

Online Study Materials on  
**DECLARATIONS, DECISIONS AND  
UN DOCUMENTS FOR PEACE**

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**Declaration by United Nations, done  
Washington on January 1st, 1942, with  
Related Documents, No. 4817**

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**I. DECLARATION BY UNITED NATIONS**

A joint declaration by the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, China, Australia, Belgium, Canada, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, El Salvador, Greece, Guatemala, Haiti, Honduras, India, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, South Africa, Yugoslavia.

The Governments signatory hereto,

Having subscribed to a common programme of purposes and principles embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland, dated August 14th, 1941, known as the Atlantic Charter,

Being convinced that complete victory over their enemies is essential to defend life, liberty, independence and religious freedom, and to preserve human rights and justice in their own lands as well as in other lands, and that they are now engaged in a common struggle against savage and brutal forces seeking to subjugate the world, declare:

1. Each Government pledges itself to employ its full resources, military or economic, against those members of the Tripartite Pact and its adherents with which such Government is at war.
2. Each Government pledges itself to co-operate with the Governments signatory hereto and not to make a separate armistice or peace with the enemies.

The foregoing declaration may be adhered to by other nations which are, or which may be, rendering material assistance and contributions in the struggle for victory over Hitlerism.

Done at Washington, the 1st January, 1942.

*The United States of America*, by Franklin D. Roosevelt.

*The United Kingdom of Great Britain and Northern Ireland*, by Winston S. Churchill.

*On behalf of the Government of the Union of Soviet Socialist Republics*, Maxim Litvinov, Ambassador.

*National Government of the Republic of China*, Tse-Vung soong. Minister for Foreign Affairs.

*The Commonwealth of Australia*, by R. G. Casey.

*The Kingdom of Belgium*, by Cte, R.V. Straten.

*Canada*, by Leighton Mccarthy.

*The Republic of Costa Rica*, by Luis Fernandez.

*The Republic of Cuba*, by Aurelio F. Concheso.

*Czecho-Slovak Republic*, by V. S. Hurban.

*The Dominican Republic*, by J. M. Troncoso.

*The Republic of El Salvador*, by C. A. Alfaro.

*The Kingdom of Greece*, by Cimon G. Diamantopoulos.

*The Republic of Guatemala*, by Enrique Lopez-Herrarte.

*La Republique d'Haiti*, Par Fernand Dennis.

*The Republic of Honduras*, by Julian R. Caceres.

*India*, by Girja Shankar Bajpai.

*The Grand-Duchy of Luxemburg*, by Hugues Le Gallais.

*The Kingdom of the Netherlands*, by A. Loudon.

*Signed on behalf of the Government of the Dominion of New Zealand*, by Frank Langstone.

*The Republic of Nicaragua*, by Leon De Bayle.

*The Kingdom of Norway*, by W. Munthe Morgenstierne.

*The Republic of Panama*, by Jaen Guardia.

*The Republic of Poland*, by Jan Ciechanowski.

*The Union of South Africa*, by Ralph W. Close.

*The Kingdom of Yugoslavia*, by Constantin A. Fotitch.

## II. DECLARATION OF PRINCIPLES

### **KNOWN AS THE ATLANTIC CHARTER, ISSUED BY THE PRIME MINISTER OF THE UNITED KINGDOM AND THE PRESIDENT OF THE UNITED STATES OF AMERICA, AUGUST 14TH, 1941**

The President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, being met together, deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.

First, their countries seek no aggrandizement, territorial or other;

Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned

Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them

Fourth, they will endeavour, with due respect for their existing obligations, to farther the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms; to the trade and to the raw materials of the world which are needed for their economic prosperity;

Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labour standards, economic, advancement, and social security;

Sixth, after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

Seventh, such a peace should enable all men to traverse the high seas and oceans without hindrance;

Eighth, they believe that all of the nations of the world, for realistic as well as spiritual reasons must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security,

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that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

### **III. TRIPARTITE PACT SIGNED AT BERLIN, SEPTEMBER 27th, 1940**

*(Referred to in Declaration by United Nations.)*

#### *Translation*

The Governments of Germany, Italy and Japan, considering it as a condition precedent of any lasting peace that all nations of the world be given each its own proper place, have decided to stand by and co-operate with one another in regard to their efforts in Greater East Asia and the regions of Europe respectively wherein it is their prime purpose to establish and maintain a new order of things calculated to promote the mutual prosperity and welfare of the peoples concerned.

Furthermore, it is the desire of the three Governments to extend co-operation to such nations in other spheres of the world as may be inclined to put forth endeavours along lines similar to their own, in order that their ultimate aspirations for world peace may thus be realised.

Accordingly, the Governments of Germany, Italy and Japan have agreed as follows:

1. Japan recognises and respects the leadership of Germany and Italy in the establishment of a new order in Europe.
2. Germany and Italy recognise and respect, the leadership of Japan in the establishment of a new order in Greater East Asia.
3. Germany, Italy and Japan agree to co-operate in their efforts on the aforesaid lines. They further undertake to assist one another with all political, economic and military means when one of the three contracting Powers is attacked by a Power at present not involved in the European war or in the Chinese-Japanese conflict.
4. With a view to implementing the present pact, joint technical commissions, the members of which are to be appointed by the respective Governments of Germany, Italy, and Japan, will meet without delay.
5. Germany, Italy and Japan affirm that the aforesaid terms do not in any way affect the political status which exists at present

as between each of the three contracting parties and Soviet Russia.

6. The present pact shall come into effect immediately upon signature and shall remain in force ten years from the date of its coming into force. At the proper time before the expiration of the said term the high contracting parties shall at the request of any one of them enter into negotiations for its renewal.

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## Declaration on Measures to Eliminate International Terrorism

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9 December 1994

*The General Assembly*

*Guided* by the purposes and principles of the Charter of the United Nations,

*Recalling* the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the Declaration on the Strengthening of International Security, the Definition of Aggression, the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

*Deeply disturbed* by the world-wide persistence of acts of international terrorism in all its forms and manifestations, including those in which States are directly or indirectly involved, which endanger or take innocent lives, have a deleterious effect on international relations and may jeopardize the security of States,

*Deeply concerned* by the increase, in many regions of the world, of acts of terrorism based on intolerance or extremism, *Concerned* at the growing and dangerous links between terrorist groups and drug traffickers and their paramilitary gangs, which have resorted to all types of violence, thus endangering the constitutional order of States and violating basic human rights,

*Convinced* of the desirability for closer coordination and cooperation among States in combating crimes closely connected with terrorism,

including drug trafficking, unlawful arms trade, money laundering and smuggling of nuclear and other potentially deadly materials, and bearing in mind the role that could be played by both the United Nations and regional organisations in this respect,

*Firmly determined* to eliminate international terrorism in all its forms and manifestations,

*Convinced also* that the suppression of acts of international terrorism, including those in which States are directly or indirectly involved, is an essential element for the maintenance of international peace and security,

*Convinced further* that those responsible for acts of international terrorism must be brought to justice,

*Stressing* the imperative need further to strengthen international cooperation between States in order to take and adopt practical and effective measures to prevent, combat and eliminate all forms of terrorism that affect the international community as a whole,

*Conscious* of the important role that might be played by the United Nations, the relevant specialised agencies and States in fostering widespread cooperation in preventing and combating international terrorism, *inter alia*, by increasing public awareness of the problem,

*Recalling* the existing international treaties relating to various aspects of the problem of international terrorism, *inter alia*, the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, concluded at Montreal on 23 September 1971, the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted in New York on 14 December 1973, the International Convention against the Taking of Hostages, adopted in New York on 17 December 1979, the Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 3 March 1980, the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988, the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms

located on the Continental Shelf, done at Rome on 10 March 1988, and the Convention on the Marking of Plastic Explosives for the Purpose of Detection, done at Montreal on 1 March 1991,

*Welcoming* the conclusion of regional agreements and mutually agreed declarations to combat and eliminate terrorism in all its forms and manifestations,

*Convinced* of the desirability of keeping under review the scope of existing international legal provisions to combat terrorism in all its forms and manifestations, with the aim of ensuring a comprehensive legal framework for the prevention and elimination of terrorism.

*Solemnly declares* the following:

## I

1. The States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States;

2. Acts, methods and practices of terrorism constitute a grave violation of the purposes and principles of the United Nations, which may pose a threat to international peace and security, jeopardize friendly relations among States, hinder international cooperation and aim at the destruction of human rights, fundamental freedoms and the democratic bases of society;

3. Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them;

## II

4. States, guided by the purposes and principles of the Charter of the United Nations and other relevant rules of international law, must refrain from organising, instigating, assisting or participating in terrorist acts in territories of other States, or from acquiescing in or encouraging activities within their territories directed towards the commission of such acts;

5. States must also fulfil their obligations under the Charter of the United Nations and other provisions of international law with respect



to combating international terrorism and are urged to take effective and resolute measures in accordance with the relevant provisions of international law and international standards of human rights for the speedy and final elimination of international terrorism, in particular:

- (a) To refrain from organising, instigating, facilitating, financing, encouraging or tolerating terrorist activities and to take appropriate practical measures to ensure that their respective territories are not used for terrorist installations or training camps, or for the preparation or organisation of terrorist acts intended to be committed against other States or their citizens;
- (b) To ensure the apprehension and prosecution or extradition of perpetrators of terrorist acts, in accordance with the relevant provisions of their national law;
- (c) To endeavour to conclude special agreements to that effect on a bilateral, regional and multilateral basis, and to prepare, to that effect, model agreements on cooperation;
- (d) To cooperate with one another in exchanging relevant information concerning the prevention and combating of terrorism;
- (e) To take promptly all steps necessary to implement the existing international conventions on this subject to which they are parties, including the harmonisation of their domestic legislation with those conventions;
- (f) To take appropriate measures, before granting asylum, for the purpose of ensuring that the asylum seeker has not engaged in terrorist activities and, after granting asylum, for the purpose of ensuring that the refugee status is not used in a manner contrary to the provisions set out in subparagraph (a);

6. In order to combat effectively the increase in, and the growing international character and effects of, acts of terrorism, States should enhance their cooperation in this area through, in particular, systematising the exchange of information concerning the prevention and combating of terrorism, as well as by effective implementation of the relevant international conventions and conclusion of mutual judicial assistance and extradition agreements on a bilateral, regional and multilateral basis;

7. In this context, States are encouraged to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and

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manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter;

8. Furthermore, States that have not yet done so are urged to consider, as a matter of priority, becoming parties to the international conventions and protocols relating to various aspects of international terrorism referred to in the preamble to the present Declaration;

### III

9. The United Nations, the relevant specialised agencies and intergovernmental organisations and other relevant bodies must make every effort with a view to promoting measures to combat and eliminate acts of terrorism and to strengthening their role in this field;

10. The Secretary-General should assist in the implementation of the present Declaration by taking, within existing resources, the following practical measures to enhance international cooperation:

- (a) A collection of data on the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on incidents caused by international terrorism and criminal prosecutions and sentencing, based on information received from the depositaries of those agreements and from Member States;
- (b) A compendium of national laws and regulations regarding the prevention and suppression of international terrorism in all its forms and manifestations, based on information received from Member States;
- (c) An analytical review of existing international legal instruments relating to international terrorism, in order to assist States in identifying aspects of this matter that have not been covered by such instruments and could be addressed to develop further a comprehensive legal framework of conventions dealing with international terrorism;
- (d) A review, of existing possibilities within the United Nations system for assisting States in organising workshops and training courses on combating crimes connected with international terrorism:

### IV

11. All States are urged to promote and implement in good faith and effectively the provisions of the present Declaration in all its aspects;

12. Emphasis is placed on the need to pursue efforts aiming at eliminating definitively all acts of terrorism by the strengthening of international cooperation and progressive development of international law and its codification, as well as by enhancement of coordination between, and increase of the efficiency of, the United Nations and the relevant specialised agencies, organisations and bodies.

**APPENDIX III: THE FINAL REPORT OF THE GLOBAL SECURITY PROGRAMME, OCTOBER 1994:  
THE GORBACHEV FOUNDATION/MOSCOW, THE GORBACHEV FOUNDATION/USA AND THE RAJIV GANDHI FOUNDATION**

**Participants**

***Elimination of Nuclear Weapons Committee:*** Co-Chairmen:

Senator Alan Cranston (Chairman, Board of Directors, Gorbachev Foundation/USA) Andrei Kortunov (Chairman of the Board, Russian Science Foundation).

*Members:*

Professor Sidney Drell, Director, Stanford Linear Accelerator Center

Dr. Daniel Ellsberg, Physicians for Social Responsibility

Najma Heptulla, Deputy Chairman, Indian Parliament

Ambassador Kassa Kebede, Former Ethiopian Ambassador to the United States

Alexander Konovolov, Director, Center for Military and System Analysis

Vishwanathan Ramachandran, Director, Rajiv Gandhi Institute for Contemporary Studies

Dr. Barbara A.B. Seiders, Chief Scientist, "Safe and Secure Dismantlement of Nuclear Weapons"

Dr. Jeremy J. Stone, President, Federation of American Scientists

***Architecture of Global Security Committee:*** Co-Chairmen:

Jonathan Dean, Arms Control Advisor, Union of Concerned Scientists

George Shakhnazarov, Director, Center for Global Programmes, Gorbachev Foundation, Moscow

*Members:*

Dr. Kadyr Alimov, President, Association of Political Science, Uzbekistan

Dr. Yuri Baturin, Member, Russian Federation Presidential Council  
Richard Falk, Professor of International Law, Princeton University  
Randall Forsberg, Director, Institute for Defense and Disarmament  
Studies

Victor Klimenko, Chief, Office of Presidential Aide for National  
Security Affairs, Russia

Chandresh Kumari, All India General Secretary of Mahila Congress  
Saul Mendlovitz, Professor of Peace and World order Studies,  
Rutgers Law School

Representative David Nagle, former US Congressman

Dr. Gwyn Prins, Director, Global Security Programme, University  
of Cambridge

M.K. Rasgotra, Vice Chairman of the Rajiv Gandhi Memorial  
Initiative

***Conflict Resolution Committee:*** Co-Chairmen:

Joseph Montville, Senior Associate, Center for Strategic and  
International Studies

Peter Gladkov, Acting Head, Department of Foreign Policy, Institute  
for USA and Canada Studies

*Members:*

Dr. Cecilia Albin, Assistant Director, Global Security Programme,  
University of Cambridge

Dr. Anatoly Antonov, Director, Center for Strategic and Social  
Studies, Russian Federation

Dr. Abram Chayes, Professor of Law, Harvard Law School

Abid Hussain, Vice Chairman, Rajiv Gandhi Foundation

Irina Isakova, Director for International Programmes, Russian  
Science Foundation

Dr. Vamik Volkan, Director, Center for the Study of Mind and  
Human Interaction, University of Virginia

## I. PRINCIPAL FINDINGS

Our Global Security Programme has three main components: measures for genuine disarmament of both nuclear and conventional weapons; new security and peace-keeping arrangements, including measures designed to strengthen the authority of the United Nations and regional security institutions; and a new approach to conflict prevention and conflict resolution.

With regard to nuclear arms, the goal must be the one so forcefully espoused by Mikhail Gorbachev and the late Rajiv Gandhi: namely,

their complete elimination. The first step towards this goal is to begin a process of genuine disarmament. We propose drastic cuts by nuclear weapon states to the level of 100 nuclear warheads, to be achieved within ten years, by 2005 A.D. All these reductions must be made irreversible through dismantling reduced warheads and missiles and through the transfer of the fissile material thus obtained to internationally controlled and monitored storage. Further, the remaining nuclear weapons of all nuclear weapon states should be neutralised by separating warheads from delivery systems and placing both under international monitoring.

Millions have died in conventional conflicts since World War II; others are still dying. Effective measures are essential for restricting transfers, stockpiling and production of conventional arms through the establishment of an international authority and the imposition of a tax on their production and sale. The proceeds of the tax should go to the UN and, where appropriate, to regional security organisations for peace-keeping operations.

For effective prevention and resolution of conflicts, the UN's capacity to keep a watch on areas of potential strife should be enhanced by the establishment of a UN General Assembly Commission for the Avoidance of Conflict supported by a UN Observer Corps and an Institute for Conflict Resolution. The peace-keeping capabilities of the UN should be strengthened by expanding the permanent membership of the Security Council to make it more representative. All permanent members of the enlarged Security Council should be required to maintain readiness forces for peace-keeping. A UN readiness brigade composed of volunteers should be established. The creation of a popular Advisory Assembly would bring the UN closer to the world public and enhance its authority.

## **II. GLOBAL CONTEXT**

In all of human history, there have never been more favourable conditions for moving towards a peaceful world. Today, there is far too much tragic violence, nonetheless, the statement remains true. Never has there been a better opportunity to combat armed violence and to lower the level of conflict throughout the world.

This is so for several reasons, In the last decade, through outstanding leadership and remarkable cooperation between former adversaries, the world has witnessed political change of epochal dimensions that was almost entirely free of violence and bloodshed. The Cold War military confrontation has gone. This has substantially

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reduced the possibility of nuclear conflagration on a scale that could have consumed the entire planet. There has been revolutionary political and economic change in the former Soviet Union, Eastern Europe and elsewhere. It is rare in human experience that change of this scope and significance could have taken place without war. Of itself, this fact alone is highly encouraging for efforts to prevent future wars.

These developments also made possible other positive events. One is the sudden liberation of the United Nations from its Cold War paralysis and the emergence of a rudimentary network of regional security institutions. A second development is that, for the first time in recent history, no conflict is brewing between the world's major powers. To the contrary, the United States, Russia, India, China, Japan, the European countries and others all support the concept of global peace-keeping and are cooperating to resolve conflict. The extent of that cooperation is insufficient, but it is cooperation.

These positive developments should inspire nations and peoples everywhere to renew efforts to move towards the old dream of a world without war.

In the past, most people thought of war between nations and organised armed violence inside nations as a natural disaster, like earthquakes, floods or forest fires, to which people would react after it happened, seeking to cope with it. But our century, largely because it has been the bloodiest in the history of humanity, has broken with the tradition of accepting war as an incurable affliction of humanity.

A broad range of measures has been developed to prevent conflict, to reduce the effects of conflict if it occurs, and to end conflict. These include confidence-building and transparency measures, restrictions on deployment and activities of armed forces, negotiated force reductions and limitations, control over weapons production and proliferation, as well as conflict prevention, mediation and conflict resolution, and multilateral peace-keeping.

This Global Security Programme seeks to promote a systematic and ever widening application of these measures with the object of preventing an increasing number of potential conflicts and of curtailing their scope and duration when they do occur. Progress in that direction will, it is hoped, ultimately put an end to all armed conflict in our world. Moving toward this goal is an enormously hopeful yet practical activity for governments and peoples everywhere. It is the job of those who work for peace to make them aware of this pivotal opportunity and of the measures that could promote it.

The world is still endangered by many threats. Although each country does its best to safeguard its won security, this goal can best be attained through the common efforts of the world community to build an effective global security system.

### **III. RECOMMENDATIONS**

#### ***PART ONE: NUCLEAR WEAPONS***

##### **A. Disarmament**

Nuclear weapons remain the greatest threat to the security of nations and to the survival of human civilisation. Failure to control and eliminate them could result in the emergence of a dangerous international environment composed both of nuclear-armed criminal and terrorist groups and a score or more nuclear weapon states ceaselessly competing with one another in futile efforts to maximise their own security. In such circumstances, the development of a global security system based on increasing effectiveness of the UN and regional security arrangements would become nearly impossible.

Recently, Presidents Clinton and Yeltsin have taken significant steps in continuation of efforts to control nuclear arms. The priority task for all governments now is to agree on measures for a comprehensive test ban, cessation of the production of weapon-grade fissionable materials, creation of a multilateral verification system and banning the threat or use of nuclear weapons. This will pave the way for negotiations aimed at reaching an international agreement to eliminate all nuclear weapons in an agreed time-frame.

The five nuclear weapon states, who also happen to be the Permanent Members of the Security Council, should also take the initiative for Security Council decision to undertake joint action against any state or group initiating the use of nuclear weapons or other weapons of mass destruction or threatening their use. This positive security guarantee, based on the commitment of five governments not to make first use of nuclear weapons, would provide important reassurance to non-nuclear weapons states.

In January 1986, Mikhail Gorbachev advanced a phased programme for the total elimination of nuclear weapons, later in 1986, he proposed at Reykjavik that the USA and the USSR conclude a formal agreement to eliminate all nuclear weapons. Unfortunately, such an agreement did not come about, and, for a few years, nuclear arsenals continued to expand. However, today even the governments of nuclear weapon states sometimes admit that they would be better

off if these indiscriminating weapons of mass terror and mass destruction had never been invented.

