



General Assembly

Fifty-second session

First Committee

15th Meeting

Wednesday, 5 November 1997, 10 a.m.
New York

Official Records

Chairman: Mr. Nkgowe (Botswana)

The meeting was called to order at 10.30 a.m.

Agenda items 62 to 83 (continued)

Introduction and consideration of draft resolutions submitted under all items

The Chairman: In accordance with the adopted programme of work and timetable, the Committee will today begin the introduction and consideration of all draft resolutions under all agenda items.

I call on the representative of Sweden to introduce draft resolution A/C.1/52/L.22.

Mr. Nordenfelt (Sweden): I have the honour to introduce draft resolution A/C.1/52/L.22 on the 1980 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 draft resolution has 46 sponsors. With the Committee's indulgence I will forgo reading their names, as they appear on the document. We certainly appreciate their sponsorship.

The 1980 Convention consists of a framework Convention and four Protocols. Protocol I deals with fragmentation weapons. Protocol II concerns mines, booby traps and other devices. The subject of Protocol III is incendiary weapons and the latest addition is Protocol IV, dealing with laser weapons.

The Convention and its Protocols constitute an essential and integral part of international law applicable in armed conflict. Their purpose is to place constraints on the conduct of war by restricting the use of certain conventional weapons. When fully implemented the rules contained in the framework Convention and the Protocols will sharply limit or eliminate the risks to civilians and non-combatants. Lives will be saved; suffering will be significantly reduced.

The Convention offers a framework for global negotiations gradually to refine or extend the areas covered by it. In 1995 and 1996 the States parties held a Review Conference to seek agreements on further restrictions. Sweden was honoured to be entrusted with the chairmanship, which was exercised by Ambassador Johan Molander.

The Conference concluded its work in May of last year. It had then been able to strengthen Protocol II considerably through further restrictions or partial prohibitions with regard to landmines, and by adopting the new Protocol banning blinding laser weapons. It is important that this global process continue.

As of 4 November 1997, 71 States were parties to the Convention and its original three Protocols; 10 States had consented to be bound by the revised Protocol II; and 14 States had consented to be bound by Protocol IV.

The intention of draft resolution A/C.1/52/L.22 is to promote the further universalization of this important body of humanitarian law. On behalf of its 46 sponsors, I would like to express the hope that the draft resolution will be adopted by consensus.

Mr. Majoor (Netherlands): Following the introduction by Sweden of draft resolution A/C.1/52/L.22 entitled "Convention on Prohibition or Restriction on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects", generally known as the 1980 Convention on Conventional Weapons, the Netherlands expresses its gratitude to the delegation of Sweden for once again putting forward a draft resolution on this issue.

Even before the 1995 Review Conference, which produced a new Protocol IV on Blinding Laser Weapons and resulted in the adoption in 1996 of a strengthened Protocol II on landmines, my delegation had been working closely with Sweden in promoting increased adherence to the 1980 Convention.

Unfortunately, 14 years after its entry into force, only a little over 70 States have become party to the Convention. In the view of the Netherlands, military necessity in armed conflict has to be constantly weighed against the humanitarian objective to prevent unnecessary suffering.

It is important that rules relating to this fundamental norm of the law of armed conflict are codified in international legally binding instruments.

My delegation therefore fully supports the call, contained in paragraph 2 of the draft resolution, to all States that have not yet done so to become parties, as soon as possible, to the Convention and its Protocols.

The strengthening of Protocol II on landmines and the conclusion of Protocol IV on blinding laser weapons are commendable achievements and all States should already apply the new humanitarian principles contained therein before the entry into force of these instruments.

Needless to say, the early entry into force of the said Protocols remains a priority. The Netherlands expects to be able to express its consent to be bound by the amended Protocol II and by Protocol IV as soon as possible.

The treaty recently concluded in Oslo, which my Government intends to sign in Ottawa in December this year, seeks to ban completely the production, stockpiling, transfer and use of anti-personnel landmines. In doing so it goes considerably further than the rules which the amended Protocol II contains on these horrid weapons. The amended Protocol II remains, nevertheless, an important international legal instrument. It is the only treaty which regulates the use and transfer of landmines other than anti-personnel

mines. Furthermore, it contains provisions relating to the protection of United Nations peacekeeping missions and other humanitarian missions which will continue to be of significant value.

I would therefore like to join the Swedish delegation in expressing the wish that this important draft resolution be adopted without a vote.

The Chairman: I now call on the representative of Pakistan to introduce draft resolution A/C.1/52/L.41.

