

deem appropriate within their respective fields of competence.

*96th plenary meeting
10 December 1976*

31/71. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolution 3263 (XXIX) of 9 December 1974, in which it overwhelmingly commended the idea of the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also its resolution 3474 (XXX) of 11 December 1975, in which it recognized that the establishment of a nuclear-weapon-free zone in the Middle East enjoys wide support in the region,

Mindful of the prevailing political situation in the region and the potential danger emanating therefrom that would be further aggravated by the introduction of nuclear weapons in the area,

Concerned that the lack of any appreciable progress in the direction of the establishment of a nuclear-weapon-free zone, in the present atmosphere in the region, will further complicate the situation,

Convinced that progress towards the establishment of a nuclear-weapon-free zone in the Middle East will greatly enhance the cause of peace both in the region and in the world,

Conscious of the particular nature of the problems involved and the complexities inherent in the situation in the Middle East, and the urgency of keeping the region free from involvement in a ruinous nuclear-arms race,

1. *Expresses the need* for further action to generate momentum towards realization of the establishment of a nuclear-weapon-free zone in the Middle East;

2. *Urges* all parties directly concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons²⁷ as a means of promoting this objective;

3. *Reiterates* its recommendation that the Member States referred to in paragraph 2 above, pending the establishment of the nuclear-weapon-free zone under an effective system of safeguards, should:

(a) Proclaim solemnly and immediately their intention to refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons in their territory or the territory under their control by any third party;

(b) Refrain, on a reciprocal basis, from any other action that would facilitate the acquisition, testing or use of such weapons, or would be in any other way detrimental to the objective of the establishment of a nuclear-weapon-free zone in the region under an effective system of safeguards;

(c) Agree to place all their nuclear activities under the International Atomic Energy Agency safeguards;

4. *Reaffirms* the recommendations to the nuclear-weapon States to refrain from any action contrary to

²⁷ Resolution 2373 (XXII), annex.

the purpose of the present resolution and the objective of establishing, in the region of the Middle East, a nuclear-weapon-free zone under an effective system of safeguards and to extend their co-operation to the States of the region in their efforts to promote this objective;

5. *Invites* the Secretary-General to explore the possibilities of making progress towards the establishment of a nuclear-weapon-free zone in the area of the Middle East;

6. *Decides* to include in the provisional agenda of its thirty-second session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

*96th plenary meeting
10 December 1976*

31/72. Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

The General Assembly,

Recalling its resolutions 3264 (XXIX) of 9 December 1974 and 3475 (XXX) of 11 December 1975,

Recalling its resolution 1722 (XVI) of 20 December 1961, in which it recognized that all States have a deep interest in disarmament and arms control negotiations,

Determined to avert the potential dangers of military or any other hostile use of environmental modification techniques,

Convinced that broad adherence to a convention on the prohibition of such action would contribute to the cause of strengthening peace and averting the threat of war,

Noting with satisfaction that the Conference of the Committee on Disarmament has completed and transmitted to the General Assembly, in the report on its work in 1976,²⁸ the text of a draft Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques,²⁹

Noting further that the Convention is intended to prohibit effectively military or any other hostile use of environmental modification techniques in order to eliminate the dangers to mankind from such use,

Bearing in mind that draft agreements on disarmament and arms control measures submitted to the General Assembly by the Conference of the Committee on Disarmament should be the result of a process of effective negotiations, and that such instruments should duly take into account the views and interests of all States so that they can be adhered to by the widest possible number of countries,

Bearing in mind that article VIII of the Convention makes provision for a conference to review the operation of the Convention five years after its entry into force, with a view to ensuring that its purposes and provisions are being realized,

Also bearing in mind all relevant documents and negotiating records of the Conference of the Committee

²⁸ Official Records of the General Assembly, Thirty-first Session, Supplement No. 27 (A/31/27).