A detailed "Action Plan for a Nuclear Weapon Free and Non-Violent World" presented by the late Rajiv Gandhi in 1988 offers a phased and balanced programme leading to the elimination of nuclear weapons over a fifteen year period ending no later than 2010 AD, within the framework of which non-nuclear weapon states will undertake to not acquire or take steps toward acquiring nuclear weapons. We commend this plan to the special attention of all governments.

The nuclear weapon states have a special responsibility to prevent proliferation. They should demonstrate with greater seriousness than heretofore that they are moving toward genuine nuclear disarmament and more effective international control over an ever-decreasing number of their own weapons. The United States, Russia, Britain, France and China should agree on specific and time-bound measures to fulfill their disarmament obligations under the Non-Proliferation Treaty.

It is clear that world opinion will not tolerate or accept possession of these weapons indefinitely. However, the governments of nuclear weapon states must also become convinced that they will be safer without these weapons. We need a secure system of genuine nuclear disarmament-not merely arms control-a truly non-discriminatory and effective non-proliferation regime and a functioning system of world security. To this end, we propose the following plan for 'neutralising' nuclear weapons at succeeding stages of their reduction and control.

## **B. Neutralising Nuclear Weapons**

The bilateral START agreements were a good beginning even though they are, in essence, measures of arms control, not nuclear disarmament-the agreements move nuclear weapons from operational deployment to reserve storage by the owner country. This action reduces the danger of all-out nuclear war at short notice and is important for that reason. However, it does not reduce the danger of nuclear war in an absolute sense: the bulk of these stored weapons can be deployed again by the owner country. Now we need real disarmament. For this, each agreed reduction must be made irreversible through the destruction of weapons withdrawn from operational deployment.

Neutralisation of nuclear weapons would call first for action by all nuclear weapon states irreversibly to reduce their arsenals to an equal minimum number and second, for action to make this residual arsenal unusable for surprise attack by separating warheads from delivery systems and placing both under international monitoring on the



territory of the owner state. To achieve this, the following measures should be taken:

- (i) full data exchange and bilateral or multilateral monitoring of all stocks of nuclear warheads and fissile material for weapons;
- (ii) worldwide agreement to stop production of fissile material for weapons;
- (iii) further drastic periodic reductions of deployed weapons;
- (iv) obligatory destruction of missiles reduced by agreement; and
- (v) finally, separating of warheads still deployed in the field from their delivery systems and placing both under multilateral monitoring, with specific measures to control missile-equipped submarines, rendering impossible a large-scale attack without warning.

We envisage a three-stage approach leading to the neutralisation of nuclear weapons and then to their elimination.

### **C. Making START Reductions Irreversible**

The first and most urgent step toward this goal of neutralising nuclear weapons is to begin with reciprocal monitoring and irreversible build-down of United States and Russian arsenals, using measures and techniques which are then gradually applied to all existing nuclear weapons arsenals.

In the first stage, we would make START reductions genuinely irreversible. To do so, we would at the outset seek to establish a reciprocal United States-Russian system of monitoring existing stocks of warheads and of fissile material produced for warheads through a portal-perimeter system similar to that now in operation under the treaty to destroy intermediate range missiles. This approach would be applied to existing storage sites in Russia and the United States. The bilateral monitoring system would be superimposed on existing custody arrangements; Russian and US personnel would continue guarding their own storage sites.

This activity is designed to assure that warheads and fissile material are not withdrawn from storage without previously agreed authorisation. Monitors can be overcome, but not without giving warning. Their presence would help to inhibit the main dangers from these stocks: forcible seizure, theft, illegal sale, and use of stored fissile materials to make more weapons.

Second, there would be comprehensive data exchange between the United States and Russia on holding of warheads, both deployed and

stored, and fissile material. There have been repeated proposals over the years for data exchange, warhead tagging, and so on. However, there is as yet no system for comprehensive reciprocal data exchange, and it is much needed.

Third, the key action-is agreement between the United States and Russia to dismantle all strategic warheads withdrawn from operational deployment under the START treaties and subsequent agreements, and all tactical warheads withdrawn by executive agreement between the two governments; not to reuse the fissile material of these warheads for weapons; and to transfer this material to storage monitored by a combination of US, Russian and IAEA personnel. Dismantling nuclear warheads reduced by agreement, an action proposed by the Soviet Union in 1987, is the single most important action for genuine disarmament. To make disarmament irreversible, dismantling must also include transfer of the fissile material from the weapons to internationally monitored storage.

The purpose of transferring the fissile material to internationally monitored storage is to signal that the owner country is definitely relinquishing the right to use this material for weapons. The owner country would maintain the right to withdraw the highly enriched uranium from dismantled weapons for storage under agreed procedures in order to downgrade it by mixing it with natural uranium to become reactor fuel and then to use or sell it. Plutonium would have to be rigorously monitored and measures taken to ensure that it will not be used for weapons.

To be effective, this action would have to be backed by bilateral agreement between the USA and Russia not to produce any more fissile material for weapons. With a limited exception in Russia, this is already the case. When the international fissile cut-off convention comes along, it would replace this bilateral commitment. The bilateral US-Russian commitment would also promote more rapid conclusion of an international convention.

The two governments should also agree to destroy all missiles that are withdrawn from field deployment to comply with reduction agreements except for an agreed number for space exploration and satellite-launch and to end production of all offensive missiles, with the same exception. Successful implementation of the INF treaty eliminating medium-range nuclear-armed missiles concluded by the USA and Soviet Union has produced valuable experience for verifying such an agreement.

With these two steps, transfer of fissile material from reduced warheads to bilateral or international custody and destruction of withdrawn missiles, nuclear reductions would become irreversible. The Russian-American agreement on restricting production of missiles to a few for space research and satellite-launching could serve as a basis for a worldwide agreement ending production of missiles of over 100 km. range, ending testing of missiles in surface-to-surface modes, and establishing a worldwide missile verification system.

#### **D. Post-START Reductions**

The post-START phase of nuclear arms control should consist first of agreement by the United States and Russia to continue deep negotiated reduction of their own arsenals, with the same agreed measures to make these reductions irreversible, followed by action to draw the three remaining declared nuclear weapons states—Britain, France and China—into the reduction process. As suggested by many experts, the US and Russia would first reduce to the level of 1,000 warheads. Then they would join the other three countries in a series of further reduction steps.

As the other three countries entered into reductions, they would agree to conditions similar to those of the US-Russian programme: to establish assured international monitoring of stored warheads and fissile material; to exchange data; to dismantle reduced warheads and transfer their fissile material to internationally supervised custody; as well as zero alert for still deployed weapons.

The five powers would at this stage also conclude an agreement to reduce their holding of stored, unweaponised fissile material for weapons. This could be done through transferring to internationally supervised storage the excess over an agreed, periodically lowered level. Fabrication of additional warheads would end. Each country would be permitted only one monitored weapons fabrication plant for replacing still deployed warheads on a one-for-one basis.

#### **E. The Final Stage of Nuclear Arms Control**

The final move to neutralisation of nuclear weapons would be achieved through agreement among the five nuclear powers to reduce their total arsenals to an equal level of no more than 100 nuclear warheads each, to separate these remaining warheads from their delivery systems, and to place both the warheads and land-based delivery systems under multilateral control on the territory of the owner states. Missile-equipped submarines would be most drastically

reduced-no single-warhead missiles within the over-all ceiling of 100 warheads. We believe that it should be possible to reach this stage within a decade, as the last step prior to the elimination of nuclear weapons by 2010 AD, as envisaged in the Rajiv Gandhi Action Plan.

The nuclear weapon states would commit themselves to dismantle their warheads as they reduce toward the 100 warhead level and to place all fissile material from these weapons as well as their remaining stocks of unweaponised fissile materials under international monitoring. The threshold states-Israel, India, Pakistan—would have the option of relinquishing their fissile materials or placing them in monitored storage in their own territory.

One precondition for this final stage would be the strengthening of the IAEA and its verification capabilities. In January 1992, the heads of the governments represented in the Security Council declared that proliferation of nuclear weapons presented a threat to international security. The Security Council should now go further. It should declare that, given the character of nuclear weapons, uncontrolled capacity to build them is a threat to international security. Consequently, no UN member state should be without adequate safeguards over its nuclear capability.

The Security Council should call on all states, including the nuclear weapon states, to move rapidly to conclude a treaty ending production of fissile material for weapons and place all of their nuclear facilities under IAEA safeguards. Once this was achieved, the Security Council would pledge to take joint punitive action, including economic sanctions, against any UN member state that refused to place all of its nuclear facilities under international control.

This measure would apply equally to all countries. The right of the IAEA to conduct anywhere, anytime inspections of member states should also be assured, and UN member states should undertake a treaty obligation to notify the IAEA or their regional organisations of the sale of potential components of all nuclear installations.

## **F. Results of Neutralisation**

Implementing this plan for neutralisation of nuclear weapons would mean elimination of the risk of large-scale nuclear attack without warning, elimination in practice of the possibility to threaten use of nuclear weapons, and relegation of remaining nuclear weapons to a secondary status. There is a potential problem of concealed weapons in this proposal, and this problem will have to be dealt with. Deep, dispersed storage is part of the answer, making it very difficult for a

sneak attack with limited resources to eliminate all possibility of retaliation.

In later stages of the neutralisation plan, the number of nuclear weapons still held by nuclear weapon states could be further reduced to a score or less. Additional measures could follow, like dismantling all warheads and leaving owner states only with internationally monitored fissile materials which they would have to weaponise before using them.

Publicly defining the goal of neutralising nuclear weapons as the final stage of nuclear arms control preceding the elimination of these weapons would create understanding and support for the many necessary intervening steps.

Once nuclear weapons are actually neutralised, they will cease to be a major factor in international security or international politics. Neutralising nuclear weapons will create stable conditions in which still further improvements in the non-proliferation regime can be achieved and in which the task of building an international security system of real effectiveness can be more seriously pursued. When real progress toward such a system has been achieved and the system is operating, there will be no further grounds for retaining national arsenals of nuclear weapons and these weapons can be eliminated completely.

To summarize, the key components of this plan for a final stage of nuclear arms control are fissile cut-off, drastic negotiated reduction of warheads and missiles, obligatory dismantling of reduced warheads and missiles, and obligatory transfer of the fissile material from reduced warheads to international monitoring. Each of these steps is feasible, and so is the whole programme.

### ***PART TWO: CONTROLLING "CONVENTIONAL" WAR WEAPONS***

Since September 1945, some 45 million people have been killed in war (including civil wars); another 160-200 million have been wounded or disabled and many more individuals have been dislocated and are presently living in chaotic conditions. These tragic figures are a direct result of the use of so called "conventional" weapons, or what we choose to call weapons of war or war weapons. The demise of the Cold War has not curtailed or diminished this violence-indeed, war and militarism have continued unabated.

We live in a world awash with an unnecessarily high level of armaments. This huge accumulation of increasingly deadly weapons

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heightens the risk of conflict and makes conflict bloodier and more destructive when it occurs. It contributes to motivation for the acquisition of nuclear weapons, while the expense of maintaining outsized armed forces is at the cost of social programmes, including programmes against poverty. Bearing in mind these conditions, we propose a programme of effective measures of regulating transfers, stockpiling and production of war weapons, including the establishment of an international authority to deal with these matters.

Specifically, we recommend the following:

- (i) A programme of step-by-step restraints on procurement; namely, production, sale and transfer, of military technology and armaments. To start this process of global restraint in arms procurement, the scope of the existing UN arms registry should be expanded to cover, in addition to information on transfer of weapons, information on production and national holdings of weapons, including weapons of mass destruction, and data on the organisation and size of national armed forces.
- (ii) The coverage of conventional arms in the registry should be expanded to the small arms that play so large a role in local and regional conflicts. Later, reporting on all items in the registry should become mandatory and implementation should be verified by an international authority. In a subsequent stage, no arms transfers should take place without a license from this authority, which would be established by an international convention.
- (iii) While this process is underway, the major arms-supplier states should reduce total arms sales to other countries by 10 per cent a year, for a period of five years, starting in 1995.
- (iv) The costs of maintaining an expanded UN registry and its verification should be raised from the proceeds of a UN excise tax on arms procurement, whose level might be increased to meet expenditures for these purposes and also used to finance peace-keeping.
- (v) UN member states should agree to place the defense budgets of all member states under a low and progressively declining ceiling; for example, no more than 3 per cent of GNP. This level should sink, at least in the case of the richer states, to a permanent ceiling of 1 per cent of GNP. Economic aid should encourage adherence to this standard.

- (vi) An international fund should be created to support the programme of conversion of military enterprises. A part of the tax revenues proposed above could be utilised for this purpose.
- (vii) Each state should initiate now the development of a national security programme which is defensive in nature. The underlying principle of this programme should be territorial defense, that is, a force structure and weapons system that is incapable of deep cross-border attack. When the international authority is formed, it shall assist and then regulate this global territorial defense regime. It is strongly urged that, as a first step in this process, there be a moratorium on all production of advanced fighter and bomber aircraft.

### ***PART THREE: STRENGTHENING THE UN AND INSTITUTIONS OF REGIONAL SECURITY***

The remarkably non-violent ending of the Cold War has made possible the somewhat more effective functioning of a global security system envisaged in the United Nations Charter linked with an as yet incomplete network of regional security organisations. At the same time, it is obvious from the many conflicts which have erupted in recent years that this global security system is on trial and that its future is in danger. To ensure its survival and growth, peace-keeping by the UN and regional security organisations must move beyond reacting to conflict after it occurs, to preventing conflict through mediation, conciliation, preventive deployment, and conflict containment.

Today, peace-making activity is caught in a vicious circle, where the UN and other peace-keeping organisations become active only after conflict erupts and where governments and publics, recognising this weakness, do not give peace-making organisations the additional support and resources that the organisations need in order to be capable of preventing or stifling conflict. We must breakout of this circle.

To improve the UN's capability to lower the level of violence, the first requirement is a broader, more representative Security Council. This should be achieved through the addition of six new permanent members -Brazil, Egypt, Germany, Japan, India and Nigeria-for a total of eleven permanent members.

To enhance the UN's capacity for swift peace-keeping action in a crisis, a small readiness force of the size of an army brigade, specially trained in policing functions, with its own air transport facilities and

readily available for deployment in an unfolding crisis, should be at the Security Council's disposal at all times. Such a force should be raised from volunteers directly recruited by the UN and maintained at the UN's expense at strategic locations.

In addition, each of the eleven permanent members of the expanded Security Council should be required to maintain, at its own expense, one readiness brigade of ground forces, a squadron of combat aircraft and a squadron of transport aircraft, specially trained for peace-keeping and available on immediate call. The use of these UN-dedicated peace-keeping forces following a Security Council decision should be approved in advance by their respective national government. These forces should be deployed by an improved UN command structure.

### **A. UN Advisory Assembly**

With a view to popularising and democratising the UN, a UN Advisory Assembly should be established, with representation based on the size of population and reflecting the political and social composition of the country. Members would include both ordinary citizens and legislators. Initially, it would be left to member states to decide whether members would be elected by national parliaments or directly. Ultimately, election of all members should be by popular vote so as to increase public participation in the work of the UN. In its deliberations, the Assembly should focus special attention on potential conflict situations and offer advice on ways and means of preventing conflicts. In time, its area of interest should be expanded to cover environmental, ecological and social issues.

### **B. World Court and the Rule of Law**

The role of the World Court in settling disputes among nations should be enhanced. In particular, the United Nations member states should agree that all disputes over treaty interpretations should be referred to the Court and its decisions accepted. In addition, we strongly urge the progressive development of international law; in particular, the establishment of a permanent international criminal court system, which at the outset will apply the Nuremberg Code, that is, crimes against peace, war crimes and crimes against humanity, as set forth by the International Law Commission and as accepted by the UN General Assembly, and the Genocide Convention in such a way as to hold responsible individuals as well as states.

### **C. Regional Security Organisations**

A worldwide network of regional security organisations functioning under the umbrella of the UN would help contain conflict and lower



the level of violence in the world. Europe has a number of regional organisations, but there is a need for a continent-wide organisation headed by a European Security Council. This idea will be appropriate for other continents as well. In particular, the establishment of such organisations where they do not exist—namely, the Middle East, South Asia and North East Asia—should be encouraged. The impetus for their creation must come from the regions themselves, but the UN and outside countries can and should contribute towards the costs of the operations of individual organisations, including the development of their peace-keeping capability and conflict prevention and conflict resolution roles. The formation and effective performance of a world security system would ultimately render unnecessary military blocs as instruments of defense.

#### ***PART FOUR: CONFLICT PREVENTION AND CONFLICT RESOLUTION***

##### **A. Tolerance for Diversity**

Conflicts based on ethnic, religious or cultural group identity, wherever found, can be a serious threat to security and a matter of legitimate international concern. Most conflict situations can be anticipated and dealt with in advance. All societies need to find ways to celebrate and harmonise national and cultural diversity. In that process statesmen and leaders in all sectors of society have a crucial role to play. However, diversity should not be exploited as justification for aggression and political violence. Nor should the claim for self-determination become a rubric for eroding the unity of states. The task is to make the world safe for and safe from ethnic differences.

Conventional wisdom takes it for granted that economic development and equitable distribution of the fruits of development would automatically produce better relations between communities within society. But there is a gap between economic development and social reality. More concrete steps are needed to establish cohesion between communities that live as though in separate camps.

Governments, regional and international organisations, and citizens' groups are making significant contributions to prevent ethnic conflicts from escalating to unacceptable levels. Examples are special envoys of individual states, United Nations mediators, and the CSCE High Commissioner on Minority Affairs. Equally important is the contribution of unofficial, informal "track two diplomacy". Indeed, new knowledge about psychological motivation, conscious and unconscious, toward violence, as well as about constructive behaviour in individuals,

large groups and nations, can give impetus to preventive and peacemaking initiatives.

### **B. Transnational Network of Citizen Action Groups**

Leaders in countries affected by conflicts should encourage the establishment of citizens' action groups committed to the promotion of dialogue among the groups concerned. There might also be carefully planned initiatives like joint teams of respected historians of the groups involved formed to fill the blank pages of history and revise incorrect or tendentious versions of the history of intergroup relationships. Politicians might acknowledge responsibility and express contrition for the infliction of past hurts on a victimised group or nation. And where leaders can not be found to demonstrate such courage, commissions might be established to document moral culpability in past violence and aggressions. A transnational network of citizens' action groups devoted to healing and building community among former adversaries could be established to share knowledge and resources for this work. Furthermore, creative use of modern methods of mass communication and information could be used to build bridges of peace and understanding among diverse groups.

### **C. INGA Commission for the Prevention and Resolution of Conflicts**

Most conflict situations arise from deep-rooted, historical, political or socio-economic causes, which can be anticipated and dealt with without resorting to force. It is necessary for the United Nations Organisation to keep a world-wide watch on potentially conflictual situations and, where necessary and appropriate, to initiate diplomatic measures in good time to prevent, contain or resolve a dispute before it erupts into an armed conflict. For this purpose, the General Assembly should create, under Article 7(2) read with Article 22 of the UN Charter, a Commission comprising 10 to 15 eminent persons to be elected directly by the General Assembly for a 5-year term. Its function will be to assist the General Assembly in the discharge of its security-related functions mentioned in Article 14 of the Charter. The commission, to be based at the UN Headquarters, will work in close collaboration with the UN Secretary-General.

### **D. UN Observer and Mediation Corps**

The UN needs an Observer Corps of at least 100 outstanding diplomats, conflict resolution experts, area specialists, religious leaders and prestigious negotiators. The function of this corps would be to

anticipate and identify potential conflict situations, including domestic conflicts with the potential to threaten international security; to call these situations to the attention of the Secretary-General and to act under his direction to help in mitigating and resolving conflicts.

### **E. UN Institute for Conflict Prevention**

A UN Institute should be established to research, devise, propagate and apply new methods of conflict prevention and conflict resolution. The Institute would train personnel including those of regional security organisations, analyse developments in potential areas of conflict, and formulate solutions drawing upon the knowledge and experience of local organisations, social scientists, development economists, religious leaders and others in resolving group conflict. The Institute would liaise closely with other parts of the UN's conflict-prevention apparatus. The proposed UNGA Commission would function as its board of directors.

The cost of the UNGA Commission, the observer corps and the institute for conflict prevention would be covered by a tax on international transportation or international currency transactions, by peace stamps sold nationally for normal postage and also by individual contributions. People throughout the world want the UN to be more active in conflict prevention and are ready to support these initiatives.