Mr. Akram (Pakistan): On behalf of the delegations of Bangladesh, Brunei Darussalam, Colombia, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, Ghana, Guatemala, Indonesia, the Islamic Republic of Iran, Malaysia, Myanmar, the Philippines, Sri Lanka, Sudan, Viet Nam and my own delegation, I have the honour to introduce the draft resolution contained in document A/C.1/52/L.41 entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

The demand of the non-nuclear-weapon States for security assurances against the nuclear threat emerged during the 1960s. It crystallized at the 1968 Conference of Non-Nuclear-Weapon States, and received a partial but inadequate response in Security Council resolution 255 (1968).

While noting the unilateral statements made by the nuclear-weapon states at the first special session of the General Assembly devoted to disarmament (SSOD I), the Final Document of that session called for the conclusion of an international instrument by the Geneva Committee on Disarmament. Unfortunately, despite the lapse of almost 20 years, the Conference on Disarmament has been unable to conclude this international agreement.

During the cold war, the Conference on Disarmament could not evolve a common formula for the offer of unconditional and credible assurances to the non-nuclear-weapon States. Four of the five nuclear-weapon States offered only partial and restricted assurances to non-nuclear-weapon States. One side in the cold war excluded any non-nuclear-weapon State which was a member of a military alliance with a nuclear-weapon State. The other side excluded those non-nuclear-weapon States which had nuclear weapons on their territories. All four nuclear Powers excluded non-nuclear weapon States which were not parties to the Treaty on the Non-Proliferation of Nuclear Weapons

(NPT). Only one nuclear-weapon State — China — offered unconditional and unrestricted assurances to all non-nuclear-weapon States against the use or threat of use of nuclear weapons.

It was the general expectation that with the end of the cold war, reliance on mutual nuclear deterrence would decline and even be given up entirely. In such circumstances, the nuclear powers, it was thought, might be prepared rapidly to conclude agreements for nuclear disarmament and, at the same time, to offer binding and unconditional security assurances to non-nuclear-weapon States until all nuclear weapons had been eliminated.

Alas, it seems that these hopes were Utopian. Far from resiling from reliance on nuclear weapons, most of the nuclear powers have, if anything, reaffirmed and reinforced their reliance on these weapons. As my delegation has had occasion to note earlier, following the indefinite extension of the NPT, some nuclear-weapon States have openly said that they will retain nuclear weapons indefinitely against uncertain threats and contingencies. The use of nuclear weapons has been introduced into actual war-fighting doctrine. New designs for nuclear warheads, such as those that could destroy targets deep underground, are being developed. Their use is clearly envisaged against non-nuclear-weapon States — even those non-nuclear-weapon States that are parties to the NPT and parties to regional nuclear-weapon-free zones. The use of nuclear weapons is contemplated not only in response to the use of nuclear weapons by another State, but even to the use or threat of other “weapons of mass destruction”.

Under these circumstances, those non-nuclear-weapon States that are not the beneficiaries of old or extended nuclear military alliances — in other words, the entire membership of the Non-Aligned Movement — are quite justified in being gravely concerned at the continued existence of nuclear weapons and the threat of their use. Their demand for binding assurances against the use or threat of use of nuclear weapons is not only legitimate, it has gained special urgency in view of recent developments.

The draft resolution in document A/C.1/52/L.41 reiterates the call by the United Nations General Assembly to the Conference on Disarmament to negotiate an international agreement to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. This objective enjoys widespread support among the non-nuclear-weapon States. The negotiation in the Conference on Disarmament on an internationally binding convention to provide assurances to these States against the use or threat

of use of nuclear weapons would be a major step in the international community's endeavour to create a nuclear-weapon-free world. An unconditional and legally binding commitment of non-use against non-nuclear-weapon States would be a major confidence-building measure between the nuclear Powers and other States. It would remove a major impediment in the promotion of nuclear restraint and non-proliferation in certain regions of tension. Finally, it would facilitate the process of nuclear disarmament by establishing new legal norms which would outlaw the use of nuclear weapons against non-nuclear-weapon States and could facilitate agreements on the non-first-use or non-use of nuclear weapons.

It is unfortunate that the Conference on Disarmament was unable to reach a consensus to establish an ad hoc committee on negative security assurances this year. My delegation shares the view that the endeavour to restrict negotiations on this issue only to the States parties to the NPT is unjust and unwise. The nuclear-weapon States have an obligation — arising from their possession of nuclear weapons — to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. It is not the non-nuclear-weapon States that have an obligation to prove their credentials by adhering to the NPT to obtain security assurances. Such a stand would only compound the injustice of a world where only five Powers are accorded the right to possess weapons of mass destruction that threaten the security of each and every Member State and every man, woman and child in every country. Pakistan, like the entire Non-Aligned Movement, rejects such a proposition. If this gains acceptance, the consequence will be more nuclear proliferation, not non-proliferation.