²⁹ Ibid., Supplement No. 27 (A/31/27), vol. I, annex I.

on Disarmament on the discussion of the draft Convention,

Convinced that the Convention should not affect the use of environmental modification techniques for peaceful purposes, which could contribute to the preservation and improvement of the environment for the benefit of present and future generations,

Convinced that the Convention will contribute to the realization of the purposes and principles of the Charter of the United Nations,

Anxious that during its 1977 session the Conference of the Committee on Disarmament should concentrate on urgent negotiations on disarmament and arms limitation measures,

1. *Refers* the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, the text of which is annexed to the present resolution, to all States for their consideration, signature and ratification;

2. *Requests* the Secretary-General, as Depositary of the Convention, to open it for signature and ratification at the earliest possible date;

3. *Expresses its hope* for the widest possible adherence to the Convention;

4. *Calls upon* the Conference of the Committee on Disarmament, without prejudice to the priorities established in its programme of work, to keep under review the problem of effectively averting the dangers of military or any other hostile use of environmental modification techniques;

5. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents relating to the discussion by the General Assembly at its thirty-first session of the question of the prohibition of military or any other hostile use of environmental modification techniques.

*96th plenary meeting
10 December 1976*

ANNEX

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques

The States Parties to this Convention,

Guided by the interest of consolidating peace, and wishing to contribute to the cause of halting the arms race, and of bringing about general and complete disarmament under strict and effective international control, and of saving mankind from the danger of using new means of warfare,

Determined to continue negotiations with a view to achieving effective progress towards further measures in the field of disarmament,

Recognizing that scientific and technical advances may open new possibilities with respect to modification of the environment,

Recalling the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972,

Realizing that the use of environmental modification techniques for peaceful purposes could improve the interrelationship of man and nature and contribute to the preservation and improvement of the environment for the benefit of present and future generations,

Recognizing, however, that military or any other hostile use of such techniques could have effects extremely harmful to human welfare,

Desiring to prohibit effectively military or any other hostile use of environmental modification techniques in order to eliminate the dangers to mankind from such use, and affirming their willingness to work towards the achievement of this objective,

Desiring also to contribute to the strengthening of trust among nations and to the further improvement of the international situation in accordance with the purposes and principles of the Charter of the United Nations,

Have agreed as follows:

ARTICLE I

1. Each State Party to this Convention undertakes not to engage in military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects as the means of destruction, damage or injury to any other State Party.

2. Each State Party to this Convention undertakes not to assist, encourage or induce any State, group of States or international organization to engage in activities contrary to the provisions of paragraph 1 of this article.

ARTICLE II

As used in article I, the term "environmental modification techniques" refers to any technique for changing—through the deliberate manipulation of natural processes—the dynamics, composition or structure of the Earth, including its biota, lithosphere, hydrosphere and atmosphere, or of outer space.

ARTICLE III

1. The provisions of this Convention shall not hinder the use of environmental modification techniques for peaceful purposes and shall be without prejudice to the generally recognized principles and applicable rules of international law concerning such use.

2. The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of scientific and technological information on the use of environmental modification techniques for peaceful purposes. States Parties in a position to do so shall contribute, alone or together with other States or international organizations, to international economic and scientific co-operation in the preservation, improvement and peaceful utilization of the environment, with due consideration for the needs of the developing areas of the world.

ARTICLE IV

Each State Party to this Convention undertakes to take any measures it considers necessary in accordance with its constitutional processes to prohibit and prevent any activity in violation of the provisions of the Convention anywhere under its jurisdiction or control.

ARTICLE V

1. The States Parties to this Convention undertake to consult one another and to co-operate in solving any problems which may arise in relation to the objectives of, or in the application of the provisions of, the Convention. Consultation and co-operation pursuant to this article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures may include the services of appropriate international organizations, as well as of a Consultative Committee of Experts as provided for in paragraph 2 of this article.

2. For the purposes set forth in paragraph 1 of this article, the Depositary shall, within one month of the receipt of a request from any State Party to this Convention, convene a Consultative Committee of Experts. Any State Party may appoint an expert to the Committee whose functions and rules of procedure are set out in the annex, which constitutes an integral part of this Convention. The Committee shall transmit to the Depositary a summary of its findings of fact, incorporating all views and information presented to the Committee during its proceedings. The Depositary shall distribute the summary to all States Parties.