## **IV. CONCLUSION**

We believe that this programme of neutralising nuclear weapons, limiting conventional arms, strengthening the UN and regional security organisations, and structuring an international mechanism for conflict prevention will go a long way to strengthen human security and reduce the level of armed violence in the world. The objective of this programme is a practical one; so are its individual components. We urge the world public to support this programme and ask governments to adopt it as a step toward a more peaceful, friendly and harmonious world.

We are conscious of the limited scope of this programme in relation to the complexity and magnitude of the requirements of human security in today's world. Security is no longer a matter merely of the limitation and reduction of arms of various kinds or even of avoiding conflict and war. Several new problems of global dimension pose a serious threat to human civilisation and human survival. The rapid growth of population on a planet with limited resources, dehumanising poverty which blights large areas of the world, insecurity in relation to the

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basic food needs of man, international terrorism, the spreading menace of narcotics, environmental degradation, critical issues arising out of the globalisation of business and economy and the relative absence of democratic values within many nations and in relations between them are among the root causes of much instability and insecurity. These large and complex problems can be resolved only through collective and sustained worldwide efforts. This security programme is only a beginning in that direction.

Today, humanity stands at a crucial turning point in history. Security and the progress of human civilisation require a new ethic rooted in a deep sense of the oneness of humanity and in humanitarian values of recognition of the supremacy of human life, peace and non-violence, compassion and cooperation for the common good. Mikhail Gorbachev and late Rajiv Gandhi jointly enunciated an approach on these lines to the modern world's problems in the Delhi Declaration of 27 November, 1986. That approach alone, and not policies based on the force of arms, will ensure comprehensive international security.

*Signed Oct., 1, 1994 in New Delhi by Abid Hussain, Najima Heptulla, Mani Shankar Aiyer, M. Rasgotra, V. Ramchandran, Rajiv Gandhi Foundation; Georgi K. Shakhnazarov, Vladimir N. Klimenko, Yegor L. Kouznetsov, Gorbachev Foundation, Moscow; Alan Cranston, Jonathan Dean, Kasse Kebede, Joseph V. Montville, Saul Mendlovitz, James Garrison, Gorbachev Foundation, USA.*

# 250

## **Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security**

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*9 December 1994*

*The General Assembly,*

*Recalling* the provisions of the Charter of the United Nations concerning the role of regional arrangements or agencies in the maintenance of international peace and security, in particular the provisions of Chapter VIII of the Charter,

*Recalling also* that resort to regional arrangements or agencies is among the means referred to in Chapter VI of the Charter for the peaceful settlement of disputes,

*Recognising* that regional arrangements or agencies can play an important role in preventive diplomacy and in enhancing regional and international cooperation,

*Recognising also* the importance of the role of regional arrangements or agencies in dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations,

*Taking into account* the experience gained and the favourable results achieved by regional arrangements or agencies in the peaceful settlement of disputes in different parts of the world,

*Bearing in mind* the variety of mandates, scope and composition of regional arrangements or agencies,

*Considering* that action at the regional level can contribute to the maintenance of international peace and security,

*Emphasising that* respect for the principles of sovereignty, territorial integrity and political independence of States and non-intervention in matters which are essentially within the domestic jurisdiction of any State is crucial to any common endeavour to promote international peace and security,

*Emphasising also* that peace-keeping activities undertaken by regional arrangements or agencies should be conducted with the consent of the State in whose territory such activities are carried out,

*Stressing* the primary responsibility of the Security Council, under Article 24 of the Charter, for the maintenance of international peace and security,

*Emphasising further* that the efforts made by regional arrangements or agencies, in their respective fields of competence, in cooperation with the United Nations can usefully complement the work of the Organisation in the maintenance of international peace and security,

*Stressing* the need to enhance cooperation between the United Nations and regional arrangements or agencies in the maintenance of international peace and security,

*Considering* that such enhanced cooperation between the United Nations and regional arrangements or agencies would promote collective security in accordance with the Charter.

*Solemnly declares* that:

1. In accordance with the provisions of the Charter of the United Nations concerning the role of regional arrangements or agencies in the maintenance of international peace and security, in particular Chapter VIII of the Charter:

- (a) The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council;
- (b) The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the States concerned or by reference from the Council;

- (c) The above provisions in no way impair the application of Articles 34 and 35 of the Charter;
- (d) The Security Council shall, where appropriate, utilise such regional arrangements or agencies for enforcement action under its authority, but no enforcement action shall be taken under regional arrangements or by regional agencies without the authorisation of the Council;
- (e) The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security;

2. Regional arrangements or agencies can, in their fields of competence and in accordance with the Charter, make important contributions to the maintenance of international peace and security, including, where appropriate, through the peaceful settlement of disputes, preventive diplomacy, peacemaking, peace-keeping and post-conflict peace-building;

3. Cooperation between regional arrangements or agencies and the United Nations in the maintenance of international peace and security may take various forms, including, *inter alia*.

- (a) Exchange of information and the holding of consultations at all levels;
- (b) Participation as appropriate in the work of the United Nations organs, in accordance with the applicable rules of procedure and practices;
- (c) Making available personnel, material and other assistance, where appropriate;

4. Cooperation between regional arrangements or agencies and the United Nations should be in accordance with their respective mandates, scope and composition and should take place in forms that are suited to each specific situation, in accordance with the Charter;

5. Regional efforts undertaken by regional arrangements or agencies in the area of the maintenance of international peace and security, within their respective fields of competence and in accordance with the purposes and principles of the Charter, should be encouraged and, where appropriate, supported by the Security Council;

6. States participating in regional arrangements or agencies are encouraged to consider the possibility of increasing efforts at the regional level for the maintenance of international peace and security in accordance with the Charter;

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7. States participating in regional arrangements or agencies are encouraged to promote confidence-building at the regional level for the maintenance of international peace and security;

8. States participating in regional arrangements or agencies are encouraged to consider the possibility of using or, where appropriate, establishing or improving at the regional level procedures and mechanisms for the early detection, the prevention and the peaceful settlement of disputes, in close coordination with the preventive efforts of the United Nations;

9. Regional arrangements or agencies are encouraged to consider, as appropriate, in their fields of competence, ways and means for promoting closer cooperation and coordination with the United Nations with the aim of contributing to the fulfilment of the purposes and principles of the Charter, including in the fields of preventive diplomacy, peacemaking and post-conflict peace-building, and where appropriate, peace-keeping,

10. Regional arrangements or agencies are encouraged to consider, in their fields of competence, the possibility of establishing and training groups of military and civilian observers, fact-finding missions and contingents of peace-keeping forces, for use as appropriate in coordination with the United Nations and when necessary under the authority or with the authorisation of the Security Council, in accordance with the Charter,

11. The Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States in accordance with the Charter of the United Nations, the Manila Declaration on the Peaceful Settlement of International Disputes, the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field and the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security are hereby reaffirmed together with their provisions concerning the activities of regional arrangements or agencies in the maintenance of international peace and security;

12. Nothing in the present Declaration is to be construed as prejudicing in any manner the provisions of Charter.



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# 251

## CSCE Declaration on the Treaty on Open Skies

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*Helsinki, 24 March 1992*

The Foreign Ministers of the participating States of the Conference on Security and Co-operation in Europe on the occasion of the signature of the Treaty on Open Skies have issued the following declaration:

- *Welcoming* the signing of the Treaty on Open Skies by the Foreign Ministers of the States concluding this Treaty,
- *Recognising* the importance of the Open Skies regime for the security of States participating in the CSCE process,
- *Assessing* the Treaty as an important element in the process of enhancing security and confidence between members of the international community,
- *Reiterating* the importance of the principle of equal security for all their countries,
- *Noting* the interest expressed by a number of States not full participants in the negotiations, and believing that their adherence to the Treaty as well as signature by all the newly independent States, as mentioned in Article XVII of the Treaty, would enhance the effectiveness of the Open Skies regime,

1. *Recognise* the significant contribution to the Open Skies negotiations made by a number of participants in the CSCE who are not original signatories to the Treaty on Open Skies,

2. *Recognise* also that these States may participate, on the basis of the active and passive quotas they would hold as State Parties, in the implementation of the Treaty and that they may take part in discussions regarding practical arrangements for the regime which will continue in Vienna within the framework of the Open Skies Consultative Commission during the period of provisional application,

3. *Acknowledge* the interest of the States which are participants in the CSCE but not original signatories to the Treaty on Open Skies in information obtained through Open Skies observation flights,

4. *Welcome* the interest shown by States which are participants in the CSCE but not original signatories to the Treaty on Open Skies to accede to it as provided for by Article XVII of the Treaty,

5. *Call upon* all Parties to the Treaty to allow the accession of such interested States as soon as possible and to act, in all matters related to it, in the spirit of co-operation which the Treaty commands.

# 252

## **Declaration of the CSCE Council on Non-Proliferation and Arms Transfers\***

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*Prague, 31 January 1992*

The Ministers reiterated the commitment of their Governments to the prevention of the proliferation of weapons of mass destruction and the control of missile technology. They underlined their willingness to contribute to the ongoing efforts and international cooperation to this end. In this context, they expressed their support for the Treaty on the Non-Proliferation of Nuclear Weapons and for universal adherence to it. They welcomed the intention of all those Conference on Security and Cooperation in Europe (CSCE) States not yet party to the Treaty to accede to it and urged other States that are not yet party to it, to do so as well. They also renewed their support for a global, comprehensive and effectively verifiable chemical weapons convention to be concluded in 1992. They also reaffirmed their support for the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, welcomed the results of the September 1991 Third Review Conference of the Parties to the Convention, held in September 1991, and called for universal adherence to it.

They expressed their view that excessive build-ups of conventional weapons beyond legitimate defensive needs posed a threat to international peace and security in particular in regions of tension. Based on the principles of transparency, consultation and restraint, they declared their commitment to address the threat of excessive accumulations of conventional weapons and committed themselves to exercise responsibility, in particular with regard to arms transfers to States engaging in such excessive accumulations and to regions of tension.

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\* A/47/89-S/23576, annex I.

They confirmed their support for and firmly committed themselves to provide full information to the Register of Conventional Arms. They called upon all other States to take the same action.

They agreed that effective national control of weapons and equipment transfer was acquiring the greatest importance. They declared their readiness to exchange views and to provide mutual assistance in the establishment of efficient national control mechanisms.

They agreed that in this connection the conversion of arms production to civilian production was also acquiring special importance.

The Ministers decided that the question of non-proliferation, including the transfer of sensitive expertise, and the establishment of a responsible approach to international armaments transfers should be included as a matter of priority in the work programme for the post-Helsinki arms control process.

# 253

## Joint Declaration of the Denuclearisation of the Korean Peninsula

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*Signed 20 January 1992\**

The South and the North,

Desiring to eliminate the danger of nuclear war through denuclearisation of the Korean peninsula, and thus create an environment and conditions favourable for peace and peaceful unification of our country and contribute to peace and security in Asia and the world.

Declares the following:

1. The South and the North shall not test, manufacture, produce, receive, possess, store, deploy or use nuclear weapons.
2. The South and the North shall use nuclear energy solely for peaceful purposes.
3. The South and the North shall not possess nuclear reprocessing and uranium enrichment facilities.
4. The South and the North, in order to verify the denuclearisation of the Korean Peninsula, shall conduct inspection of the objects selected by the other side and agreed upon between the two sides, in accordance with procedures and methods to be determined by the South-North Joint Nuclear Control Committee.
5. The South and the North, in order to implement this joint declaration, shall establish and operate a South-North Joint Nuclear Control Committee within one (1) month of the effectuation of this joint declaration.

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\* The Joint Declaration came into effect on 19 February 1992 (CD/1147).

6. This Joint Declaration shall enter into force as of the day the two sides exchange appropriate instruments following the completion of their respective procedures for bringing it into effect.

Signed on 20 January 1992

Chung Won-shik

Prime Minister

Republic of Korea

Chief delegate of the South

Delegation to the South-North

High-Level Talks

Yon Hyong-muk

Premier of the Administration Council of the

Democratic People's Republic of Korea

Head of the North Delegation to the

South-North High-Level Talks

## **DEVELOPMENTS IN THE EL SALVADOR PEACE PROCESS**

### **New York Act II\***

*New York, 13 January 1992*

The Government of El Salvador and the Frente Farabundo Marti para la Liberacion Nacional, meeting at United Nations Headquarters, have reached agreements which complete the negotiations on all issues outstanding when the New York Act was signed on 31 December 1991. This opens the way for the signing of the Peace Agreement in Mexico City on 16 January 1992.

New York, 13 January 1992

Representing the Government of El Salvador

*(Signed)* Oscar Alfredo Santamaria

*(Signed)* David Escobar Galindo

*(Signed)* Gen. Mauricio Ernesto Vargas

*(Signed)* Rafael Hernan Contreras

Representing the Frente

Farabundo Marti para la Liberacion Nacional

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\* A/46/863-S/23504, annex II.

(Signed) Cmdr. Schafik Handal

*(Signed)* Cmdr. Salvador Sanchez Ceren

*(Signed)* Ana Guadalupe Martinez

*(Signed)* Maria Marta Villadares

*(Signed)* Alvaro De Soto

Representative of the Secretary-General of the United Nations.

# 254

## **Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security**

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*9 December 1991*

*The General Assembly*

*Recalling* the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the Manila Declaration on the Peaceful Settlement of International Disputes, the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations, the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field, and their provisions regarding fact-finding,

*Emphasising* that the ability of the United Nations to maintain international peace and security depends to a large extent on its acquiring detailed knowledge about the factual circumstances of any dispute or situation, the continuance of which might threaten the maintenance of international peace and security (hereinafter, "disputes or situations"),

*Recognising* that the full use and further improvement of the means for fact-finding of the United Nations could contribute to the strengthening of the role of the United Nations in the maintenance of international peace and security and promote the peaceful settlement of disputes, as well as the prevention and removal of threats to peace,



*Desiring* to encourage States to bear in mind the role that competent organs of the United Nations can play in ascertaining the facts in relation to disputes or situations,

*Recognising* the particular usefulness of fact-finding missions that the competent United Nations organs may undertake in this respect,

*Bearing in mind* the experience and expertise acquired by the United Nations in the field of fact-finding missions,

*Recognising* the need for States, in exercising their sovereignty, to cooperate with the relevant organs of the United Nations as regards fact-finding missions undertaken by them,

*Seeking* to contribute to the effectiveness of the United Nations, with a view to enhancing mutual understanding, trust and stability in the world,

*Solemnly declares* that:

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1. In performing their functions in relation to the maintenance of international peace and security, the competent organs of the United Nations should endeavour to have full knowledge of all relevant facts. To this end they should consider undertaking fact-finding activities.

2. For the purpose of the present Declaration fact-finding means any activity designed to obtain detailed knowledge of the relevant facts of any dispute or situation which the competent United Nations organs need in order to exercise effectively their functions in relation to the maintenance of international peace and security.

3. Fact-finding should be comprehensive, objective, impartial and timely.

4. Unless a satisfactory knowledge of all relevant facts can be obtained through the use of the information-gathering capabilities of the Secretary-General or other existing means, the competent organ of the United Nations should consider resorting to a fact-finding mission.

5. In deciding if and when to undertake such a mission, the competent United Nations organs should bear in mind that the sending of a fact-finding mission can signal the concern of the Organisation and should contribute to building confidence and defusing the dispute or situation while avoiding any aggravation of it.

6. The sending of a United Nations fact-finding mission to the territory of any State requires the prior consent of that State, subject to the relevant provisions of the Charter of the United Nations.

## II

7. Fact-finding missions may be undertaken by the Security Council, the General Assembly and the Secretary-General, in the context of their respective responsibilities for the maintenance of international peace and security in accordance with the Charter.

8. The Security Council should consider the possibility of undertaking fact-finding to discharge effectively its primary responsibility for the maintenance of international peace and security in accordance with the Charter.

9. The Security Council should, wherever appropriate, consider the possibility of providing in its resolutions for recourse to fact-finding.

10. The General Assembly should consider the possibility of undertaking fact-finding for exercising effectively its responsibilities under the Charter for the maintenance of international peace and security.

11. The General Assembly should, wherever appropriate, consider the possibility of providing for recourse to fact-finding in its resolutions relevant to the maintenance of international peace and security.

12. The Secretary-General should pay special attention to using the United Nations fact-finding capabilities at an early stage in order to contribute to the prevention of disputes and situations.

13. The Secretary-General, on his own initiative or at the request of the States concerned, should consider undertaking a fact-finding mission when a dispute or a situation exists.

14. The Secretary-General should prepare and update lists of experts in various fields who would be available for fact-finding missions. He should also maintain and develop, within existing resources, capabilities for mounting emergency fact-finding missions.

15. The Security Council and the General Assembly should, in deciding to whom to entrust the conduct of a fact-finding mission, give preference to the Secretary-General, who may, *inter alia*, designate a special representative or a group of experts reporting to him. Resort to an *ad hoc* subsidiary body of the Security Council or the General Assembly may also be considered.

16. In considering the possibility of undertaking a fact-finding mission, the competent United Nations organ should bear in mind other relevant fact-finding efforts, including those undertaken by the States concerned and in the framework of regional arrangements or agencies.

17. The decision by the competent United Nations organ to undertake fact-finding should always contain a clear mandate for the fact-finding mission and precise requirements to be met by its report. The report should be limited to a presentation of findings of a factual nature.

18. Any request by a State to a competent organ of the United Nations for the sending of a United Nations fact-finding mission to its territory should be considered without undue delay.

### III

19. Any request by a competent organ of the United Nations for the consent of a State to receive a fact-finding mission within its territory should be given timely consideration by that State. That State should inform the organ of its decision without delay.

20. In the event a State decides not to admit a United Nations fact-finding mission to its territory, it should, if it deems it appropriate, indicate the reasons for its decision. It should also keep the possibility of admitting the fact-finding mission under review.

21. States should endeavour to follow a policy of admitting United Nations fact-finding missions to their territory.

22. States should cooperate with United Nations fact-finding missions and give them, within the limits of their capabilities, the full and prompt assistance necessary for the exercise of their functions and the fulfilment of their mandate.

23. Fact-finding missions should be accorded all immunities and facilities needed for discharging their mandate, in particular full confidentiality in their work and access to all relevant places and persons, it being understood that no harmful consequences will result to these persons. Fact-finding missions have an obligation to respect the laws and regulations of the State in which they exercise their functions; such laws and regulations should not however be applied in such a way as to hinder missions in the proper discharge of their functions.

24. The members of fact-finding missions, as a minimum, enjoy the privileges and immunities accorded to experts on missions by the Convention on the Privileges and immunities of the United Nations. Without prejudice to their privileges and immunities, members of fact-finding missions have an obligation to respect the laws and regulations of the State in the territory in which they exercise their functions.

25. Fact-finding missions have an obligation to act in strict conformity with their mandate and perform their task in an impartial way. Their members have an obligation not to seek or receive instructions from any Government or from any authority other than the competent United Nations organ. They should keep the information acquired in discharging their mandate confidential even after the mission has fulfilled its task.

26. The States directly concerned should be given an opportunity, at all stages of the fact-finding process, to express their views in respect of the facts the fact-finding mission has been entrusted to obtain. When the results of fact-finding are to be made public, the views expressed by the States directly concerned should, if they so wish, also be made public.

27. Whenever fact-finding includes hearings, appropriate rules of procedure should ensure their fairness.

#### **IV**

28. The Secretary-General should monitor the state of international peace and security regularly and systematically in order to provide early warning of disputes or situations which might threaten international peace and security. The Secretary-General may bring relevant information to the attention of the Security Council and, where appropriate, of the General Assembly.

29. To this end, the Secretary-General should make full use of the information-gathering capabilities of the Secretariat and keep under review the improvement of these capabilities.

#### **V**

30. The sending of a United Nations fact-finding mission is without prejudice to the use by the States concerned of inquiry or any similar procedure or of any means of peaceful settlement of disputes agreed by them.

31. Nothing in the present Declaration is to be construed as prejudicing in any manner the provisions of the Charter.

# 255

## Declaration of the 1990s as the Third Disarmament Decade

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*4 December 1990*

1. The present Declaration of the 1990s as the Third Disarmament Decade is addressed to the global community and deals with the hopes and aspirations of people for lasting peace and security.

2. After a period of heightened tensions, the latter part of the decade of the 1980s saw a noticeable improvement in the way many States conducted their relations with one another. Despite this favourable trend, the specific goals of the Second Disarmament Decade were not fully realised.

3. In a world of growing interdependence, it is essential for the international community to stimulate and deepen awareness of the common interests of the global society and of the universal interest in achieving disarmament and strengthening international peace and security. The challenges facing the international community today are enormous. Accordingly, the solution of these difficult and complex issues will require the political will of States in conducting dialogue and negotiations and in promoting international co-operation, including confidence-building measures aimed at reducing tensions and the risk of military confrontation among States, bearing in mind specific conditions prevailing in the region concerned. It will also require acknowledgement of the profound interrelationship of questions relating to disarmament, socio-economic development and environmental protection.