The sponsors of the draft resolution in document A/C.1/52/L.41 hope that the Conference on Disarmament will find it possible in 1998 to establish an ad hoc committee on negative security assurances. We hope that this draft resolution can be adopted unanimously by this Committee and the General Assembly.

The Chairman: I now call on the representative of Algeria to introduce draft resolution A/C.1/52/L.36.

Mr. Mesdoua (Algeria) (*interpretation from French*): Once again I have the honour this year to introduce in the First Committee the draft resolution entitled “Strengthening of security and cooperation in the Mediterranean region”, contained in document A/C.1/52/L.36, on behalf of the following sponsors: Albania, Algeria, Andorra, Austria, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Denmark, Egypt, Finland, France, Germany, Greece,

Ireland, Italy, Jordan, the Libyan Arab Jamahiriya, Luxembourg, Malta, Mauritania, Monaco, Morocco, the Netherlands, Norway, Portugal, San Marino, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey and the United Kingdom of Great Britain and Northern Ireland.

The introduction by the sponsors of this draft resolution again this year thus reflects our support for the shared desire of the States of the Mediterranean Basin and European States to turn our region into a zone of peace, security and cooperation and thus to enable the Mediterranean to assume its rightful place as a lake of peace.

In recent years, the Mediterranean countries have entered into a process of partnership by intensifying joint efforts to consolidate peace and security in the region and lay the foundations for the multifaceted cooperation that is essential for the prosperity and stability of the countries of the entire Mediterranean region. It should be emphasized that after the Barcelona Euro-Mediterranean Conference in 1995, which laid the foundations for new relations between the two shores of the Mediterranean, the second Euro-Mediterranean Conference held in April 1997 in Valetta, Malta, gave us the opportunity calmly to evaluate this process and give political impetus to the dynamics of this partnership.

In the context of efforts made in the framework of dialogue between the two shores, I should also like to mention the ministerial meeting of the Mediterranean Forum, held in Algiers in July 1997.

This year's draft resolution is intended to be more concise, less repetitious and more focused on the essential aspects of security and cooperation in the Mediterranean. It does not fundamentally differ from resolutions adopted at previous sessions, particularly resolution 51/50, adopted by consensus in December 1996, which dealt with the same item.

In the preamble the draft covers all the initiatives that have been undertaken by the countries of the region in order to consolidate peace, security and cooperation. It goes on to reaffirm the responsibilities of all States to contribute to the stability and prosperity of the Mediterranean region and their commitment to respect the purposes and principles of the Charter of the United Nations. The draft also emphasizes the indivisibility of security in the region.

In its operative part the draft resolution reaffirms the fundamental principles contained in paragraphs 1 and 2, and in paragraph 4 emphasizes the need to eliminate the economic and social disparities between the countries of the Mediterranean, as well as to promote mutual respect and greater understanding among cultures, in order to enhance peace, security and cooperation between the countries of the region.

On disarmament matters, the draft calls upon all States in the region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament and non-proliferation. Likewise, States are encouraged to promote openness and transparency on all military matters. Finally, all States of the region are invited to address, through various forms of cooperation, terrorism, international crime and illicit drug production and trafficking, as factors jeopardizing friendly relations between States, hindering the development of international cooperation, and, above all, resulting in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society.

As at previous sessions, the sponsors are confident that draft resolution A/C.1/52/L.36 will enjoy the support of all the members of the Committee and will be adopted without a vote.

The Chairman: I call on the representative of Colombia to introduce draft resolution A/C.1/52/L.21.

Mr. García (Colombia) (*interpretation from Spanish*): In my capacity as Chairman of the United Nations Disarmament Commission for the 1997 session, and on behalf of the sponsors — Algeria, Australia, Belarus, Colombia, Cuba, Gabon, Ghana, Indonesia, Ireland, Luxembourg, Mongolia, Romania and Viet Nam — all members of the Commission's expanded Bureau, I have the honour to introduce draft resolution A/C.1/52/L.21, entitled "Report of the Disarmament Commission".

This draft resolution has been prepared in much the same way as previous draft resolutions on the report of the Commission. Only a few technical changes have been made. The three substantive items on the agenda for 1998 are the same as those considered by the Commission at its 1997 substantive session.

The draft that I have the honour to introduce results from informal consultations and is submitted by the Bureau of the Commission. We hope that, as in previous years, the draft resolution will be adopted without a vote.

