*Convinced* that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

*Deeply concerned* at the continuing escalation of the arms race, in particular the nuclear-arms race, and the possibility of the use or threat of use of nuclear weapons,

*Convinced* that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

*Taking into account* the principle of the non-use of force or threat of force enshrined in the Charter of the United Nations,

*Deeply concerned* about the possibility of the use or threat of use of nuclear weapons,

*Recognizing* that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

<sup>18</sup> Resolution S-10/2.

<sup>19</sup> *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2)*, sect. III.C.

<sup>20</sup> *Ibid.*, *Thirty-eighth Session, Supplement No. 27 (A/38/27)*, sect. III.C.

<sup>21</sup> From 7 February 1984, the date of commencement of its annual session, the Committee on Disarmament is to be known as the "Conference on Disarmament" (see *Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 27 (A/38/27)*, para. 21).