4. The international community stands on common ground in determining to make progress in the 1990s by resolutely pursuing disarmament along with other efforts necessary for attaining genuine peace and security. As members of the international community, we

have identified the following common goals. In the nuclear field, we must continue urgently to seek early reductions in, and the eventual elimination of nuclear weapons and work towards a comprehensive nuclear-test ban. To achieve the objective of non-proliferation in all its aspects, all States are encouraged to make every effort further to strengthen the non-proliferation regime and other measures to halt and prevent the proliferation of nuclear weapons. The aim of the international community should be to promote co-operation in the peaceful use of nuclear energy on a non-discriminatory basis and under agreed and appropriate international safeguards. The prevention of an arms race in outer space remains, an important area to be further addressed. Many States also see the need to address naval confidence-building measures and disarmament issues. In the conventional field, we must seek reductions in arms and armed forces in all areas of the world and, in particular, where levels of concentrations of armaments are highest. In this regard, we urgently seek the successful conclusion of the negotiations on conventional forces in Europe. We aim for continued consideration of arms transfers in all their aspects. In the chemical field we must work for the earliest conclusion of a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction. The international community also calls for strict compliance with the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925. As further steps forward, openness and transparency on all appropriate military matters should be developed, the scope and techniques of verification advanced, the use of science and technology for peaceful purposes promoted and non-military threats to security addressed. All other initiatives to halt and reverse the arms race, in particular the nuclear-arms race, in both its qualitative and quantitative aspects deserve careful consideration. Such initiatives include the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among States of the region concerned and the creation of zones of peace under appropriate conditions defined and determined freely by the States concerned in the zone. In the pursuit of the foregoing goals, the international community acknowledges the particular responsibility of countries with the largest military arsenals. Resources freed through disarmament could be used for the benefit of a balanced world development. These goals should be included in a comprehensive programme of disarmament, which should be concluded at an appropriate time.

5. The United Nations will continue to foster multilateral co-operation for disarmament, wherein bilateral and regional efforts can be complementary and mutually supportive in attaining the purposes and principles of the United Nations. The international community can further promote disarmament through the United Nations by building upon its achievements in this field, including the Final Document of the Tenth Special Session of the General Assembly, which was adopted by consensus.

6. The international community affirms the positive role that an informed public can play in the process of disarmament by promoting a constructive and realistic dialogue on issues related to disarmament. In this regard, the pursuit of the World Disarmament Campaign and the observance of Disarmament Week will continue to play a useful role. Reflecting a growing understanding and commitment in dealing with the global problems of peace and security, it recognizes that non-governmental organisations play an invaluable role. It also supports an enhanced role for women in developing the conditions for enduring peace.

7. As the world moves towards the twenty-first century, it is evident that future generations will need increasing knowledge and understanding of the interdependent nature of life on the planet. Education on international peace and security issues will play a fundamental part in allowing every individual to realise his or her role as a responsible member of the world community.

# 256

## **Cartagena Declaration on the Renunciation of Weapons of Mass Destruction\***

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*Cartagena, 4 December 1991*

The Presidents of the member countries of the Andean Group, meeting in the city of Cartagena,

Considering that the fundamental changes in international relations resulting from the relaxation of tension between East and West and the end of the Cold War have great historical significance and offer new opportunities for strengthening international peace and security,

Conscious that in the present global process of relaxation of tension, international security and cooperation, particularly in Latin America and the Caribbean, must be viewed from an overall perspective linked to the strengthening of democracy, the fostering of a climate of neighbourly peace, the full enjoyment of human rights and the promotion of the economic and social well-being of our peoples,

Resolved to contribute to the global process of international relaxation of tension currently under way,

Resolved to ensure that weapons of mass destruction are not introduced into Latin America and the Caribbean, since that would trigger a disastrous arms race, and thereby limit the allocation and transfer of greater financial resources for the social and economic development of the region,

Prepared to strengthen the role of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean of 1967 (Treaty

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\* A/46/760, annex.



of Tlatelolco) and the protocols thereto, and to extend that prohibition to all categories of weapons of mass destruction so as to transform this region into a zone free of such weapons,

Reaffirming support for the Acapulco Commitment to Peace, Development and Democracy adopted at the first Summit Meeting of the Heads of State of the Permanent Mechanism for Consultation and Concerted Political Action, which states that the concept of security in our region must deal not only with the peace and stability aspects but also with those relating to political, economic and financial vulnerability,

Endorsing the Guadalajara Declaration which seeks to promote conventional disarmament, to prohibit weapons of mass destruction and to ensure that measures for controlling and reducing the latter do not stand in the way of legitimate access to advanced technologies for peaceful uses, since these are indispensable for the social and economic development of the peoples of the region,

Supporting the subregional and multilateral commitments in favour of disarmament, including the Treaty on the Non-Proliferation of Nuclear Weapons, the Declaration of Ayacucho of 1974, the Andean commitment to peace and cooperation and the Foz de Iguazu Declaration concerning the joint nuclear policy of Argentina and Brazil; and also the resolutions concerning cooperation for security in the hemisphere and limitation of the proliferation of instruments of war and weapons of mass destruction adopted by the Organisation of American States at its twenty-first General Assembly, the Declaration concerning the use of nuclear energy exclusively for peaceful purposes, signed by the Presidents of Argentina and Brazil, and the Mendoza Accord,

Agree to the following Declaration:

1. Welcome the initiative by the Government of Peru concerning the prohibition of weapons of mass destruction in Latin America and the Caribbean as the start of a gradual process for strengthening security and mutual confidence in the region.
2. Express the commitment of their Governments to renounce the possession, production, development, use, testing and transfer of all weapons of mass destruction, whether nuclear, bacteriological (biological), toxin or chemical, and to refrain, under any circumstances, from stockpiling, acquiring or retaining such categories of weapons.

3. Reaffirm the inalienable right of their peoples to take advantage, through international cooperation, of scientific and technical developments exclusively for peaceful uses in the field of nuclear energy, biology and the chemical industry and, likewise, to accede to space technologies.
4. Call on the countries possessing technology for the production of weapons of mass destruction to strengthen effectively the systems for controlling the transfer of such technologies.
5. Request the countries possessing weapons of mass destruction to undertake not to use such weapons and not to threaten the Parties to the present Declaration with their use.
6. Announce their intention to be founding signatories to the convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction, to which end they express their support for the negotiations of the Conference on Disarmament for the adoption of the convention on chemical weapons in 1992.
7. Support the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 1972 and the negotiations to strengthen its verification machinery.
8. Declare their willingness to promote the transformation of Latin America and the Caribbean into the first inhabited area of the world free from weapons of mass destruction.
9. State that the responsibility for prohibiting the proliferation of weapons of mass destruction and for halting the arms race lies with the international community as a whole, but particularly with those who possess nuclear weapons.
10. Consider prompt discontinuance of nuclear tests of all types to be the best means of putting an end to the increasing sophistication of nuclear weapons and the development of new types of such weapons.
11. Appeal to the other Governments of the region to accede to the present Declaration, and to the entire international community, in general, to support the objectives and purposes enunciated therein and to refrain from any action which might weaken the spirit of this Declaration.

Cartagena, 4 December 1991

Jaime Paz Zamora

President of Bolivia

Cesar Gaviria Trujillo

President of Colombia

Rodrigo Borja

President of Ecuador

Alberto Fujimori

President of Peru

Carlos Andres Perez

President of Venezuela

## 257

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## Joint Declaration on the Complete Prohibition of Chemical and Biological Weapons: Mendoza Accord\*

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*Mendoza, 5 September 1991*

The Government of the Argentine Republic,  
The Government of the Federative Republic of Brazil, and  
The Government of the Republic of Chile,

*Convinced* that a complete ban on chemical and biological weapons will contribute to strengthening the security of all States;

*Resolved* to consolidate the region as an area of peace and cooperation free from the scourge of these weapons of mass destruction;

*Confirming* the respective unilateral declarations on the non-possession of chemical weapons previously issued by the three countries;

*Agreeing* on the need to prevent the spread of such weapons through a multilateral convention, currently under negotiation at the Conference on Disarmament, which would comprehensively ban chemical weapons and their production facilities, and urging all States that produce and possess such weapons to become parties to the convention;

*Contributing* to the confidence-building measures agreed upon by the States parties to the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, whose Third Review Conference will take place at Geneva from 9 to 27 September 1991;

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\* A/46/463, annex. The Mendoza Accord was signed on 5 September 1991 by Argentina, Brazil and Chile.

*Declare:*

1. Their full commitment not to develop, produce, acquire in any way, stockpile or retain, transfer directly or indirectly, or use chemical or biological weapons;
2. Their intention, until such time as the future convention on chemical weapons enters into force, to give prior study to and jointly consider all the mechanisms necessary to ensure the fulfilment of the commitment entered into;
3. Their intention, until the aforesaid convention enters into force and in conformity with international law, to establish in their respective countries the appropriate mechanisms for controlling those substances defined as precursors of chemical warfare agents;
4. Their intention to cooperate closely in order to facilitate the conclusion of a multilateral convention on the prohibition of chemical weapons and to sign that convention simultaneously as original parties;
5. Their right to use all peaceful applications of chemistry and biology for economic and technological development and for the well-being of their peoples;
6. Their conviction that the implementation of the convention should create among the States parties a climate of mutual confidence which would serve substantially to increase international cooperation in the exchange of, *inter alia*, chemicals and related equipment and technologies;
7. Their intention to contribute decisively to the success of the Third Review Conference of the Convention on the Prohibition of Bacteriological (Biological) Weapons and their readiness to examine modalities for improving their methods of verification;
8. Their hope that other States in the region will sign the present Accord.

Signed at Mendoza, Argentina, on 5 September 1991.

# 258

## **Economic Summit Declaration on Conventional Arms Transfers and NBC Non-Proliferation\***

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*London, 15-17 July 1991*

1. At our meeting in Houston last year, we the Heads of State and Government and the representatives of the European Community, underlined the threats to international security posed by the proliferation of nuclear, biological and chemical weapons and of associated missile delivery systems. The Gulf crisis has highlighted the dangers posed by the unchecked spread of these weapons and by excessive holdings of conventional weapons. The responsibility to prevent the re-emergence of such dangers is to be shared by both arms suppliers and recipient countries as well as the international community as a whole. As is clear from the various initiatives which several of us have proposed jointly and individually, we are each determined to tackle, in appropriate fora, these dangers both in the Middle East and elsewhere.

### **Conventional Arms Transfers**

2. We accept that many states depend on arms imports to assure a reasonable level of security and the inherent right of self-defence is recognised in the United Nations Charter. Tensions will persist in international relations so long as underlying conflicts of interest are not tackled and resolved. But the Gulf conflict showed the way in which peace and stability can be undermined when a country is able to acquire a massive arsenal that goes far beyond the needs of self defence and threatens its neighbours. We are determined to ensure such abuse should not happen again. We believe that progress can be

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\* A/46/309-S/22807, annex III.

made if all states apply the three principles of transparency, consultation and action.

3. The principle of *transparency* should be extended to international transfers of conventional weapons and associated military technology. As a step in this direction, we support the proposal for a universal register of arms transfers under the auspices of the United Nations, and will work for its early adoption. Such a register would alert the international community to an attempt by a state to build up holdings of conventional weapons beyond a reasonable level. Information should be provided by all states on a regular basis after transfers have taken place. We also urge greater openness about overall holdings of conventional weapons. We believe the provision of such data, and a procedure for seeking clarification, would be a valuable confidence and security building measure.

4. The principle of *consultation* should now be strengthened through the rapid implementation of recent initiatives for discussions among leading arms exporters with the aim of agreeing a common approach to the guidelines which are applied in the transfer of conventional weapons. We welcome the recent opening of discussions on this subject. These include the encouraging talks in Paris among the Permanent Members of the United Nations Security Council on 8/9 July; as well as ongoing discussions within the framework of the European Community, and its Member States. Each of us will continue to play a constructive part in this important process, in these and other appropriate fora.

5. The principle of *action* requires all of us to take steps to prevent the building up of disproportionate arsenals. To that end all countries should refrain from arms transfers which would be destabilising or would exacerbate existing tensions. Special restraint should be exercised in the transfer of advanced technology weapons and in sales to countries and areas of particular concern. A special effort should be made to define sensitive items and production capacity for advanced weapons, to the transfer of which similar restraints could be applied. All states should take steps to ensure that these criteria are strictly enforced. We intend to give these issues our continuing close attention.

6. Iraqi aggression and the ensuing Gulf war illustrate the huge costs to the international community of military conflict. We believe that moderation in the level of military expenditure is a key aspect of sound economic policy and good government. While all countries are struggling with competing claims on scarce resources, excessive spending on arms of all kinds diverts resources from the overriding

need to tackle economic development. It can also build up large debts without creating the means by which these may be serviced. We note with favour the recent report issued by the United Nations Development Programme (UNDP) and the recent decisions by several donor countries to take account of military expenditure where it is disproportionate when setting up aid programmes and encourage all other donor countries to take similar action. We welcome the attention which the Managing Director of the International Monetary Fund (IMF) and the President of the World Bank have recently given to excessive military spending, in the context of reducing unproductive public expenditure.

### **Non-Proliferation**

7. We are deeply concerned about the proliferation of nuclear, biological and chemical weapons and missile delivery systems. We are determined to combat this menace by strengthening and expanding the non-proliferation regimes.

8. Iraq must fully abide by Security Council Resolution 687, which sets out requirements for the destruction, removal or rendering harmless under international supervision of its nuclear, biological, and chemical warfare and missile capabilities; as well as for verification and long-term monitoring to ensure that Iraq's capability for such weapon systems is not developed in the future. Consistent with the relevant UN resolutions, we will provide every assistance to the United Nations Special Commission and the International Atomic Energy Agency (IAEA) so that they can fully carry out their tasks.

9. In the nuclear field, we:

- Re-affirm our will to work to establish the widest possible consensus in favour of an equitable and stable non-proliferation regime based on a balance between nuclear non-proliferation and the development of peaceful uses of nuclear energy;
- Reaffirm the importance of the nuclear Non-Proliferation Treaty (NPT) and call on all other non-signatory states to subscribe to this agreement;
- Call on all non-nuclear weapon states to submit all their nuclear activities to IAEA safeguards, which are the cornerstone of the international non-proliferation regime;
- Urge all supplier states to adopt and implement the Nuclear Suppliers Group guidelines.

We welcome the decision of Brazil and Argentina to conclude a full-scope safeguard agreement with the IAEA and to take steps to



bring the Treaty of Tlatelolco into force, as well as the accession of South Africa to the NPT.

10. Each of us will also work to achieve:

- Our common purpose of maintaining and reinforcing the NPT regime beyond 1995;
- A strengthened and improved IAEA safeguards system;
- New measures in the Nuclear Suppliers Group to ensure adequate export controls on dual-use items.

11. We anticipate that the Biological Weapons Review Conference in September will succeed in strengthening implementation of the convention's existing provisions by reinforcing and extending its confidence-building measures and exploring the scope for effective verification measures. Each of us will encourage accession to the convention by other states and urge all parties strictly to fulfil their obligations under the convention. We each believe that a successful Review Conference leading to strengthened implementation of the BWC would make an important contribution to preventing the proliferation of biological weapons.

12. The successful negotiation of a strong, comprehensive, and effectively verifiable convention banning chemical weapons, to which all states subscribe, is the best way to prevent the spread of chemical weapons. We welcome recent announcements by the United States which we believe will contribute to the swift conclusion of such a convention. We hope that the negotiation will be successfully concluded as soon as possible. We reaffirm our intention to become original parties to the convention. We urge others to become parties at the earliest opportunity so that it can enter into force as soon as possible.

13. We must also strengthen controls on exports which could contribute to the proliferation of biological and chemical weapons. We welcome the measures taken by members of the Australia Group and by other states on the control of exports of chemical weapons precursors and related equipment. We seek to achieve increasingly close convergence of practice between all exporting states. We urge all states to support these efforts.

14. Our aim is a total and effective ban on chemical and biological weapons. Use of such weapons is an outrage against humanity. In the event that a state uses such weapons each of us agrees to give immediate consideration to imposing severe measures against it both in the UN Security Council and elsewhere.

15. The spread of missile delivery systems has added a new dimension of instability to international security in many regions of the world. As the founders of the Missile Technology Control Regime (MTCR), we welcome its extension to many other states in the last two years. We endorse the joint appeal issued at the Tokyo MTCR meeting in March 1991 for all countries to adopt these guidelines. These are not intended to inhibit cooperation in the use of space for peaceful and scientific purposes.

16. We can make an important contribution to reducing the dangers of proliferation and conventional arms transfers. Our efforts and consultations on these issues, including with other supplier countries, will be continued in all appropriate fora so as to establish a new climate of global restraint. We will only succeed if others, including recipient countries, support us and if the international community unites in a new effort to remove these threats which can imperil the safety of all our peoples.

# 259

## European Council Declaration on Non-Proliferation and Arms Exports

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*29 June 1991*

The European Council is deeply concerned at the danger arising from the proliferation of weapons of mass destruction throughout the world. The recent Gulf War showed the absolute necessity of further enhancing the effectiveness of regimes of non-proliferation.

The Community and its member States support a strengthening of the regime of nuclear non-proliferation and call for all States to become parties to the Non-Proliferation Treaty. They look to an agreement in the near future on a convention on chemical weapons and to the strengthening of the Convention on Biological and Bacteriological Weapons.

The European Council is also alarmed by the stockpiling of conventional weapons in certain regions of the world. To prevent situations of instability recurring in entire regions as a result of such over-armament, the European Council believes that far-reaching international action is needed immediately to promote restraint and transparency in the transfers of conventional weapons and of technologies for military use, in particular towards areas of tension.

The European Council notes with satisfaction that work in progress in the organs of European political cooperation has already, by comparing national policies on arms exports, identified a number of common criteria on which these policies are based, such as:

- Respect for the international commitments of the member States of the Community, in particular the sanctions decreed by the Security Council of the United Nations and those decreed by the Community, agreements on non-proliferation and other subjects, as well as other international obligations;

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- Respect of human rights in the country of final destination;
  - The internal situation in the country of final destination, as a function of the existence of tensions or internal armed conflicts;
  - Preservation of regional peace, security and stability;
  - National security of the member States and of territories whose external relations are the responsibility of a member State, as well as that of friendly and allied countries;
  - Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances, and respect for international law;
  - The existence of a risk that the equipment will be diverted within the buyer country or re-exported under undesirable conditions.

In the perspective of political union, the European Council hopes that on the basis of criteria of this nature a common approach will be made possible leading to a harmonisation of national policies.

The Community and its member States attach particular importance in the framework of their internal consultations and within the competent international forums to transparency in conventional arms transfers. They will attach priority to the establishment of a United Nations register on conventional arms transfers and will table a draft resolution in this sense at the next United Nations General Assembly.

The European Council calls on all States to support this initiative and others which aim to prevent the uncontrolled spread of weapons and military technologies.

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# 260

## **Argentine-Brazilian Joint Declaration on Nuclear Policy Issued at Foz do Iguacu, Brazil, on 28 November 1990\***

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The President of the Argentine Republic, Carlos Saul Menem, and the President of the Federative Republic of Brazil, Fernando Collor, meeting at Foz do Iguacu, Brazil, considering:

Their decision to advance the ongoing integration process;

The importance of the use of nuclear energy solely for peaceful purposes for the scientific, economic and social development of both countries;

The commitments made in the Joint Declarations on Nuclear Policy of Foz do Iguacu (1985), Brasilia (1986), Viedma (1987), Ipero (1988) and Ezeiza (1988);

The reaffirmation of those commitments by both Presidents in the joint communique issued at Buenos Aires on 6 July 1990;

The progress achieved in bilateral nuclear co-operation as a result of joint efforts within the framework of the Agreement on Cooperation in the Peaceful Uses of Nuclear Energy;

### **Noting**

The efforts made by the Permanent Bilateral Committee on Nuclear Co-operation to enhance co-operation between the two countries in the areas of research, the exchange of information, industrial complementarity, the exchange of nuclear material, the development of joint projects and policy co-ordination;

The visits by the Presidents and technical experts of the two countries to each other's nuclear facilities, especially to the uranium

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\* A/45/809

enrichment plants at Pilcaniyeu and the radiochemical process laboratories at Ezeiza, which are a clear indication of the level of mutual confidence achieved between Argentina and Brazil, and

### **Taking into Account**

The fact that the Permanent Committee has developed mechanisms for monitoring the two countries' nuclear activities which establish, *inter alia*, joint criteria for the classification of nuclear material and facilities and the determination of their importance, and provide for reciprocal inspections of all nuclear facilities,

### **Hereby Decided**

1. To adopt the Joint Accounting and Control System agreed on by the Permanent Committee, which shall apply to all the nuclear activities of the two countries;

2. That, as an initial step, the following activities will be carried out within the next 45 days:

- (a) The exchange of the respective lists describing all their nuclear facilities;
- (b) The exchange of the statements of the initial inventories of nuclear material existing in each country;
- (c) The first reciprocal inspections of centralised records systems;
- (d) The presentation to the International Atomic Energy Agency (IAEA) of the records and reports system which is part of the Joint Accounting and Control System, with a view to bringing it into conformity with the records and reports which both countries submit to the Agency in accordance with the safeguards agreements in force;

3. To enter into negotiations with IAEA with a view to the conclusion of a joint safeguards agreement based on the Joint Accounting and Control System;

4. After the conclusion of the safeguards agreement with IAEA, to take appropriate action to permit the full entry into force for the two countries of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), including action to update and improve its wording.

