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CONCLUSION OF A WORLD TREATY ON THE NON-USE OF FORCE
IN INTERNATIONAL RELATIONS

Report of the Sixth Committee

Rapporteur: Mr. Awn S. AL-KHASAWNEH (Jordan)

I. INTRODUCTION

1. The item entitled "Conclusion of a world treaty on the non-use of force in international relations: report of the Secretary-General" was included in the provisional agenda of the thirty-second session of the General Assembly pursuant to paragraph 4 of its resolution 31/9 of 8 November 1976.
2. At its 5th plenary meeting, on 23 September 1977, 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 1/ and Sixth Committees.
3. The Sixth Committee considered the item at its 64th to 67th, 69th and 70th meetings, between 6 and 12 December. The summary records of those meetings (A/C.6/32/SR.64-67, 69 and 70) contain the views of representatives who spoke during the consideration of the item.
4. The Committee had before it for its consideration of the item the report of the Secretary-General (A/32/181 and Add.1).

II. PROPOSALS

5. The Sixth Committee had before it a draft resolution (A/C.6/32/L.18) submitted by the Union of Soviet Socialist Republics, which read as follows:

1/ For the report of the First Committee, see A/32/449.

"The General Assembly,

"Considering that, in conformity with the Charter of the United Nations, States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

"Reaffirming the need for universal and effective application of this principle in international relations and for assistance by the United Nations in this endeavour,

"Recalling its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations submitted by the Union of Soviet Socialist Republics as well as other proposals and statements made during the consideration of this item,

"Noting the report of the Secretary-General which contains views and suggestions of Member States on the conclusion of a world treaty on the non-use of force in international relations,

"1. Decides to establish a Special Committee on a World Treaty on the Non-Use of Force in International Relations, composed of ___ Member States to be appointed by the President of the General Assembly, on the basis of equitable geographical distribution, and representing the principal legal systems of the world;

"2. Instructs the Special Committee to draft at the earliest possible date a World Treaty on the Non-Use of Force in International Relations and authorizes the Committee, in the fulfilment of its mandate, to consider proposals and suggestions from any State, bearing in mind the views expressed during the debates on this item at the thirty-first and thirty-second sessions of the General Assembly;

"3. Requests the Secretary-General to provide the Special Committee with the necessary facilities and services, including the preparation of the summary records of the meetings of the Committee;

"4. Decides to include in the provisional agenda of its thirty-third session the item entitled 'Conclusion of a World Treaty on the Non-Use of Force in International Relations: report of the Special Committee'.

6. At the 69th meeting, on 12 December, the representative of the Union of Soviet Socialist Republics introduced a revised draft resolution (A/C.6/32/L.18/Rev.1), later sponsored also by Bulgaria, the Congo, the Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ethiopia, the German Democratic Republic, Guinea, Hungary, Iraq, Mongolia, Morocco, Poland, Romania, Uganda, the Ukrainian Soviet Socialist Republic and Venezuela. The revised text was identical to the original draft resolution with the following exceptions:

/...

(a) In operative paragraph 1, the name of the Committee was amended to read as follows: "Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations";

(b) Operative paragraph 2 was amended to read as follows:

"2. Instructs the Special Committee to consider proposals and suggestions of any State, bearing in mind the views expressed during the debates on this item at the thirty-first and thirty-second sessions of the General Assembly with the goal of drafting a World Treaty on the Non-Use of Force in International Relations as well as the peaceful settlement of disputes or such other recommendations, as the Committee deems appropriate;"

(c) In the second line of operative paragraph 4, the title of the item was amended to read: "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations".

7. The Sixth Committee had before it a statement submitted by the Secretary-General (A/C.6/32/L.20) on the administrative and financial implications of draft resolution A/C.6/32/L.18/Rev.1.

8. At its 70th meeting on 12 December 1977, the Sixth Committee adopted the revised draft resolution (A/C.6/32/L.18/Rev.1) by a roll-call vote of 85 to 4, with 24 abstentions (see para. 9 below). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Ethiopia, Finland, Gabon, German Democratic Republic, Ghana, Greece, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Niger, Nigeria, Oman, Panama, Peru, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Sudan, Surinam, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: Albania, China, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Belgium, Canada, Denmark, France, Germany, Federal Republic of, Iceland, Ireland, Israel, Italy, Ivory Coast, Japan, Luxembourg, Mauritania, Netherlands, New Zealand, Norway, Pakistan, Papua New Guinea, Saudi Arabia, Spain, Sweden, Turkey.

/...

The representatives of Cyprus, the United Republic of Tanzania, Nicaragua, Jamaica, Albania, Tunisia, the Union of Soviet Socialist Republics, Nepal, Nigeria, the United Republic of Cameroon, Chad, the Ivory Coast and the United States of America made statements. Statements of explanation of vote after the vote were made by the representatives of Israel, the United Kingdom of Great Britain and Northern Ireland, Denmark, the Netherlands, Chile, Togo, Burundi, the Federal Republic of Germany, Mozambique, Ghana and the Niger.

III. RECOMMENDATION OF THE SIXTH COMMITTEE

9. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Conclusion of a world treaty on the non-use of force in international relations

The General Assembly,

Considering that, in conformity with the Charter of the United Nations, States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming the need for universal and effective application of this principle in international relations and for assistance by the United Nations in this endeavour,

Recalling its resolution 31/9 of 8 November 1976, in which it invited Member States to examine further the draft World Treaty on the Non-Use of Force in International Relations, submitted by the Union of Soviet Socialist Republics, 2/ as well as other proposals and statements made during the consideration of this item,

Noting the report of the Secretary-General which contains views and suggestions of Member States on the conclusion of a world treaty on the non-use of force in international relations, 3/

1. Decides to establish a Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations, composed of ___ Member States to be appointed by the President of the General Assembly on the basis of equitable geographical distribution and representing the principal legal systems of the world;

2/ Official Records of the General Assembly, Thirty-first Session, Annexes, agenda item 124, document A/31/243, annex.

3/ A/32/181 and Add.1.

2. Instructs the Special Committee to consider proposals and suggestions submitted by any State, bearing in mind the views expressed during the debates on this item at the thirty-first and thirty-second sessions of the General Assembly, with the goal of drafting a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes, or such other recommendations as the Committee deems appropriate;

3. Requests the Secretary-General to provide the Special Committee with the necessary facilities and services, including the preparation of summary records of the meetings of the Committee;

4. Decides to include in the provisional agenda of its thirty-third session the item entitled "Report of the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations".