Mr. Danieli (Israel): I wish to make a few comments on draft resolution A/C.1/52/L.36, which has just been introduced by the representative of Algeria.

The draft resolution addresses itself to an important issue. Israel certainly attaches great value to it, as it brings together all the Mediterranean countries and contains very positive provisions with a view to enhancing security and promoting economic and social development and cooperation. It recognizes the responsibility of all States to contribute to stability and prosperity in the Mediterranean region, and reaffirms, *inter alia*, that security in the Mediterranean is closely linked to European security.

On these and other aspects of a Euro-Mediterranean partnership, Israel views the Barcelona process as a means not only to strengthen cooperation and understanding between the countries of Europe and the Mediterranean, but also to buttress efforts to promote conflict-resolution, peace and dialogue among the Mediterranean countries and nations themselves. We were therefore disappointed that the sponsors of this draft resolution have elected to delete the preambular paragraph of last year's draft resolution, which became resolution 51/50, noting the peace process in the Middle East and its contribution to

“achieving a comprehensive, just and lasting peace in the region and therefore to promoting confidence-building measures and good-neighbourly spirit among the countries of the area”.

Israel fails to see the logic behind this consistent and persistent policy of erasing, throughout this Committee's resolutions, any reference to the Middle East peace process and to multilateral, regional cooperation.

Do some of the sponsors of this draft resolution wish to insert instead provisions advocating hatred and hostility among regional parties? What, then, is the purpose of such conduct, which negates the building of trust and the advancement of understanding and cooperation among countries and nations?

The peace treaties between Israel and its neighbours, Egypt and Jordan, and the agreements signed with the Palestinians represent a historic breakthrough in political, economic and social terms, which has an immense effect not only on the Middle East and the Mediterranean, but well beyond.

Deleted paragraphs cannot and will not change realities, but they do send a clear signal of this Committee's negative attitude towards these crucial and positive developments. Such a move on the Committee's part is a step backwards which rewards those who insist on perpetuating hostilities and deepening disagreements that could and should be resolved through peaceful means.

Israel regrets that the sponsors of the draft resolution have assumed the responsibility of deleting the provision that deals with the peace process in the Middle East. My delegation calls upon the sponsors to reconsider its contents with a view to maintaining consensus on such an important issue.

Mr. Seibert (Germany): I have the honour to introduce, on behalf of the sponsors, draft resolution A/C.1/52/L.31, “Objective information on military matters, including transparency in military expenditures”. The draft resolution has been sponsored by Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, the Republic of Moldova, Romania, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Since the draft resolution has been developed in a joint effort by the delegations of Romania and Germany, I would like to express my sincere gratitude and appreciation to the delegation of Romania for its close and effective cooperation.

The draft resolution before us takes up the issue of the United Nations reporting system for military expenditures, which was adopted by the General Assembly in its resolution 35/142 B of 12 December 1980, and is designed to promote transparency at a global level. This instrument complements the United Nations Register of Conventional Arms. While the Register concentrates on aggregate numbers of weapons within seven specific weapons categories, the standardized reporting system for military expenditures gives a more general overview on national defence policies, in particular with respect to national spending on operating costs of armed forces, procurement and construction, as well as research and development.

During the thematic debate, I made a statement explaining why Germany is deeply convinced that

transparency and a better flow of objective information on military matters can contribute significantly to confidence-building among States. Implementing the concept of transparency in military matters — and this is expressed in the seventh preambular paragraph of the draft resolution — signals political willingness to shape international security in a cooperative manner. First, it is a valuable means to reduce misunderstanding of each other's intentions and avoid miscalculations of military activities. It serves national security interests, as it helps to lower levels of suspicion and reduce international tension, avoid a subsequent arms race and promote self-restraint. It thus paves the way to concrete disarmament agreements.

Secondly, it demonstrates political openness and readiness to engage in a dialogue between States on security questions of common concern and thus helps to create an international atmosphere in which security and cooperation can prosper.

The valuable potential of the standardized reporting system on military expenditures has been acknowledged by all Member States several times through the repeated adoption, without a vote, in 1992, 1993, 1994 and 1996, of earlier draft resolutions under the same title, which are recalled in the first and second preambular paragraphs of the present draft.

In its third and sixth preambular paragraphs, the draft resolution notes and welcomes the decision of many Member States to participate in the standardized reporting system. Regrettably, however, participation in the annual reporting continues to be disappointing, and thus the insufficient number of replies remains a matter of concern. It is for this reason that the draft resolution in paragraph 2 not only calls upon Member States to report annually to the Secretary-General their military expenditures for the latest fiscal year for which data are available, but also, in a new paragraph 4, takes up one specific recommendation the Secretary-General has made in his report [A/52/302] on this matter.