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# 261

## Joint Declaration of Twenty-Two States Parties to the Treaty on Conventional Armed Forces in Europe

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*Paris, France, 19 November 1990*

The Heads of State or Government of Belgium, Bulgaria, Canada, the Czech and Slovak Federal Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Spain, Turkey, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America

- greatly welcoming the historic changes in Europe,
- gratified by the growing implementation throughout Europe of a common commitment to pluralist democracy, the rule of law and human rights, which are essential to lasting security on the continent,
- affirming the end of the era of division and confrontation which has lasted for more than four decades, the improvement in relations among their countries and the contribution this makes to the security of all,
- confident that the signature of the Treaty on Conventional Armed Forces in Europe represents a major contribution to the common objective of increased security and stability in Europe, and
- convinced that these developments must form part of a continuing process of co-operation in building the structures of a more united continent,

Issue the following Declaration:

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1. The signatories solemnly declare that, in the new era of European relations which is beginning, they are no longer adversaries, will build new partnerships and extend to each other the hand of friendship.

2. They recall their obligations under the Charter of the United Nations and reaffirm all of their commitments under the Helsinki Final Act. They stress that all of the ten Helsinki Principles are of primary significance and that, accordingly, they will be equally and unreservedly applied, each of them being interpreted taking into account the others. In that context, they affirm their obligation and commitment to refrain from the threat or use of force against the territorial integrity or the political independence of any State, from seeking to change existing borders by threat or use of force, and from acting in any other manner inconsistent with the principles and purposes of those documents. None of their weapons will ever be used except in self-defence or otherwise in accordance with the Charter of the United Nations.

3. They recognise that security is indivisible and that the security of each of their countries is inextricably linked to the security of all the States participating in the Conference on Security and Co-operation in Europe.

4. They undertake to maintain only such military capabilities as are necessary to prevent war and provide for effective defence. They will bear in mind the relationship between military capabilities and doctrines.

5. They reaffirm that every State has the right to be or not to be a party to a treaty of alliance.

6. They note with approval the intensification of political and military contacts among them to promote mutual understanding and confidence. They welcome in this context the positive responses made to recent proposals for new regular diplomatic liaison.

7. They declare their determination to contribute actively to conventional, nuclear and chemical arms control and disarmament agreements which enhance security and stability for all. In particular, they call for the early entry into force of the Treaty on Conventional Armed Forces in Europe and commit themselves to continue the process of strengthening peace in Europe through conventional arms control within the framework of the CSCE. They welcome the prospect of new negotiations between the United States and the Soviet Union on the reduction of their short-range nuclear forces.



8. They welcome the contribution that confidence- and security-building measures have made to lessening tensions and fully support the further development of such measures. They reaffirm the importance of the "Open Skies" initiative and their determination to bring the negotiations to a successful conclusion as soon as possible.

9. They pledge to work together with the other CSCE participating States to strengthen the CSCE process so that it can make an even greater contribution to security and stability in Europe. They recognise in particular the need to enhance political consultations among CSCE participants and to develop other CSCE mechanisms. They are convinced that the Treaty on Conventional Armed Forces in Europe and agreement on a substantial new set of CSBMs, together with new patterns of co-operation in the framework of the CSCE, will lead to increased security and thus to enduring peace and stability in Europe.

10. They believe that the preceding points reflect the deep longing of their peoples for close co-operation and mutual understanding and declare that they will work steadily for the further development of their relations in accordance with the present Declaration as well as with the principles set forth in the Helsinki Final Act.

The original of this Declaration of which the English, French, German, Italian, Russian and Spanish texts are equally authentic will be transmitted to the Government of France which will retain it in its archives. The Government of France is requested to transmit the text of the Declaration to the Secretary-General of the United Nations, with a view to its circulation to all the members of the organisation as an official document of the United Nations, indicating that it is not eligible for registration under Article 102 of the Charter of the United Nations. Each of the signatory States will receive from the Government of France a true copy of this Declaration.

# 262

## **Joint Declaration of the Federal Republic of Germany and of the German Democratic Republic on Non-Proliferation of Nuclear, Chemical and Biological Weapons\***

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*Delivered at the Fourth Non-Proliferation Treaty Review Conference,  
22 August 1990*

The Governments of the Federal Republic of Germany and the German Democratic Republic reaffirm their contractual and unilateral undertaking not to manufacture, possess or have control over nuclear, biological and chemical weapons. They declare that the united Germany, too, will abide by its obligations.

Rights and obligations under the instruments of the Treaty of 1 July 1968 on the Non-Proliferation of Nuclear Weapons will continue to apply to the United Germany. The United Germany will seek the continued validity of the Non-Proliferation Treaty beyond 1995 and supports the strengthening of the non-proliferation regime.

At the Geneva Conference on Disarmament, the United Germany will strive for a comprehensive, worldwide and verifiable ban on chemical weapons at the earliest possible date and intends to be one of the original signatories of the convention.

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\* NPT/CONF.IV/28.

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# 263

## London Declaration on a Transformed North Atlantic Alliance

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*Issued by the Heads of State and Government Participating in the Meeting of the North Atlantic Council London, 5-6 July 1990\**

1. Europe has entered a new, promising era. Central and Eastern Europe is liberating itself. The Soviet Union has embarked on the long journey toward a free society. The walls that once confined people and ideas are collapsing. Europeans are determining their own destiny. They are choosing freedom. They are choosing economic liberty. They are choosing peace. They are choosing a Europe whole and free. As a consequence, this Alliance must and will adapt.

2. The North Atlantic Alliance has been the most successful defensive alliance in history. As our Alliance enters its fifth decade and looks ahead to a new century, it must continue to provide for the common defence. This Alliance has done much to bring about the new Europe. No one, however, can be certain of the future. We need to keep standing together, to extend the long peace we have enjoyed these past four decades. Yet, our Alliance must be even more an agent of change. It can help build the structures of a more united continent, supporting security and stability with the strength of our shared faith in democracy, the rights of the individual, and the peaceful resolution of disputes. We re-affirm that security and stability do not lie solely in the military dimension, and we intend to enhance the political component of our Alliance as provided for by Article 2 of our Treaty.

3. The Unification of Germany means that the division of Europe is also being overcome. A United Germany in the Atlantic Alliance of free democracies and part of the growing political and economic integration of the European Community will be an indispensable factor

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\* CD/1013.

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of stability, which is needed in the heart of Europe. The move within the European Community towards political union, including the development of a European identity in the domain of security, will also contribute to Atlantic solidarity and to the establishment of a just and lasting order of peace throughout the whole of Europe.

4. We recognise that, in the new Europe, the security of every State is inseparably linked to the security of its neighbours. NATO must become an institution where Europeans, Canadians and Americans work together not only for the common defence, but to build new partnerships with all the nations of Europe. The Atlantic Community must reach out to the countries of the East which were our adversaries in the Cold War, and extend to them the hand of friendship.

5. We will remain a defensive alliance and will continue to defend all the territory of all of our members. We have no aggressive intentions and we commit ourselves to the peaceful resolution of all disputes. We will never in any circumstance be the first to use force.

6. The member States of the North Atlantic Alliance propose to the member States of the Warsaw Treaty Organisation a joint declaration in which we solemnly state that we are no longer adversaries and reaffirm our intention to refrain from the threat or use of force against the territorial integrity or political independence of any State, or from acting in any other manner inconsistent with the purposes and principles of the United Nations Charter and with the CSCE Final Act. We invite all other CSCE member States to join us in this commitment to non-aggression.

7. In that spirit, and to reflect the changing political role of the Alliance, we today invite President Gorbachev on behalf of the Soviet Union, and representatives of the other Central and Eastern European countries to come to Brussels and address the North Atlantic Council. We today also invite the Governments of the Union of Soviet Socialist Republics, the Czech and Slovak Federal Republic, the Hungarian Republic, the Republic of Poland, the People's Republic of Bulgaria and Romania to come to NATO, not just to visit, but to establish regular diplomatic liaison with NATO. This will make it possible for us to share with them our thinking and deliberations in this historic period of change.

8. Our alliance will do its share to overcome the legacy of decades of suspicion. We are ready to intensify military contacts, including those of NATO Military Commanders, with Moscow and other Central and Eastern European capitals.

9. We welcome the invitation to NATO Secretary-General Manfred Wornier to visit Moscow and meet with Soviet leaders.

10. Military leaders from throughout Europe gathered earlier this year in Vienna to talk about their forces and doctrine. NATO proposes another such meeting this Autumn to promote common understanding. We intend to establish an entirely different quality of openness in Europe, including an agreement on "Open Skies".

11. The significant presence of North American conventional and United States nuclear forces in Europe demonstrates the underlying political compact that binds North America's fate to Europe's democracies. But, as Europe changes, we must profoundly alter the way we think about defence.

12. To reduce our military requirements, sound arms control agreements are essential. That is why we put the highest priority on completing this year the first treaty to reduce and limit conventional armed forces in Europe (CFE) along with the completion of a meaningful CSBM package. These talks should remain in continuous session until the work is done. Yet, we hope to go further. We propose that, once a CFE Treaty is signed, follow-on talks should begin with the same membership and mandate, with the goal of building on the current agreement with additional measures, including measures to limit manpower in Europe. With this goal in mind, a commitment will be given at the time of signature of the CFE Treaty concerning the manpower levels of a unified Germany.

13. Our objective will be to conclude the negotiations on the follow-on to CFE and CSBMs as soon as possible and looking to the follow-up meeting of the CSCE to be held in Helsinki in 1992. We will seek through new conventional arms control negotiations, within the CSCE framework, further far-reaching measures in the 1990s to limit the offensive capability of conventional armed forces in Europe, so as to prevent any nation from maintaining disproportionate military power on the continent. NATO's High Level Task Force will formulate a detailed position for these follow-on conventional arms control talks. We will make provisions as needed for different regions to redress disparities and to ensure that no one's security is harmed at any stage. Furthermore, we will continue to explore broader arms control and confidence-building opportunities. This is an ambitious agenda, but it matches our goal: enduring peace in Europe.

14. As Soviet troops leave Eastern Europe and a treaty limiting conventional armed forces is implemented, the Alliance's integrated

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force structure and its strategy will change fundamentally to include the following elements:

- NATO will field smaller and restructured active forces. These forces will be highly mobile and versatile so that Allied leaders will have maximum flexibility in deciding how to respond to a crisis. It will rely increasingly on multinational corps made up of national units.
- NATO will scale back the readiness of its active units, reducing training requirements and the number of exercises.
- NATO will rely more heavily on the ability to build up larger forces if and when they might be needed.

15. To keep the peace, the Alliance must maintain for the foreseeable future an appropriate mix of nuclear and conventional forces, based in Europe, and kept up to date where necessary. But, as a defensive Alliance, NATO has always stressed that none of its weapons will ever be used except in self-defense and that we seek the lowest and most stable level of nuclear forces needed to secure the prevention of war.

16. The political and military changes in Europe, and the prospects of further changes, now allow the Allies concerned to go further. They will thus modify the size and adapt the tasks of their nuclear deterrent forces. They have concluded that, as a result of the new political and military conditions in Europe, there will be a significantly reduced role for sub-strategic nuclear systems of the shortest range. They have decided specifically that, once negotiations begin on short-range nuclear forces, the Alliance will propose, in return for reciprocal action by the Soviet Union, the elimination of all its nuclear artillery shells from Europe.

17. New negotiations between the United States and the Soviet Union on the reduction of short-range nuclear forces should begin shortly after a CFE agreement is signed. The Allies concerned will develop an arms control framework for these negotiations which takes into account our requirements for far fewer nuclear weapons, and the diminished need for sub-strategic nuclear systems of the shortest range.

18. Finally, with the total withdrawal of Soviet stationed forces and the implementation of a CFE agreement, the Allies concerned can reduce their reliance on nuclear weapons. These will continue to fulfil an essential role in the overall strategy of the Alliance to prevent war by ensuring that there are no circumstances in which nuclear retaliation in response to military action might be discounted. However,

in the transformed Europe, they will be able to adopt a new NATO strategy making nuclear forces truly weapons of last resort

19. We approve the mandate given in Turnberry to the North Atlantic Council in Permanent Session to oversee the ongoing work on the adaptation of the Alliance to the new circumstances. It should report its conclusions as soon as possible.

20. In the context of these revised plans for defence and arms control, and with the advice of NATO Military Authorities and all member States concerned, NATO will prepare a new Allied military strategy moving away from "forward defence", where appropriate, towards a reduced forward presence and modifying "flexible response" to reflect a reduced reliance on nuclear weapons. In that connection, NATO will elaborate new force plans consistent with the revolutionary changes in Europe. NATO will also provide a forum for Allied consultation on the upcoming negotiations on short-range nuclear forces.

21. The Conference on Security and Co-operation in Europe (CSCE) should become more prominent in Europe's future, bringing together the countries of Europe and North America. We support a CSCE Summit later this year in Paris which would include the signature of a CFE agreement and would set new standards for the establishment, and preservation, of free societies. It should endorse, *inter alia*:

- CSCE principles on the right to free and fair elections;
- CSCE commitments to respect and uphold the rule of law;
- CSCE guidelines for enhancing economic co-operation, based on the development of free and competitive market economies; and
- CSCE co-operation on an environmental protection.

22. We further propose that the CSCE Summit in Paris decide how the CSCE can be institutionalised to provide a forum for wider political dialogue in a more united Europe. We recommend that CSCE Governments establish:

- a programme for regular consultations among member Governments at the Heads of State and Government or Ministerial level, at least once each year, with other periodic meetings of officials to prepare for and follow up on these consultations;
- a schedule of CSCE review conferences once every two years to assess progress toward a Europe whole and free;

- a small CSCE secretariat to co-ordinate these meetings and conferences;
- a CSCE mechanism to monitor elections in all the CSCE countries, on the basis of the Copenhagen Document;
- a CSCE Centre for the Prevention of Conflict that might serve as a forum for exchanges of military information, discussion of unusual military activities, and the conciliation of disputes involving CSCE member States; and
- a CSCE parliamentary body, the Assembly of Europe, to be based on the existing parliamentary assembly of the Council of Europe, in Strasbourg, and include representatives of all CSCE member States.

The sites of these new institutions should reflect the fact that the newly democratic countries of Central and Eastern Europe form part of the political structures of the new Europe.

23. Today, our Alliance begins a major transformation. Working with all the countries of Europe, we are determined to create enduring peace on this continent.



# 264

## Declaration by the States Parties to the Warsaw Treaty\*

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*Moscow, 7 June 1990*

The high-level representatives of the States parties to the Warsaw Treaty who gathered in Moscow on 7 June 1990 at a meeting of the Political Consultative Committee adopted the following statement.

### I

Current developments in Europe are creating the conditions for overcoming the bloc-based model of security and the division of the continent. These developments are becoming irreversible. They are in line with the interest of peoples in living in harmony, without artificial barriers or ideological enmity. The participants favour the establishment of a new, pan-European security system, and a united Europe of peace and co-operation.

The States which were represented at the meeting are actively participating in this dynamic process, and consequently consider it essential to review the nature and functions of the Warsaw Treaty. They are convinced that only thus can the Warsaw Treaty fulfil, in a period of transition, new urgent tasks related to disarmament and the creation of a pan-European security system.

The States parties to the Warsaw Treaty concur that the ideological image of the enemy has largely been overcome by the convergent efforts of East and West, while the very concepts of East and West are reacquiring purely geographical significance. They consider that danger could emanate only from those threatening the security of countries in any form, including threats of force or the use of force, whoever might be involved. Elements of confrontation contained in documents of the

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\* CD/1002.

Warsaw Treaty and the North Atlantic Alliance in past years no longer correspond to the spirit of the times.

In this new situation, the Governments which were represented at the meeting are undertaking a review of the nature, functions and activities of the Warsaw Treaty, as well as its transformation into a treaty among sovereign States with equal rights, built upon democratic foundations. For that purpose they have created a temporary commission of government plenipotentiaries which will submit appropriate concrete proposals to the Political Consultative Committee by the end of October 1990. The Committee will examine these proposals before the end of November 1990. In this way, the States parties to the Warsaw Treaty wish to contribute to strengthening peace, security and stability in Europe and furthering the Helsinki process.

The participants reaffirmed their readiness to co-operate constructively with the North Atlantic Alliance and its members, and also with the neutral and non-aligned States of the continent, on a bilateral and multilateral basis, in the interest of stability and disarmament in Europe, the strengthening of trust and the consolidation of the principle of defensive sufficiency.

The participants also consider that the consistent and comprehensive institutionalisation of the Helsinki process is an important step in this regard. This is the objective of proposals recently made by individual participants in CSCE. The participants in the meeting expect that the first important decisions on this problem will be adopted at the forthcoming summit meeting of European States, the United States and Canada.

The States parties to the Warsaw Treaty take a positive view of certain concrete steps recently taken by NATO. They expect that the trend towards changes in NATO that has been observed will become more rapid and more thorough-going, and also that it will be reflected in appropriate substantive changes in the Alliance's activities.

## II

The States parties to the Warsaw Treaty expressed their wish for a successful conclusion to the Vienna talks on conventional armed forces and on confidence-building and security-building measures in Europe, in order that agreements on these subjects can be adopted at a meeting of leaders of CSCE participating States at the end of 1990.

Concerning the external aspects of the unification of Germany, a general conviction was expressed that it should be effected in the context of the CSCE process and on the basis of the principles of that process, stimulating and intensifying its development, taking account of the legitimate security interests of Germany's neighbours and all other States', and furnishing firm guarantees of the inviolability of European frontiers.

The States which were represented at the meeting will actively promote the establishment of a European economic and juridical space, as well as the full realisation of fundamental human rights and freedoms.

The participants noted that the agreements reached at the meeting between the Presidents of the USSR and the United States are conducive to further progress towards disarmament and the improvement of the international situation.

The States parties to the Warsaw Treaty express their conviction that all States participating in the Helsinki process fully acknowledge their responsibility to ensure that the historic opportunity to create a Europe without blocs and enmity will not be missed.

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# 265

## **Final Declaration of the Third Review Conference of the Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof\***

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*Geneva, 28 September 1989*

### **Preamble**

The States Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof which met in Geneva in September 1989 in accordance with the provisions of Article VII to review the operation of the Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realised:

*Recognising* the continuing importance of the Treaty and its objectives,

*Recalling* the Final Declaration of the First Review Conference of the Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof held in Geneva from 20 June to 1 July 1977, as well as the Final Declaration of the Second Review Conference of the Parties to the Treaty held in Geneva from 12 to 23 September 1983.

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\* SBT/CONF.III/15.

*Affirming* their belief that universal adherence to the Treaty and particularly adherence by those States possessing nuclear weapons or any other weapons of mass destruction would enhance international peace and security.

*Recognising* that an arms race in nuclear weapons or any other types of weapons of mass destruction on the sea-bed would present a grave threat to international security.

*Recognising* also the importance of negotiations concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof.

*Considering* that a continuation of the trend towards a relaxation of tension and an increase of mutual trust in international relations would provide a favourable climate in which further progress can be made towards the cessation of the arms race and towards disarmament.

*Reaffirming* their conviction that the Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race, and towards a treaty on general and complete disarmament under strict and effective international control.

*Emphasising* the interest of all States, including specifically the interest of developing States, in the progress of the exploration and use of the sea-bed and the ocean floor and its resources for peaceful purposes.

*Affirming* that nothing contained in the Convention on the Law of the Sea of 10 December 1982 affects the rights and obligations assumed by States Parties under the Treaty.

