

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".

97th plenary meeting
12 December 1984

39/57. 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 such weapons,

Noting with satisfaction the determination of non-nuclear-weapon States in various parts of the world to prevent nuclear weapons from being introduced into their territories and to ensure the complete absence of such weapons in their respective regions, including through the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, and being anxious to encourage and contribute to the attainment of this objective,

Concerned at the continuing escalation of the arms race, in particular the nuclear-arms race having entered a qualitatively new stage, and the possibility of the use or threat of use of nuclear weapons and the danger of nuclear war,

Desirous of promoting the implementation of paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,¹³ 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 numerous resolutions on this subject as well as the relevant part of the special report of the Committee on Disarmament,¹⁴ submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament,

Noting that the Conference on Disarmament considered in 1984 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* Committee on this item, as reflected in the report of the Conference on Disarmament,¹⁵

Recalling the proposals submitted on this subject to the General Assembly and in the Conference on Disarma-

ment, 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 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 Conference on Disarmament,

Welcoming once again the solemn declaration made by some nuclear-weapon States concerning non-first use of nuclear weapons, and convinced 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,

Being aware that unconditional guarantees by all nuclear-weapon States not to use or threaten to use nuclear weapons under any circumstances against the non-nuclear-weapon States having no nuclear weapons on their territories should constitute an integral element of a mandatory system of norms regulating the relations between the nuclear-weapon States, which bear the primary responsibility for preventing a nuclear war, thus sparing mankind from its devastating consequences,

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 Conference on Disarmament there was once again no objection, in principle, to the idea of an international convention on this subject, although the difficulties involved were also pointed out;

3. *Expresses its regret* that specific difficulties related to differing perceptions of security interests of some nuclear-weapon States and non-nuclear-weapon States have once again prevented the Conference 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 of overcoming 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 on its 1984 session,¹⁵ 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 fortieth session the item entitled "Conclusion of an international convention on the strengthening of the security of

¹³ Resolution S-10/2.

¹⁴ *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2 (A/S-12/2)*, sect. III.C. The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

¹⁵ *Ibid.*, Thirty-ninth Session, Supplement No. 27 (A/39/27), sect. III.F.

non-nuclear-weapon States against the use or threat of use of nuclear weapons”.

*97th plenary meeting
12 December 1984*

39/58. 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,

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 the 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,

Recalling its resolutions 3261 G (XXIX) of 9 December 1974 and 31/189 C of 21 December 1976,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,¹³ 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,

Desirous of promoting the implementation of the relevant provisions of the Final Document of the Tenth Special Session,

Recalling its resolutions 33/72 B of 14 December 1978, 34/85 of 11 December 1979, 35/155 of 12 December 1980, 36/95 of 9 December 1981, 37/81 of 9 December 1982 and 38/68 of 15 December 1983,

Further recalling paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, *inter alia*, that all efforts should be exerted by the Committee on Disarmament¹⁶ 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,¹⁵ with a view to reaching agreement on this item,

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

Taking note of the decision of the Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi from 7 to 12 March 1983,¹⁷ as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the final declaration of the Fourteenth Islamic Conference of Foreign Ministers, held at Dhaka from 6 to 11 December 1983,¹⁸ calling upon the Committee on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Further noting 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 which 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* 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 fortieth 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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12 December 1984*

¹⁶ The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

¹⁷ See A/38/132-S/15675 and Corr. I and 2, annex, sect. I, para. 30

¹⁸ See A/39/133-S/16417, annex IV.