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Forty-second session
Agenda item 53**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****Report of the First Committee****Rapporteur: Mr. Kazimierz TOMASZEWSKI (Poland)****I. INTRODUCTION**

1. 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: report of the Secretary-General" was included in the provisional agenda of the forty-second session in accordance with General Assembly resolution 41/50 of 3 December 1986.

2. At its 3rd plenary meeting, on 18 September 1987, 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 Committee.

3. At its 2nd meeting, on 1 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 48 to 69, followed by statements on specific disarmament agenda items and a continuation of the general debate, as necessary. The deliberations on those items took place between the 3rd and the 31st meetings, from 12 October to 3 November (see A/C.1/42/PV.3-31),

4. In connection with item 53, the First Committee had before it the following documents:

- (a) Report of the Secretary-General (A/42/580) ;

(b) Letter dated 23 October 1987 from the Permanent Representative of Zimbabwe to the United Nations addressed to the Secretary-General, transmitting the final **communiqué** of the Meeting of Ministers for Foreign Affairs and Heads of Delegations of the **Movement** of Non-Aligned Countries to the forty-second session of **the General Assembly**, held in New York from 5 to 7 October 1987 (A/42/681).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/42/L.31

5. On 27 October 1987, Australia, Austria, Belgium, Cuba, Denmark, Finland, France, Greece, Ireland, Italy, the Netherlands, New Zealand, Nigeria, Norway, Sweden, Viet Nam and Yugoslavia submitted a draft resolution, 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" (A/C.1/42/L.31), which was later also sponsored by the Byelorussian Soviet Socialist Republic and the Union of Soviet Socialist Republics. The draft resolution was introduced by the representative of Sweden at the 34th meeting, on 6 November.

6. At its 36th meeting, on 9 November, the Committee adopted draft resolution A/C.1/42/L.31 without a vote (see para.7).

III. RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

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, 37/79 of 9 December 1982, 38/66 of 15 December 1983, 39/56 of 12 December 1984, 40/84 of 12 December 1985 and 41/50 of 3 December 1986,

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), 1/

1/ A/CONF.95/15 and Corr.2, annex I. For the printed text of the Convention and its Protocols, see The United Nations Disarmament Yearbook, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

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 submitted to the General Assembly at the present **session, 2/**

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, consequent 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 that 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 ultimately to obtain universality of 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 Protocols and any proposals for additional protocols relating to other categories of conventional weapons not covered by the existing Protocols;

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

6. Decides to include in the provisional agenda of its forty-third 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".