*Taking note* of the information concerning the informal meeting held in 1989 under the auspices of the Conference on Disarmament as well as the communications from the Depositary Governments and other States,

*Appealing* to States to refrain from any action which might lead to the extension of the arms race to the sea-bed and ocean floor, and might impede the exploration and exploitation by States of the natural resources of the sea-bed and ocean floor for their economic development,

*Declare* as follows:

## **Purposes**

The States Parties to the Treaty reaffirm their strong common interest in avoiding an arms race on the sea-bed in nuclear weapons or any other types of weapons of mass destruction. They reaffirm their

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strong support for the Treaty, their continued dedication to its principles and objectives and their commitment to implement effectively its provisions.

### ***Article I***

The review undertaken by the Conference confirms that the obligations assumed under Article I of the Treaty have been faithfully observed by the States Parties. The Conference is convinced that the continued observance of this Article remains essential to the objective which all States Parties share of avoiding an arms race in nuclear weapons or any other type of weapons of mass destruction on the sea-bed.

### ***Article II***

The Conference reaffirms its support for the provisions of Article II which define the zone covered by the Treaty. The Conference agrees that the zone covered by the Treaty reflects the right balance between the need to prevent an arms race in nuclear weapons and any other types of weapons of mass destruction on the sea-bed and the right of States to control verification activities close to their own coasts. All States Parties to the Treaty confirm that they have not placed any nuclear weapons or other weapons of mass destruction on the sea-bed outside the zone of application of the Treaty as defined by its Article II and have no intention to do so.

### ***Article III***

The Conference notes with satisfaction that no State Party has found it necessary to invoke the provisions of Article III, paragraphs 2, 3, 4 and 5, dealing with international complaints and verification procedures. The Conference considers that the provisions for consultation and co-operation contained in paragraphs 2, 3 and 5 include the right of interested States Parties to agree to resort to various international consultative procedures. These procedures could include *ad hoc* consultative groups of experts in which all States Parties could participate, and other procedures. The Conference stresses the importance of co-operation between States Parties with a view to ensuring effective implementation of the international consultative procedures provided for in Article III of the Treaty, having regard also for the concerns expressed by some States Parties that they lack the technical means to carry out the verification procedures unaided.

The Conference reaffirms in the framework of Article III and Article IV that nothing in the verification provisions of this Treaty should be

interpreted as affecting or limiting, and notes with satisfaction that nothing in these provisions has been identified as affecting or limiting, the rights of States Parties recognised under international law and consistent with their obligations under the Treaty, including the freedom of the high seas and the rights of coastal States.

The Conference reaffirms that States Parties should exercise their rights under Article III with due regard for the sovereign rights of coastal States as recognised under international law.

#### **Article IV**

The Conference notes the importance of Article IV which provides that nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coast, including, *inter alia*, territorial seas and contiguous zones, or to the sea-bed and the ocean floor, including continental shelves. The Conference also noted that obligations assumed by State Parties to the Treaty arising from other international instruments continue to apply.

#### **Article V**

The Conference reaffirms the commitment undertaken in Article V to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof.

The Conference notes that negotiations aimed primarily at such measures have not yet taken place. Consequently, the Conference again requests that the Conference on Disarmament, in consultation with the States Parties to the Treaty, taking into account existing proposals and any relevant technological developments, proceed promptly with consideration of further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof.

At the same time, the Conference notes that other arms limitation and disarmament negotiations on measures with wider application that will contribute to the general objectives of the Treaty have been completed, are under way or are contemplated, and will, when successfully implemented, contribute to the effectiveness of the Treaty.

**Article VI**

The Conference notes that over the 17 years of the operation of the Treaty no State Party proposed any amendments to this Treaty according to the procedure laid down in this Article.

**Article VII**

The Conference notes with satisfaction the spirit of co-operation in which the Third Review Conference was held.

The Conference, recognising the importance of the review mechanism provided in Article VII, and having considered the question of the timing of the next Review Conference and the necessary preparations thereto, decides that the Fourth Review Conference shall be convened in Geneva, in principle not earlier than 1996, at the request to the Depositary Governments of a majority of States Parties to the Treaty, if they consider that relevant developments make this advisable. If the Fourth Review Conference is not convened in 1996, the Depositary Governments shall solicit the views of all States Parties to this Treaty on the holding of the Conference in 1997. If ten States Parties so request, the Depositary Governments shall take immediate steps to convene the Conference. If there is no such request, the Depositary Governments shall resolicit the views of States Parties at three-year intervals thereafter.

The Conference takes note of the fact that no information has been presented to it indicating that major technological developments have taken place since 1983 which affect the operation of the Treaty. The Conference, nevertheless, recognizes the need to keep such developments under continuing review, and the importance of relevant information in assisting States Parties to decide on the timing of the Fourth Review Conference.

To this end the Conference requests the Secretary-General of the United Nations to report by 1992, and every three years thereafter until the Fourth Review Conference is convened, on technological developments relevant to the Treaty and to the verification of compliance with the Treaty, including dual purpose technologies for peaceful and specified military ends. In carrying out this task the Secretary-General should draw from official sources and from contributions by States Parties to the Sea-Bed Treaty, and could use the assistance of appropriate expertise. The Review Conference urges all States Parties to the Treaty to assist the Secretary-General by providing information and drawing his attention to suitable sources.



***Article VIII***

The Conference notes with satisfaction that no State Party has exercised its rights to withdraw from the Treaty under Article VIII.

***Article IX***

The Conference reaffirms its conviction that nothing in the Treaty affects the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons.

***Article X***

The Conference stresses that the 17 years that have elapsed since the date of entry of the Treaty into force have demonstrated its effectiveness. At the same time, the Conference notes with concern that the goal of the Parties that the Treaty should enjoy universal acceptance has not yet been achieved.

The Conference welcomes the adherence of 10 States to the Treaty since the Second Review Conference, thus bringing the total number of Parties to 82. The Conference calls upon the States that have not yet become Parties, particularly those possessing nuclear weapons or any other types of weapons of mass destruction, to do so at the earliest possible date. Such adherence would be a further significant contribution to international confidence.

# 266

## Treaty for the Prohibition of Nuclear Weapons in Latin America (September 1989)

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This publication has been prepared with a view to providing, together with other issues in the Disarmament Facts series, background information on various aspects relating to the non-proliferation regime and to the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to be held in August-September 1990.

### **Background**

More than 20 years ago, on 14 February 1967, the Treaty for the Prohibition of Nuclear Weapons in Latin America was opened for signature in Tlatelolco, Mexico. Generally referred to as the "Treaty of Tlatelolco", it recalls the name of an ancient Aztec city which now forms a district of Mexico City. One of several international agreements designed to achieve the absence of nuclear weapons in certain areas or environments, it was the first treaty creating a nuclear-weapon-free zone in a densely populated region, Latin America and the Caribbean.

The Treaty was the culmination of an effort that originated in 1962, when Brazil proposed in the United Nations General Assembly that a denuclearised zone be created in Latin America. On 29 April 1963, the presidents of Bolivia, Brazil, Chile, Ecuador and Mexico issued a joint declaration to announce their willingness to sign a Latin American multilateral agreement by which the parties would undertake not "to manufacture, receive, store or test nuclear weapons or nuclear launching devices".

At the initiative of Mexico, a preparatory commission to draft a treaty was set up in Mexico City in 1964. The negotiators worked on the premise, later expressed in the preamble of the Treaty, that "the

military denuclearisation of Latin America... will constitute a measure which will spare their peoples from the squandering of their limited resources on nuclear armaments and will protect them against possible nuclear attacks on their territories, and will also constitute a significant contribution towards preventing the proliferation of nuclear weapons and a powerful factor for general and complete disarmament".

Provisions were drafted concerning the prohibition of nuclear weapons, the geographical scope of the Treaty, the definition of the term "nuclear weapon", the right to use nuclear energy for peaceful purposes and to conduct nuclear explosions for civilian application, and a control system to be administered by a special body, the Agency for the Prohibition of Nuclear Weapons in Latin America (known by its Spanish acronym OPANAL), and to include the submission of nuclear activities to the safeguards system of the International Atomic Energy Agency (IAEA). Two protocols, concerning extraregional States having responsibilities for territories in the zone of application and the nuclear-weapon States, were also drafted to protect the nuclear-weapon-free status of the zone and to assure zonal States against attacks with nuclear weapons.

In February 1967, the Treaty was opened for signature. According to its provisions, it enters into force for all parties that have ratified it as soon as the following requirements have been met: that all States in the zone be parties to the Treaty, that all States to which the Protocols apply adhere to them, and that relevant safeguards agreements be concluded with IAEA. However, according to Article 28, any State party may waive these requirements, in which case the Treaty enters into force for that State when the waiver is made.

On 5 December 1967 the General Assembly welcomed the Treaty of Tlatelolco "with great satisfaction" and declared that it constituted "an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security".

### **Main Provisions of the Treaty**

The main obligations of the parties to the Treaty are defined in Article 1, by which they undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories: (a) the testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and

(b) the receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the parties themselves, by anyone on their behalf or in any other way. The parties also undertake to refrain from engaging in, encouraging or authorising, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

The provisions of the Treaty and of the Protocols apply to their respective parties within a zone defined according to a series of geographical co-ordinates (see map at back of booklet). To the south it is contiguous with the Antarctic zone, which, by virtue of the demilitarised status conferred upon it by the Antarctic Treaty of 1959, is for all practical purposes a nuclear-weapon-free zone. To the west the Latin American zone is contiguous with the zone established by the South Pacific Nuclear Free Zone Treaty of 1985. The northern boundary of the Latin American zone expressly excludes the continental part of the territory of the United States and its territorial waters (Article 4).

Under Article 5 of the Treaty a nuclear weapon is defined as "any device which is capable of releasing nuclear energy in an uncontrollable manner and which has a group of characteristics that are appropriate for use for warlike purposes". Delivery vehicles, unless they form an indivisible part of the weapon, are not covered by the definition.

One of the fundamental concerns when negotiating the draft treaty was the question of the use of nuclear energy for peaceful purposes. The Treaty reflects the view that denuclearisation of the region should not prejudice the right of the parties to use nuclear energy for peaceful purposes (Article 17). It also makes clear that the parties may carry out nuclear explosions for peaceful purposes (Article 18)—including explosions which involve devices similar to those used in nuclear weapons—or collaborate with third parties for a similar purpose provided that the device exploded does not fall under the definition of nuclear weapons in Article 5 and that the party concerned, in advance of the date of any intended explosion, notifies OPANAL and IAEA of the following: the nature of the nuclear device and its origin, the location and purpose of the planned explosion, its force, the level of any possible radioactive fallout, and measures being undertaken to avoid danger to the population and the environment. Authorised officials and technical personnel of OPANAL and IAEA are accorded unrestricted access to any area in the vicinity of the site of the explosion.

When the Treaty was opened for signature in 1967, its provisions on verification and control, set out in Articles 12-16 and 18, marked

the first time that an international treaty prohibiting a category of weapons included an effective control system within its own permanent organs of supervision. The system operates under OPANAL, set up in 1969, and its three principal bodies: the General Conference, the Council and the Secretariat. The control system also calls for the full application of IAEA safeguards to all nuclear activities of the parties, and for reports, inspections, the observation of peaceful nuclear explosions, and exchanges of information. Reports on special inspections, provided for in cases of suspected violation of the Treaty, are to be submitted to the United Nations Security Council and the General Assembly.

### **Additional Protocols I and II**

The Treaty and its two Additional Protocols, which are integral parts of it, create a system of mutual rights and obligations among States of the region entitled to become parties to the Treaty and those extraregional States whose support for it is crucial to its viability.

Under Additional Protocol I, France, the Netherlands, the United Kingdom and the United States would agree to guarantee nuclear-weapon-free status to those territories for which they are, *de jure* or *de facto*, internationally responsible. To date, three of the four States have signed and ratified the Protocol. France, which signed it in 1979, has not yet ratified it, but it has declared that it will, at an appropriate time, make a decision regarding ratification, bearing in mind the status of the ratification of the Treaty itself.

Under Additional Protocol II, the five nuclear-weapon States, China, France, the Soviet Union, the United Kingdom and the United States, would undertake to respect fully the statute of denuclearisation established by the Treaty. They would also pledge not to use or threaten to use nuclear weapons against the parties to it. All five nuclear-weapon States have ratified this Protocol. Although the Treaty is not subject to reservations, the nuclear-weapon States have, with the exception of China, attached to their commitments interpretative statements in which they describe the circumstances under which they would consider that the security assurances of the Protocol might not apply.

The Treaty of Tlatelolco is, nevertheless, the first legal instrument by which all nuclear-weapon States have given security assurances to States that have voluntarily renounced the possession and use of nuclear weapons.

## Treaty System in Practice

The Treaty has so far entered into force for 23 Latin American and Caribbean States that have ratified it and waived the requirements for entry into force (Article 28). Among the States within the zone of application for which the Treaty is not in force are Argentina and Brazil, the two countries of the region that are the most advanced in nuclear technology. Argentina has signed but not ratified the Treaty, and Brazil has ratified it but not waived the requirements under Article 28. Chile, like Brazil, is not a full party to the Treaty. One of the main concerns referred to by States critical of the Treaty is that it does not allow for adequate and reliable procedures to verify the nuclear-weapon States' compliance with the obligations that they have undertaken in Protocol II. Cuba has not signed the Treaty, declaring that it is unable to renounce unilaterally its right to possess any type of arms while a part of its national territory, Guantanamo, continues to be illegally occupied by the United States.

Although the Treaty permits parties to carry out nuclear explosions for peaceful purposes if the explosive devices used do not have characteristics appropriate for warlike use, it is becoming increasingly accepted that it is not possible to distinguish between a device that can produce a peaceful nuclear explosion and one that can serve as a nuclear weapon or can be used for any purpose other than the declared one. The practicality and applicability of this provision have, consequently, been the subject of much discussion.

At present, the Treaty's provisions apply to the whole of the territory of those parties for which the Treaty is in force (i.e. those parties which have waived the requirements under Article 28), but as can be seen from the map, the zone in which the provisions of the Treaty are intended to apply once it has entered fully into force will include considerable additional sea areas. In these areas, however, the Treaty's provisions will apply only to its parties and to parties that have ratified the Additional Protocols; they will not affect the exercise of the rights of other States under international law with regard to the freedom of the seas.

The Treaty prevents parties from transporting nuclear weapons in their territories, but it does not refer to the transit of weapons by non-parties through parties' territorial airspace or seas. In its Final Act, the Preparatory Commission for the Treaty gave the interpretation that each of the Treaty's parties under international law retained legal competence, with regard to its own territorial water, to grant non-parties transit permission. This interpretation has, however, not

been undisputed. For instance, the Soviet Union has declared that the granting of permission for the transit of nuclear weapons through the territory of a State party would constitute a violation of the spirit of the Treaty, and China has made a similar observation.

Eighteen parties to the Treaty have concluded safeguards agreements with IAEA either under the provisions of the Treaty of Tlatelolco and/or the non-proliferation Treaty, or individually or together with other States. The safeguards agreements are of special importance. The agreements permit the carrying out of systematic and periodic inspections of nuclear installations located in the territories of the individual countries to ensure that nuclear materials or equipment and information are not diverted from peaceful to military uses, and they therefore serve to build confidence in the region and outside that the provisions of the Treaty are being complied with. Safeguards agreements have also been concluded under Additional Protocol I of the Treaty.

The Treaty of Tlatelolco enhances the security of the countries of the region by reducing the risk of a nuclear-arms race among them, with all the danger and cost that it would entail, and, as a contribution to the world-wide nuclear non-proliferation regime, it constitutes an important confidence-building measure by ensuring, through its control and verification system, that parties to the Treaty do not possess and will not acquire nuclear weapons.

**Note:** The following are the principal reservations of parties to Protocol II:

- (a) Any amendment to the Treaty will not be binding upon the party to the Protocol without its express consent (France and the Soviet Union).
- (b) The Treaty's definition of a nuclear weapon encompasses all nuclear explosive devices, and therefore nuclear explosions for both peaceful and warlike purposes are prohibited (Soviet Union, United Kingdom and United States).
- (c) The party to the Protocol will reconsider its obligations under the Protocol in the event of an act of aggression by a party supported by a nuclear-weapon State (Soviet Union, United Kingdom and United States).
- (d) Obligations under the Protocol are without prejudice to the full exercise of the party's right of self-defence confirmed by Article 51 of the Charter of the United Nations (France).

- (e) The signature of the party to the Protocol does not signify recognition of the possibility of applying the Treaty beyond the territories of States parties (Soviet Union).
- (f) The granting of permission for the transit of nuclear weapons through the territory of a State party would constitute a violation of the spirit of the Treaty (Soviet Union).

**LIST OF PARTIES TO THE TREATY OF TLATELOLCO  
AS OF 31 JULY 1989**

Antigua and Barbuda, Bahamas, Barbados, Bolivia, Brazil (not full party), Chile (not full party), Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Trinidad and Tobago, Uruguay and Venezuela.

(Argentina and Dominica have signed the Treaty)



# 267

## **Excerpts from the Declaration of the Heads of State or Government Participating in the Meeting of the North Atlantic Council**

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*Brussels, 29-30 May 1989*

### I

#### **NATO's 40 Years of Success**

1. As our Alliance celebrates its 40th Anniversary, we measure its achievements with pride. Founded in troubled times to safeguard our security, it has withstood the test of four decades, and has allowed our countries to enjoy in freedom one of the longest periods of peace and prosperity in their history. The Alliance has been a fundamental element of stability and co-operation. These are the fruits of a partnership based on enduring common values and interests, and on unity of purpose.

2. Our meeting takes place at a juncture of unprecedented change and opportunities. This is a time to look ahead, to chart the course of our Alliance and to set our agenda for the future.

### II

#### **Maintaining Our Defence**

10. Peace must be worked for; it can never be taken for granted. The greatly improved East-West political climate offers prospects for a stable and lasting peace, but experience teaches us that we must remain prepared. We can overlook neither the capabilities of the Warsaw Treaty countries for offensive military action, nor the potential hazards resulting from severe political strain and crisis.

11. A strong and united Alliance will remain fundamental not only for the security of our countries but also for our policy of supporting political change. It is the basis for further successful negotiations on arms control and on measures to strengthen mutual confidence through improved transparency and predictability. Military security and policies aimed at reducing tensions as well as resolving underlying political differences are not contradictory but complementary. Credible defence based on the principle of the indivisibility of security for all member countries will thus continue to be essential to our common endeavour.

12. For the foreseeable future, there is no alternative to the Alliance strategy for the prevention of war. This is a strategy of deterrence based upon an appropriate mix of adequate and effective nuclear and conventional forces which will continue to be kept up-to-date where necessary. We shall ensure the viability and credibility of these forces, while maintaining them at the lowest possible level consistent with our security requirements.

13. The presence of North American conventional and nuclear forces in Europe remains vital to the security of Europe just as Europe's security is vital to that of North America. Maintenance of this relationship requires that the Allies fulfil their essential commitments in support of the common defence. Each of our countries will accordingly assume its fair share of the risks, roles and responsibilities of the Atlantic partnership. Growing European political unity can lead to a reinforced European component of our common security effort and its efficiency. It will be essential to the success of these efforts to make the most effective use of resources made available for our security. To this end, we will seek to maximise the efficiency of our defence programmes and pursue solutions to issues in the area of economic and trade policies as they affect our defence. We will also continue to protect our technological capabilities by effective export controls on essential strategic goods.

### **Initiatives on Arms Control**

14. Arms control has always been an integral part of the Alliance's security policy and of its overall approach to East-West relations, firmly embedded in the broader political context in which we seek the improvement of those relations.

15. The Allies have consistently taken the lead in developing the conceptual foundations for arms control, identifying areas in which the negotiating partners share an interest in achieving a mutually satisfactory result while safeguarding the legitimate security interests of all.

16. Historic progress has been made in recent years, and we now see prospects for further substantial advances. In our determined effort to reduce the excessive weight of the military factor in the East-West relationship and increasingly to replace confrontation by co-operation, we can now exploit fully the potential of arms control as an agent of change.

17. We challenge the members of the Warsaw Treaty Organisation to join us in accelerating efforts to sign and implement an agreement which will enhance security and stability in Europe by reducing conventional armed forces. To seize the unique opportunity at hand, we intend to present a proposal that will amplify and expand on the position we tabled at the opening of the CFE negotiations on 9 March. We will:

- Register agreement, based on the ceilings already proposed in Vienna, on tanks, armoured troop carriers and artillery pieces held by members of the two Alliances in Europe, with all of the withdrawn equipment to be destroyed. Ceilings on tanks and armoured troop carriers will be based on proposals already tabled in Vienna; definitional questions on artillery pieces remain to be resolved;
- Propose a 20 per cent cut in combat manpower in US stationed forces, and a resulting ceiling on US and Soviet ground and air force personnel stationed outside of national territory in the Atlantic-to-the-Urals zone at approximately 275,000. This ceiling would require the Soviet Union to reduce its forces in Eastern Europe by some 325,000. United States and Soviet forces withdrawn will be demobilised;
- Seek such an agreement within six months to a year and accomplish the reductions by 1992 or 1993. Accordingly, we have directed the Alliance's High Level Task Force on conventional arms control to complete the further elaboration of this proposal, including its verification elements, so that it may be tabled at the beginning of the third round of the CFE negotiations, which opens on 7 September 1989.