3. Any State Party to this Convention which has reason to believe that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all relevant information as well as all possible evidence supporting its validity.

4. Each State Party to this Convention undertakes to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties of the results of the investigation.

5. Each State Party to this Convention undertakes to provide or support assistance, in accordance with the provisions of the Charter of the United Nations, to any State Party which so requests, if the Security Council decides that such Party has been harmed or is likely to be harmed as a result of violation of the Convention.

ARTICLE VI

1. Any State Party to this Convention may propose amendments to the Convention. The text of any proposed amendment shall be submitted to the Depositary, who shall promptly circulate it to all States Parties.

2. An amendment shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

ARTICLE VII

This Convention shall be of unlimited duration.

ARTICLE VIII

1. Five years after the entry into force of this Convention, a conference of the States Parties to the Convention shall be convened by the Depositary at Geneva, Switzerland. The conference shall review the operation of the Convention with a view to ensuring that its purposes and provisions are being realized, and shall in particular examine the effectiveness of the provisions of paragraph 1 of article I in eliminating the dangers of military or any other hostile use of environmental modification techniques.

2. At intervals of not less than five years thereafter, a majority of the States Parties to this Convention may obtain, by submitting a proposal to this effect to the Depositary, the convening of a conference with the same objectives.

3. If no conference has been convened pursuant to paragraph 2 of this article within ten years following the conclusion of a previous conference, the Depositary shall solicit the views of all States Parties to this Convention concerning the convening of such a conference. If one third or ten of the States Parties, whichever number is less, respond affirmatively, the Depositary shall take immediate steps to convene the conference.

ARTICLE IX

1. This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall enter into force upon the deposit of instruments of ratification by twenty Governments in accordance with paragraph 2 of this article.

4. For those States whose instruments of ratification or accession are deposited after the entry into force of this Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of

deposit of each instrument of ratification or accession and the date of the entry into force of this Convention and of any amendments thereto, as well as of the receipt of other notices.

6. This Convention shall be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.

ARTICLE X

This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Convention.

DONE at ..., on the ... day of ...,³⁰

Annex to the Convention

Consultative Committee of Experts

1. The Consultative Committee of Experts shall undertake to make appropriate findings of fact and provide expert views relevant to any problem raised pursuant to paragraph 1 of article V of this Convention by the State Party requesting the convening of the Committee.

2. The work of the Consultative Committee of Experts shall be organized in such a way as to permit it to perform the functions set forth in paragraph 1 of this annex. The Committee shall decide procedural questions relative to the organization of its work, where possible by consensus, but otherwise by a majority of those present and voting. There shall be no voting on matters of substance.

3. The Depositary or his representative shall serve as the Chairman of the Committee.

4. Each expert may be assisted at meetings by one or more advisers.

5. Each expert shall have the right, through the Chairman, to request from States, and from international organizations, such information and assistance as the expert considers desirable for the accomplishment of the Committee's work.

31/73. Establishment of a nuclear-weapon-free zone in South Asia

The General Assembly,

Recalling its resolutions 3265 B (XXIX) of 9 December 1974 and 3476 B (XXX) of 11 December 1975 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures which can contribute most effectively to halting the proliferation of nuclear weapons and to promoting progress towards nuclear disarmament as a step towards general and complete disarmament under effective international control, with the ultimate goal of total destruction of all nuclear weapons and their means of delivery,

Bearing in mind the comprehensive study prepared by the *Ad Hoc* Group of Qualified Governmental Experts for the Study of the Question of Nuclear-Weapon-Free Zones,³¹

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will

³⁰ The Convention was opened for signature at Geneva on 18 May 1977.

³¹ *Official Records of the General Assembly, Thirtieth Session, Supplement No. 27A (A/10027/Add.1), annex I.*