In this context, let me recall that in paragraph 4 of last year's resolution 51/38 the Secretary-General was requested to seek the views of Member States and make recommendations on necessary changes to the content and the structure of the standardized reporting system in order to strengthen and broaden participation. With a view to ascertaining the requirements for adjusting the present instrument to encourage wider participation, the new paragraph 4 endorses the intention of the Secretary-General to resume consultations — as in previous years — with

relevant international bodies that also collect data on military expenditures, such as the World Bank, defence alliances and regional or subregional agencies and organizations.

Consequently, paragraph 5 requests the Secretary-General to make recommendations, based on the outcome of these consultations and taking into account the views of Member States, on necessary changes to the content and structure of the instrument in order to strengthen and broaden participation.

This approach, however, depends to a large extent on the cooperation of Member States. That is why the draft resolution, in paragraph 6, calls upon all Member States to provide the Secretary-General with their views on ways and means to strengthen and broaden participation, including necessary changes to the content and structure of the United Nations system for the standardized reporting of military expenditures.

It must be our common goal to prevent this valuable instrument of confidence-building, which has always been unanimously agreed to by the community of Member States, from being undermined through neglect, and thereby also to protect the credibility of General Assembly resolutions. Therefore, the draft resolution, in its paragraphs 4, 5, 6 and 7, stresses the need for action, *inter alia*, and suggests that this issue be taken up at the fifty-third session of the General Assembly in order to assess the outcome of the Secretary-General's consultations and to discuss further appropriate measures.

The draft resolution has no financial implications, since paragraph 4, based on consultations with the Secretariat, requests the Secretary-General to take action within existing resources.

At various occasions during the last year, including the thematic debate on this issue last week, my delegation noted with satisfaction the broad support that continues to be given to the concept of confidence-building measures at global as well as regional levels as a means to preserve international peace and security. I also wish to take this opportunity to thank the sponsors of the draft resolution. I am particularly grateful for the growing number of newcomers that have joined the ranks.

Let me, finally, express our sincere hope that the community of Member States will again be able to adopt this draft resolution by consensus as it has in previous years.

Mr. Gorita (Romania): I would like to say a few words about draft resolution A/C.1/52/L.31, entitled “Objective information on military matters, including transparency of military expenditures”, so ably introduced just now by the representative of Germany, Mr. Gunther Seibert.

A traditional co-sponsor of the draft resolution on this subject, Romania believes that increasing transparency in the military field leads to greater confidence among States, in particular those belonging to the same region. Mutual confidence is essential to the creation of the necessary environment for the reduction of military activities, armaments, troops and budgets, which is a sine qua non for peace and stability.

Strengthening confidence-building activities through a better flow of objective information on military matters could indeed help relieve international tension and prevent misunderstandings and miscalculations that might lead to irreversible military confrontation, and eventually contribute to the conclusion of concrete disarmament agreements. If information on military capabilities and openness in military affairs is available, it will provide the opportunity to reduce the risk of military confrontation, thereby achieving a realistic reduction in military budgets.

The United Nations system for the standardized reporting of military expenditures, in place for more than a decade, continues to be instrumental in this respect. The present political climate, defined by cooperation and mutual understanding, should further encourage increasing participation of States in United Nations reporting.

Regrettably, however, the figures expressing such participation in 1995 and 1996 are not up to expectations. My country shares the concern expressed by the European Union on such low participation. That is why we attach great importance to the call upon all Member States, contained in paragraph 2 of the draft resolution, to report annually, by 30 April, to the Secretary-General their military expenditures for the latest fiscal year for which data are available.

We are grateful for the report submitted by the Secretary-General on the question of objective information on military matters, as contained in document A/52/302. Romania welcomes the Secretary-General's intention to resume consultations in order to compare the reporting instruments used by other international bodies receiving such data. This will be a useful undertaking aimed at adjusting the present instrument so as to encourage wider participation.

Finally, I would like to thank the German delegation for its excellent cooperation in this matter, as well as all the sponsors of the draft resolution, for their support. My delegation joins Ambassador Seibert in the hope that the draft resolution on this subject will be adopted by consensus, as was the case in previous years.

The Chairman: I would like to encourage delegations to introduce draft resolutions as early as possible. We have only three days in which to do this — today, tomorrow and Friday — and the earlier we do so the better.

The meeting rose at 11.15 a.m.