18. We consider as an important initiative President Bush's call for an "open skies" regime intended to improve confidence among States through reconnaissance flights, and to contribute to the transparency of military activity, to arms control and to public awareness. It will be the subject of careful study and wide-ranging consultations.

19. Consistent with the principles and objectives set out in our Comprehensive Concept of Arms Control and Disarmament which we

have adopted at this meeting, we will continue to use arms control as a means to enhance security and stability at the lowest possible level of armed forces, and to strengthen confidence by further appropriate measures. We have already demonstrated our commitment to these objectives, both by negotiations and by unilateral action, resulting since 1979 in reductions of over one-third of the nuclear holdings assigned to SACEUR in Europe.

### **Global Challenges**

29. World-wide developments which affect our security interests are legitimate matters for consultation and, where appropriate, co-ordination among us. Our security is to be seen in a context broader than the protection from war alone.

30. Regional conflicts continue to be of major concern. The co-ordinated approach of Alliance members recently has helped towards settling some of the world's most dangerous and longstanding disputes. We hope that the Soviet Union will increasingly work with us in positive and practical steps towards diplomatic solutions to those conflicts that continue to preoccupy the international community.

31. We will seek to contain the newly emerging security threats and destabilising consequences resulting from the uncontrolled spread and application of modern military technologies.

32. In the spirit of Article 2 of the Washington Treaty, we will increasingly need to address world-wide problems which have a bearing on our security, particularly environmental degradation, resource conflicts and grave economic disparities. We will seek to do so in the appropriate multilateral forums, in the widest possible co-operation with other States.

33. We will each further develop our close co-operation with the other industrial democracies akin to us in their objectives and policies.

34. We will redouble our efforts in a reinvigorated United Nations, strengthening its role in conflict settlement and peace-keeping, and in its larger endeavours for world peace.

### **The Future of the Alliance**

37. At this time of unprecedented promise in international affairs, we will respond to the hopes that it offers. The Alliance will continue to serve as the cornerstone of our security, peace and freedom. Secure on this foundation, we will reach out to those who are willing to join us in shaping a more stable and peaceful international environment in the service of our societies.

# 268

## **Final Declaration of the Conference of States Parties to the 1925 Geneva Protocol and other Interested States on the Prohibition of Chemical Weapons**

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*Paris, 7-11 January 1989*

The representatives of States participating in the Conference on the Prohibition of Chemical Weapons, bringing together States Parties to the Geneva Protocol of 1925 and other interested States in Paris from 7 to 11 January 1989, solemnly declare the following:

1. The participating States are determined to promote international peace and security throughout the world in accordance with the Charter of the United Nations and to pursue effective disarmament measures. In this context, they are determined to prevent any recourse to chemical weapons by completely eliminating them. They solemnly affirm their commitments not to use chemical weapons and condemn such use. They recall their serious concern at recent violations as established and condemned by the competent organs of the United Nations. They support the humanitarian assistance given to the victims affected by chemical weapons.

2. The participating States recognise the importance and continuing validity of the Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases and bacteriological methods of warfare, signed on 17 June 1925 in Geneva. The States Parties to the Protocol solemnly reaffirm the prohibition as established in it. They call upon all States which have not yet done so to accede to the Protocol.

3. The participating States stress the necessity of concluding, at an early date, a Convention on the prohibition of the development, production, stockpiling and use of all chemical weapons, and on their

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destruction. This Convention shall be global and comprehensive and effectively verifiable. It should be of unlimited duration. To this end, they call on the Conference on Disarmament in Geneva to redouble its efforts, as a matter of urgency, to resolve expeditiously the remaining issues and to conclude the Convention at the earliest date. All States are requested to make, in an appropriate way, a significant contribution to the negotiations in Geneva by undertaking efforts in the relevant fields. The participating States therefore believe that any State wishing to contribute to these negotiations should be able to do so. In addition, in order to achieve as soon as possible the indispensable universal character of the Convention, they call upon all States to become parties thereto as soon as it is concluded.

4. The participating States are gravely concerned by the growing danger posed to international peace and security by the risk of the use of chemical weapons as long as such weapons remain and are spread. In this context, they stress the need for the early conclusion and entry into force of the Convention, which will be established on a non-discriminatory basis. They deem it necessary, in the meantime, for each State to exercise restraint and to act responsibly in accordance with the purpose of the present declaration.

5. The participating States confirm their full support for the United Nations in the discharge of its indispensable role, in conformity with its Charter. They affirm that the United Nations provides a framework and an instrument enabling the international community to exercise vigilance with respect to the prohibition of the use of chemical weapons. They confirm their support for appropriate and effective steps taken by the United Nations in this respect in conformity with its Charter. They further reaffirm their full support for the Secretary-General in carrying out his responsibilities for investigations in the event of alleged violations of the Geneva Protocol. They express their wish for early completion of the work undertaken to strengthen the efficiency of existing procedures and call for the co-operation of all States, in order to facilitate the action of the Secretary-General.

6. The participating States, recalling the Final Document of the First Special Session of the United Nations General Assembly devoted to Disarmament in 1978, underline the need to pursue with determination their efforts to secure general and complete disarmament under effective international control so as to ensure the right of all States to peace and security.

# 269

## **Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in this Field**

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*5 December 1988*

*The General Assembly,*

*Recognising* the important role that the United Nations and its organs can play in the prevention and removal of international disputes and situations which may lead to international friction or give rise to an international dispute, the continuance of which may threaten the maintenance of international peace and security (hereafter: "disputes" or "situations"), within their respective functions and powers under the Charter of the United Nations,

*Convinced* that the strengthening of such a role of the United Nations will enhance its effectiveness in dealing with questions relating to the maintenance of international peace and security and in promoting the peaceful settlement of international disputes,

*Recognising* the fundamental responsibility of States for the prevention and removal of disputes and situations,

*Recalling* that the peoples of the United Nations are determined to practise tolerance and live together in peace with one another as good neighbours,

*Bearing in mind* the right of all States to resort to peaceful means of their own choice for the prevention and removal of disputes or situations,

*Reaffirming* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the Manila Declaration on the Peaceful Settlement of International Disputes and the Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations,

*Recalling* that it is the duty of States to refrain in their international relations from military, political, economic or any other form of coercion against the political independence or territorial integrity of any State,

*Calling upon* States to co-operate fully with the relevant organs of the United Nations and to support actions taken by them in accordance with the Charter relating to the prevention or removal of disputes and situations,

*Bearing in mind* the obligation of States to conduct their relations with other States in accordance with international law, including the principles of the United Nations,

*Reaffirming* the principle of equal rights and self-determination of peoples,

*Recalling* that the Charter confers on the Security Council the primary responsibility for the maintenance of international peace and security, and that the Member States have agreed to accept and carry out its decisions in accordance with the Charter,

*Recalling also* the important role conferred by the Charter on the General Assembly and the Secretary-General in the maintenance of international peace and security,

## **1. Solemnly Declares That**

1. States should act so as to prevent in their international relations the emergence or aggravation of disputes or situations, in particular by fulfilling in good faith their obligations under international law;

2. In order to prevent disputes or situations, States should develop their relations on the basis of the sovereign equality of States and in such a manner as to enhance the effectiveness of the collective security system through the effective implementation of the provisions of the Charter of the United Nations;

3. States should consider the use of bilateral or multilateral consultations in order better to understand each other's views, positions and interests;



4. States party to regional arrangements or members of agencies referred to in Article 52 of the Charter should make every effort to prevent or remove local disputes or situations through such arrangements and agencies;

5. States concerned should consider approaching the relevant organs of the United Nations in order to obtain advice or recommendations on preventive means for dealing with a dispute or situation;

6. Any State party to a dispute or directly concerned with a situation, particularly if it intends to request a meeting of the Security Council, should approach the Council, directly or indirectly, at an early stage and, if appropriate, on a confidential basis;

7. The Security Council should consider holding from time to time meetings, including at a high level with the participation, in particular, of Ministers, for Foreign Affairs, or consultations to review the international situation and search for effective ways of improving it;

8. In the course of the preparation for the prevention or removal of particular disputes or situations, the Security Council should consider making use of the various means at its disposal, including the appointment of the Secretary-General as rapporteur for a specified question;

9. When a particular dispute or situation is brought to the attention of the Security Council without a meeting being requested, the Council should consider holding consultations with a view to examining the facts of the dispute or situation and keeping it under review, with the assistance of the Secretary-General when needed; the States concerned should have the opportunity of making their views known;

10. In such consultations, consideration should be given to employing such informal methods as the Security Council deems appropriate, including confidential contacts by its President;

11. In such consultations the Security Council should consider, *inter alia*:

- (a) Reminding the States concerned to respect their obligations under the Charter;
- (b) Making an appeal to the States concerned to refrain from any action which might give rise to a dispute or lead to the deterioration of the dispute or situation;
- (c) Making an appeal to the States concerned to take action which might help to remove, or to prevent the continuation or deterioration of, the dispute or situation;

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12. The Security Council should consider sending, at an early stage, fact-finding or good offices missions or establishing appropriate forms of United Nations presence, including observers and peace-keeping operations, as a means of preventing the further deterioration of the dispute or situation in the areas concerned;

13. The Security Council should consider encouraging and, where appropriate, endorsing efforts at the regional level by the States concerned or by regional arrangements or agencies to prevent or remove a dispute or situation in the region concerned;

14. Taking into consideration any procedures that have already been adopted by the States directly concerned, the Security Council should consider recommending to them appropriate procedures or methods of settlement of disputes or adjustment of situations, and such terms of settlement as it deems appropriate;

15. The Security Council, if it is appropriate for promoting the prevention and removal of disputes or situations, should, at an early stage, consider making use of the provisions of the Charter concerning the possibility of requesting the International Court of Justice to give an advisory opinion on any legal question;

16. The General Assembly should consider making use of the provisions of the Charter in order to discuss disputes or situations, when appropriate, and, in accordance with Article 11 and subject to Article 12 of the Charter, making recommendations;

17. The General Assembly should consider, where appropriate, supporting efforts undertaken at the regional level by the States concerned or by regional arrangements or agencies, to prevent or remove a dispute or situation in the region concerned;

18. If a dispute or situation has been brought before it, the General Assembly should consider including in its recommendations making more use of fact-finding capabilities, in accordance with Article 11 and subject to Article 12 of the Charter;

19. The General Assembly, if it is appropriate for promoting the prevention and removal of disputes or situations, should consider making use of the provisions of the Charter concerning the possibility of requesting the International Court of Justice to give an advisory opinion on any legal question;

20. The Secretary-General, if approached by a State or States directly concerned with a dispute or situation, should respond swiftly by urging the States to seek a solution or adjustment by peaceful

means of their own choice under the Charter and by offering his good offices or other means at his disposal, as he deems appropriate;

21. The Secretary-General should consider approaching the States directly concerned with a dispute or situation in an effort to prevent it from becoming a threat to the maintenance of international peace and security,

22. The Secretary-General should, where appropriate, consider making full use of fact-finding capabilities, including, with the consent of the host State, sending a representative or fact-finding missions to areas where a dispute or a situation exists; where necessary, the Secretary-General should also consider making the appropriate arrangements;

23. The Secretary-General should be encouraged to consider using, at as early a stage as he deems appropriate, the right that is accorded to him under Article 99 of the Charter;

24. The Secretary-General should, where appropriate, encourage efforts undertaken at the regional level to prevent or remove a dispute or situation in the region concerned;

25. Should States fail to prevent the emergence or aggravation of a dispute or situation, they shall continue to seek a settlement by peaceful means in accordance with the Charter;

2. *Declares* that nothing in the present Declaration shall be construed as prejudicing in any manner the provisions of the Charter, including those contained in Article 2, paragraph 7, thereof, or the rights and duties of States, or the scope of the functions and the powers of United Nations organs under the Charter, in particular those relating to the maintenance of international peace and security;

3. *Also declares* that nothing in the present Declaration could in any way prejudice the right to self-determination, freedom and independence of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, particularly peoples under colonial or racist regimes or other forms of alien domination.

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# 270

## Declaration on the Enhancement of the Effectiveness of the Principle of Refraining from the Threat or Use of Force in International Relations

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18 November 1987

*The General Assembly,*

*Recalling* the principle that 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,

*Recalling* that this principle is enshrined in Article 2, paragraph 4, of the Charter of the United Nations and has been reaffirmed in a number of international instruments,

*Reaffirming* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the Definition of Aggression and the Manila Declaration on the Peaceful Settlement of International Disputes,

Reaffirming the obligation to maintain international peace and security in conformity with the purposes of the United Nations,

*Expressing* deep concern at the continued existence of situations of conflict and tension and the impact of the persistence of violations of the principle of refraining from the threat or use of force on the maintenance of international peace and security, as well as at the loss of human life and material damage in the countries affected, the development of which may thereby be set back,

*Desiring* to remove the risk of new armed conflicts between States by promoting a change in the international climate from confrontation

to peaceful relations and co-operation and by taking other appropriate measures to strengthen international peace and security,

*Convinced* that, in the present world situation, in which nuclear weapons exist, there is no reasonable alternative to peaceful relations among States,

*Fully aware* that the question of general and complete disarmament is of the utmost importance and that peace, security, fundamental freedoms and economic and social development are indivisible,

*Noting with concern* the pernicious impact of terrorism on international relations,

*Stressing* the need for all States to desist from any forcible action aimed at depriving peoples of their right to self-determination, freedom and independence,

*Reaffirming* the obligation of States to settle their international disputes by peaceful means,

*Conscious* of the importance of strengthening the United Nations system of collective security,

*Bearing in mind* the universal significance of human rights and fundamental freedoms as essential factors for international peace and security,

*Convinced* that States have a common interest in promoting a stable and equitable world economic environment as an essential basis for world peace and that, to that end, they should strengthen international co-operation for development and work towards a new international economic order,

*Reaffirming* the commitment of States to the basic principle of the sovereign equality of States,

*Reaffirming* the inalienable right of every State to choose its political, economic, and social and cultural systems without interference in any form by another State,

*Recalling* that States are under an obligation not to intervene directly or indirectly, for any reason whatever, in the internal or external affairs of any other State,

*Reaffirming* the duty of States to refrain in their international relations from military, political, economic or any other form of coercion aimed against the political independence or territorial integrity of any State,

*Reaffirming* the principle of equal rights and self-determination of peoples enshrined in the Charter,

*Reaffirming* that States shall fulfil in good faith all their obligations under international law,

*Aware* of the urgent need to enhance the effectiveness of the principle that States shall refrain from the threat or use of force in order to contribute to the establishment of lasting peace and security for all States,

1. *Solemnly declares that:*

I

1. Every State has the duty to refrain in its 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. Such a threat or use of force constitutes a violation of international law and of the Charter of the United Nations, and entails international responsibility.

2. The principle of refraining from the threat or use of force in international relations is universal in character and is binding, regardless of each State's political, economic, social or cultural system or relations of alliance.

3. No consideration of whatever nature may be invoked to warrant resorting to the threat or use of force in violation of the Charter.

4. States have the duty not to urge, encourage or assist other States to resort to the threat or use of force in violation of the Charter.

5. By virtue of the principle of equal rights and self-determination enshrined in the Charter, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.

6. States shall fulfil their obligations under international law to refrain from organising, instigating, or assisting or participating in paramilitary, terrorist or subversive acts, including acts of mercenaries, in other States, or acquiescing in organised activities within their territory directed towards the commission of such acts.

7. States have the duty to abstain from armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements.

8. No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain

from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind.

9. In accordance with the purposes and principles of the United Nations, States have the duty to refrain from propaganda for wars of aggression.

10. Neither acquisition of territory resulting from the threat or use of force nor any occupation of territory resulting from the threat or use of force in contravention of international law will be recognised as legal acquisition or occupation.

11. A treaty is void if its conclusion has been procured by the threat or use of force in violation of the principles of international law embodied in the Charter.

12. In conformity with the Charter and in accordance with the relevant paragraphs of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, States shall fulfil in good faith all their international obligations.

13. States have the inherent right of individual or collective self-defence if an armed attack occurs, as set forth in the Charter.

## II

14. States shall make every effort to build their international relations on the basis of mutual understanding, trust, respect and co-operation in all areas.

15. States should also promote bilateral and regional co-operation as one of the important means to enhance the effectiveness of the principle of refraining from the threat or use of force in international relations.

16. States shall abide by their commitment to the principle of peaceful settlement of disputes, which is inseparable from the principle of refraining from the threat or use of force in their international relations.

17. States parties to international disputes shall settle their disputes exclusively by peaceful means in such a manner that international peace and security, and justice, are not endangered. For this purpose they shall utilise such means as negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice, including good offices.

18. States shall take effective measures which, by their scope and by their nature, constitute steps towards the ultimate achievement of general and complete disarmament under strict and effective international control.

19. States should take effective measures in order to prevent the danger of any armed conflicts, including those in which nuclear weapons could be used, to prevent an arms race in outer space and to halt and reverse it on Earth, to lower the level of military confrontation and to enhance global stability.

20. States should co-operate in order to undertake active efforts aimed at ensuring the relaxation of international tensions, the consolidation of the international legal order and the respect of the system of international security established by the Charter of the United Nations.

21. States should establish appropriate confidence-building measures aimed at preventing and reducing tensions and at creating a better climate among them.

22. States reaffirm that the respect for effective exercise of all human rights and fundamental freedoms and protection thereof are essential factors for international peace and security, as well as for justice and the development of friendly relations and co-operation among all States. Consequently, they should promote and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion, *inter alia*, by strictly complying with their international obligations and considering, as appropriate, becoming parties to the principal international instruments in this field.

23. States shall co-operate at the bilateral, regional and international levels in order to:

- (a) Prevent and combat international terrorism;
- (b) Contribute actively to the elimination of the causes underlying international terrorism.

24. States shall endeavour to take concrete measures and promote favourable conditions in the international economic environment in order to achieve international peace, security and justice; they will take into account the interest of all in the narrowing of the differences in the levels of economic development, and in particular the interest of developing countries throughout the world.



**III**

25. The competent United Nations organs should make full use of the provisions of the Charter of the United Nations in the field of the maintenance of international peace and security with a view to enhancing the effectiveness of the principle of refraining from the threat or use of force in international relations.

26. States should co-operate fully with the organs of the United Nations in supporting their action relating to the maintenance of international peace and security and to the peaceful settlement of international disputes in accordance with the Charter. In particular, they should enhance the role of the Security Council so that it can fully and effectively discharge its duties. In this regard, the permanent members of the Council have a special responsibility under the Charter.

27. States should strive to enhance the effectiveness of the collective security system through the effective implementation of the provisions of the Charter, particularly those relating to the special responsibilities of the Security Council in this regard. They should also fully discharge their obligations to support United Nations peace-keeping operations decided upon in accordance with the Charter. States shall accept and carry out the decisions of the Council in accordance with the Charter.

28. States should give the Security Council every possible type of assistance in all actions taken by it for the just settlement of crisis situations and regional conflicts. They should strengthen the part the Council can play in preventing disputes and situations the continuation of which is likely to endanger the maintenance of international peace and security. They should facilitate the task of the Council in reviewing situations of potential danger for international peace and security at as early a stage as possible.

29. The fact-finding capacity of the Security Council should be enhanced on an ad hoc basis in accordance with the Charter.

30. States should give full effect to the important role conferred by the Charter on the General Assembly in the area of peaceful settlement of disputes and the maintenance of international peace and security.

31. States should encourage the Secretary-General to exercise fully his functions with regard to the maintenance of international peace and security and the peaceful settlement of disputes, in accordance with the Charter, including those under Articles 98 and 99, and fully co-operate with him in this respect.

32. States should take into consideration that legal disputes should, as a general rule, be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court as an important factor for strengthening the maintenance of international peace and security. The General Assembly and the Security Council should consider making use of the provisions of the Charter concerning the possibility of requesting the Court to give an advisory opinion on any legal question.

33. States parties to regional arrangements or agencies should consider making greater use of such arrangements and agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate, pursuant to Article 52 of the Charter;

2. *Declares* that nothing in the present Declaration shall be construed as:

- (a) Enlarging or diminishing in any way the scope of the provisions of the Charter concerning cases in which the use of force is lawful;
- (b) Prejudicing in any manner the relevant provisions of the Charter on the rights and duties of Member States or the scope of the functions and powers of the United Nations organs under the Charter, in particular those relating to the threat or use of force;

3. *Declares* that nothing in the present Declaration could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter, of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, particularly peoples under colonial and racist regimes or other forms of alien domination, nor the right of these peoples to struggle to that end and to seek and receive support, in accordance with the principles of the Charter and in conformity with the above-mentioned Declaration;

4. *Confirms* that, in the event of a conflict between the obligations of Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter will prevail in accordance with Article 103 of the Charter.

# 271

## **Declaration Issued on the Occasion of the Fifth Anniversary of the Launching of the Six-Nation Initiative, 1987**

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When the Six-Nation Initiative was launched in 1984, the international situation presented a sombre picture. Relations between the super-Powers were marked by distrust and suspicion, and absence of constructive dialogue. The arms race continued unabated with little being done to alleviate and eventually eliminate the threat of nuclear war. There was urgent need for common action, an impulse to peace. The Six-Nation Initiative was born out of this conviction.

We come from diverse parts of the globe but are united in our common concern for the future of humankind. We seek to represent not only our own people but the aspirations of millions spread over all continents and countries, including those within nuclear-weapon States, who want to see a world free from the threat of war, free from the fear of nuclear annihilation.

In the five years since May 1984, the international situation has seen important changes. The relationship between the two super-Powers has improved. There has been progress on arms limitation and disarmament measures. It has given us grounds for optimism. Perhaps, for the first time since the Second World War, a genuine opportunity exists for a radical departure from the confrontationist policies of the past. Events of the last two years have shown that, given political will, no obstacle is insurmountable.

At our meeting at Stockholm last year, we hailed the INF Treaty as the first step in the process of nuclear disarmament. We also welcomed the political commitment of the Soviet Union and the United States to reduce their strategic nuclear weapons by 50 per cent. We urge them not to lose the momentum towards disarmament, but instead

to give an added impulse to accelerate the process. We call upon them to conclude negotiations on strategic arms reductions as soon as possible.

We, as members of the Six-Nation Initiative, also stress that much more remains to be done before one can be confident that the disarmament process is irreversibly under way. We take satisfaction that one of our initial objectives has been achieved with the creation of a more conducive climate of international relations.

But other challenges remain:

- (a) A comprehensive test ban treaty to be adhered to by all States is now more imperative than ever;
- (b) Nuclear warheads from dismantled arms systems must not be allowed to be used in other weapons systems;
- (c) A multilateral verification system in the field of disarmament should be established within the framework of the United Nations as soon as possible;
- (d) An international agreement banning all use of nuclear weapons, under any circumstances, should be concluded;
- (e) The threat of chemical warfare must be eliminated, through the speedy conclusion of the convention on chemical weapons;
- (f) Outer space must be prevented from being turned into an arena for the arms race and military confrontation;
- (g) Reduction and elimination of nuclear weapons within a time-bound framework.

In the five years, since we launched our initiative, we have been encouraged by the support we have received from Governments and parliaments, from the scientific community, from educational institutions, from people and non-governmental organisations across the world.

In the final analysis, disarmament is not just about ceilings and conventions, warheads and launchers, even treaties and resolutions. It is about people and about the waste of human and material resources now being devoted to weapons of mass destruction. Poverty and hunger, disease and unemployment stalk vast sections of humanity. These are issues too urgent to neglect.

The dialogue we called for five years ago has now been well initiated. The climate of distrust has changed. There is, in fact, a new search for common security for which we had endeavoured in our initiative. We

now believe that the purpose of the initiative, can best be pursued through the United Nations.

This quest for security presents enormous challenges and opportunities for the future. And we the Six of us are prepared to continue to work together, and also with others in the United Nations and other international forums, for the finest aim of all: to assure the world of a future in peace and security.

# 272

## Declaration on the Right of Peoples to Peace

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12 November 1984

*The General Assembly,*

*Reaffirming* that the principal aim of the United Nations is the maintenance of international peace and security,

*Bearing in mind* the fundamental principles of international law set forth in the Charter of the United Nations,

*Expressing* the will and the aspirations of all peoples to eradicate war from the life of mankind and, above all, to avert a world-wide nuclear catastrophe,

*Convinced* that life without war serves as the primary international prerequisite for the material well-being, development and progress of countries, and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations,

*Aware* that in the nuclear age the establishment of a lasting peace on Earth represents the primary condition for the preservation of human civilisation and the survival of mankind,

*Recognising* that the maintenance of a peaceful life for peoples is the sacred duty of each State,

1. Solemnly proclaims that the peoples of our planet have a sacred right to peace;

2. Solemnly declares that the preservation of the right of peoples to peace and the promotion of its implementation constitute a fundamental obligation of each State;

3. Emphasizes that ensuring the exercise of the right of peoples to peace demands that the policies of States be directed towards the

elimination of the threat of war, particularly nuclear war, the renunciation of the use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations;

4. Appeals to all States and international organisations to do their utmost to assist in implementing the right of peoples to pence through the adoption of appropriate measures at both the national and the international level.

# 273

## Manila Declaration on the Peaceful Settlement of International Disputes

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15 November 1982

*The General Assembly,*

*Reaffirming* the principle of the Charter of the United Nations that all States shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered,

*Conscious* that the Charter of the United Nations embodies the means and an essential framework for the peaceful settlement of international disputes, the continuance of which is likely to endanger the maintenance of international peace and security, *Recognising* the important role of the United Nations and the need to enhance its effectiveness in the peaceful settlement of international disputes and the maintenance of international peace and security, in accordance with the principles of justice and international law, in conformity with the Charter of the United Nations,

*Reaffirming* the principle of the Charter of the United Nations that all 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, *Reiterating* that no State or group of States has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of any other State,

*Reaffirming* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,



*Bearing in mind* the importance of maintaining and strengthening international peace and security and the development of friendly relations among States, irrespective of their political, economic and social systems or levels of economic development,

*Reaffirming* the principle of equal rights and self-determination of peoples as enshrined in the Charter of the United Nations and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations and in other relevant resolutions of the General Assembly,

*Stressing* the need for all States to desist from any forcible action which deprives peoples, particularly peoples under colonial and racist regimes or other forms of alien domination, of their inalienable right to self-determination, freedom and independence, as referred to in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

*Mindful* of existing international instruments as well as respective principles and rules concerning the peaceful settlement of international disputes, including the exhaustion of local remedies whenever applicable,

*Determined* to promote international co-operation in the political field and to encourage the progressive development of international law and its codification, particularly in relation to the peaceful settlement of international disputes,

*Solemnly declares that:*

I

1. All States shall act in good faith and in conformity with the purposes and principles enshrined in the Charter of the United Nations with a view to avoiding disputes among themselves likely to affect friendly relations among States, thus contributing to the maintenance of international peace and security. They shall live together in peace with one another as good neighbours and strive for the adoption of meaningful measures for strengthening international peace and security.

2. Every State shall settle its international disputes exclusively by peaceful means in such a manner that international peace and security, and justice, are not endangered.

3. International disputes shall be settled on the basis of the sovereign equality of States and in accordance with the principle of free choice of means in conformity with obligations under the Charter of the United Nations and with the principles of justice and international law. Recourse to, or acceptance of, a settlement procedure freely agreed to by States with regard to existing or future disputes to which they are parties shall not be regarded as incompatible with the sovereign equality of States.

4. States parties to a dispute shall continue to observe in their mutual relations their obligations under the fundamental principles of international law concerning the sovereignty, independence and territorial integrity of States, as well as other generally recognised principles and rules of contemporary international law.

5. States shall seek in good faith and in a spirit of cooperation an early and equitable settlement of their international disputes by any of the following means: negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional arrangements or agencies or other peaceful means of their own choice, including good offices. In seeking such a settlement, the parties shall agree on such peaceful means as may be appropriate to the circumstances and the nature of their dispute.

6. States parties to regional arrangements or agencies shall make every effort to achieve pacific settlement of their local disputes through such regional arrangements or agencies before referring them to the Security Council. This does not preclude States from bringing any dispute to the attention of the Security Council or of the General Assembly in accordance with the Charter of the United Nations.

7. In the event of failure of the parties to a dispute to reach an early solution by any of the above means of settlement, they shall continue to seek a peaceful solution and shall consult forthwith on mutually agreed means to settle the dispute peacefully. Should the parties fail to settle by any of the above means a dispute the continuance of which is likely to endanger the maintenance of international peace and security, they shall refer it to the Security Council in accordance with the Charter of United Nations and without prejudice to the functions and powers of the Council set forth in the relevant provisions of Chapter VI of the Charter.

8. States parties to an international dispute, as well as other States, shall refrain from any action whatsoever which may aggravate the situation so as to endanger the maintenance of international peace and security and make more difficult or impede the peaceful settlement

of the dispute, and shall act in this respect in accordance with the purposes and principles of the United Nations.

9. States should consider concluding agreements for the peaceful settlement of disputes among them. They should also include in bilateral agreements and multilateral conventions to be concluded, as appropriate, effective provisions for the peaceful settlement of disputes arising from interpretation or application thereof.

10. States should, without prejudice to the right of free choice of means, bear in mind that direct negotiations are a flexible and effective means of peaceful settlement of their disputes. When they choose to resort to direct negotiations, States should negotiate meaningfully, in order to arrive at an early settlement acceptable to the parties. States should be equally prepared to seek the settlement of their disputes by the other means mentioned in the present Declaration.

11. States shall in accordance with international law implement in good faith all the provisions of agreements concluded by them for the settlement of their disputes.

12. In order to facilitate the exercise by the peoples concerned of the right to self-determination as referred to in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the parties to a dispute may have the possibility, if they agree to do so and as appropriate, to have recourse to the relevant procedures mentioned in the present Declaration, for the peaceful settlement of the dispute.

13. Neither the existence of a dispute nor the failure of a procedure of peaceful settlement of disputes shall permit the use of force or threat of force by any of the States parties to the dispute.

## II

1. Member States should make full use of the provisions of the Charter of the United Nations, including the procedures and means provided for therein, particularly Chapter VI, concerning the peaceful settlement of disputes.

2. Member States shall fulfil in good faith the obligations assumed by them in accordance with the Charter of the United Nations. They should, in accordance with the Charter, as appropriate, duly take into account the recommendations of the Security Council relating to the peaceful settlement of disputes. They should also, in accordance with the Charter, as appropriate, duly take into account the recommen-

dations adopted by the General Assembly, subject to Articles 11 and 12 of the Charter, in the field of peaceful settlement of disputes.

3. Member States reaffirm the important role conferred on the General Assembly by the Charter of the United Nations in the field of peaceful settlement of disputes and stress the need for it to discharge effectively its responsibilities. Accordingly, they should:

- (a) Bear in mind that the General Assembly may discuss any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations and, subject to Article 12 of the Charter, recommend measures for its peaceful adjustment;
- (b) Consider making use, when they deem it appropriate, of the possibility of bringing to the attention of the General Assembly any dispute or any situation which might lead to international friction or give rise to a dispute;
- (c) Consider utilising, for the peaceful settlement of their disputes, the subsidiary organs established by the General Assembly in the performance of its functions under the Charter;
- (d) Consider, when they are parties to a dispute brought to the attention of the General Assembly, making use of consultations within the framework of the Assembly, with a view to facilitating an early settlement of their dispute.

4. Member States should strengthen the primary role of the Security Council so that it may fully and effectively discharge its responsibilities, in accordance with the Charter of the United Nations, in the area of the settlement of disputes or of any situation the continuance of which is likely to endanger the maintenance of international peace and security. To this end they should:

- (a) Be fully aware of their obligation to refer to the Security Council such a dispute to which they are parties if they fail to settle it by the means indicated in Article 33 of the Charter;
- (b) Make greater use of the possibility of bringing to the attention of the Security Council any dispute or any situation which might lead to international friction or give rise to a dispute;
- (c) Encourage the Security Council to make wider use of the opportunities provided for by the Charter in order to review disputes or situations the continuance of which is likely to

endanger the maintenance of international peace and security;

- (d) Consider making greater use of the fact-finding capacity of the Security Council in accordance with the Charter;
- (e) Encourage the Security Council to make wider use, as a means to promote peaceful settlement of disputes, of the subsidiary organs established by it in the performance of its functions under the Charter;
- (f) Bear in mind that the Security Council may, at any stage of a dispute of the nature referred to in Article 33 of the Charter or of a situation of like nature, recommend appropriate procedures or methods of adjustment;
- (g) Encourage the Security Council to act without delay, in accordance with its functions and powers, particularly in cases where international disputes develop into armed conflicts.

5. States should be fully aware of the role of the International Court of Justice, which is the principal judicial organ of the United Nations. Their attention is drawn to the facilities offered by the International Court of Justice for the settlement of legal disputes, especially since the revision of the Rules of the Court.

States may entrust the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

States should bear in mind:

- (a) That legal disputes should as a general rule be referred by the parties to the International Court of Justice, in accordance with the provisions of the Statute of the Court;
- (b) That it is desirable that they:
  - (i) Consider the possibility of inserting in treaties, whenever appropriate, clauses providing for the submission to the International Court of Justice of disputes which may arise from the interpretation or application of such treaties;
  - (ii) Study the possibility of choosing, in the free exercise of their sovereignty, to recognise as compulsory the jurisdiction of the International Court of Justice in accordance with Article 36 of its Statute;
  - (iii) Review the possibility of identifying cases in which use may be made of the International Court of Justice. The organs of

the United Nations and the specialised agencies should study the advisability of making use of the possibility of requesting advisory opinions of the International Court of Justice on legal questions arising within the scope of their activities, provided that they are duly authorised to do so. Recourse to judicial settlement of legal disputes, particularly referral to the International Court of Justice, should not be considered an unfriendly act between States.

6. The Secretary-General should make full use of the provisions of the Charter of the United Nations concerning the responsibilities entrusted to him. The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security. He shall perform such other functions as are entrusted to him by the Security Council or by the General Assembly. Response in this connection shall be made whenever requested to the Security Council or the General Assembly.

*Urges* all States to observe and promote in good faith the provisions of the present Declaration in the peaceful settlement of their international disputes;

*Declares* that nothing in the present Declaration shall be construed as prejudicing in any manner the relevant provisions of the Charter or the rights and duties of States, or the scope of the functions and powers of the United Nations organs under the Charter, in particular those relating to the peaceful settlement of disputes;

*Declares* that nothing in the present Declaration could in any way prejudice the right to self-determination, freedom and independence, as derived from the Charter, of peoples forcibly deprived of that right and referred to in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, particularly peoples under colonial and racist regimes or other forms of alien domination; nor the right of these peoples to struggle to that end and to seek and receive support, in accordance with the principles of the Charter and in conformity with the above-mentioned Declaration;

*Stresses* the need, in accordance with the Charter, to continue efforts to strengthen the process of the peaceful settlement of disputes through progressive development and codification of international law, as appropriate, and through enhancing the effectiveness of the United Nations in this field.

## 274

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## Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States

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9 December 1981

*The General Assembly,*

*Reaffirming*, in accordance with the Charter of the United Nations, that no State has the right to intervene directly or indirectly for any reason whatsoever in the internal and external affairs of any other State,

*Reaffirming further* the fundamental principle of the Charter that all States have the duty not to threaten or use force against the sovereignty, political independence or territorial integrity of other States,

*Bearing in mind* that the establishment, maintenance and strengthening of international peace and security are founded upon freedom, equality, self-determination and independence, respect for the sovereignty of States, as well as permanent sovereignty of States over their natural resources, irrespective of their political, economic or social systems or the levels of their development,

*Considering* that full observance of the principle of non-intervention and non-interference in the internal and external affairs of States is of the greatest importance for the maintenance of international peace and security and for the fulfilment of the purposes and principles of the Charter,

*Reaffirming*, in accordance with the Charter, the right to self-determination and independence of peoples under colonial domination, foreign occupation or racist regimes,

*Stressing* that the purposes of the United Nations can be achieved only under conditions where peoples enjoy freedom and States enjoy sovereign, equality and comply fully with the requirements of these principles in their international relations,

*Considering* that any violation of the principle of non-intervention and non-interference in the internal and external affairs of States poses a threat to the freedom of peoples, the sovereignty, political independence and territorial integrity of States and to their political, economic, social and cultural development, and also endangers international peace and security,

*Considering* that a declaration on the inadmissibility of intervention and interference in the internal affairs of States will contribute towards the fulfilment of the purposes and principles of the Charter,

*Considering* the provisions of the Charter as a whole and taking into account the resolutions adopted by the United Nations relating to that principle, in particular those containing the Declaration on the Strengthening of International Security, the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and the Definition of Aggression,

*Solemnly declares* that:

1. No State or group of States has the right to intervene or interfere in any form or for any reason whatsoever in the internal and external affairs of other States.
2. The principle of non-intervention and non-interference in the internal and external affairs of States comprehends the following rights and duties:

I

- (a) Sovereignty, political independence, territorial integrity, national unity and security of all States, as well as national identity and cultural heritage of their peoples;
- (b) The sovereign and inalienable right of a State freely to determine its own political, economic, cultural and social systems, to develop its international relations and to exercise permanent sovereignty over its natural resources, in accordance with the will of its people, without outside intervention, interference, subversion, coercion or threat in any form whatsoever;



- (c) The right of States and peoples to have free access to information and to develop fully, without interference, their system of information and mass media and to use their information media in order to promote their political, social, economic and cultural interests and aspirations, based, *inter alia*, on the relevant Articles of the Universal Declaration of Human Rights and the principles of the new international information order;

## II

- (a) The duty of States to refrain in their international relations from the threat or use of force in any form whatsoever to violate the existing internationally recognised boundaries of another State, to disrupt the political, social or economic order of other States, to overthrow or change the political system of another State or its Government, to cause tension between or among States or to deprive peoples of their national identity and cultural heritage;
- (b) The duty of a State to ensure that its territory is not used in any manner which would violate the sovereignty, political independence, territorial integrity and national unity or disrupt the political, economic and social stability of another State; this obligation applies also to States entrusted with responsibility for territories yet to attain self-determination and national independence;
- (c) The duty of a State to refrain from armed intervention, subversion, military occupation or any other form of intervention and interference, overt or covert, directed at another State or group of States, or any act of military, political or economic interference in the internal affairs of another State, including acts of reprisal involving the use of force;
- (d) The duty of a State to refrain from any forcible action which deprives peoples under colonial domination or foreign occupation of their right to self-determination, freedom and independence;
- (e) The duty of a State to refrain from any action or attempt in whatever form or under whatever pretext to destabilise or to undermine the stability of another State or of any of its institutions;
- (f) The duty of a State to refrain from the promotion, encouragement or support, direct or indirect, of rebellious or secessionist activities within other States, under any pretext whatsoever, or any action which seeks to disrupt the unity or to undermine or subvert the political order of other States;

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- (g) The duty of a State to prevent on its territory the training, financing and recruitment of mercenaries, or the sending of such mercenaries into the territory of another State, and to deny facilities, including financing, for the equipping and transit of mercenaries;
  - (h) The duty of a State to refrain from concluding agreements with other States designed to intervene or interfere in the internal and external affairs of third States;
  - (i) The duty of States to refrain from any measure which would lead to the strengthening of existing military blocs or the creation or strengthening of new military alliances, interlocking arrangements, the deployment of interventionist forces or military bases and other related military installations conceived in the context of great-Power confrontation;
  - (j) The duty of a State to abstain from any defamatory campaign, vilification or hostile propaganda for the purpose of intervening or interfering in the internal affairs of other States;
  - (k) The duty of a State, in the conduct of its international relations in the economic, social, technical and trade fields, to refrain from measures which would constitute interference or intervention in the internal or external affairs of another State, thus preventing it from determining freely its political, economic and social development; this includes, *inter alia*, the duty of a State not to use its external economic assistance programme or adopt any multilateral or unilateral economic reprisal or blockade and to prevent the use of transnational and multinational corporations under its jurisdiction and control as instruments of political pressure or coercion against another State, in violation of the Charter of the United Nations;
  - (l) The duty of a State to refrain from the exploitation and the distortion of human rights issues as a means of interference in the internal affairs of States, of exerting pressure on other States or creating distrust and disorder within and among States or groups of States;
  - (m) The duty of a State to refrain from using terrorist practices as state policy against another State or against peoples under colonial domination, foreign occupation or racist regimes and to prevent any assistance to or use of or tolerance of terrorist groups, saboteurs or subversive agents against third States;

- (n) The duty of a State to refrain from organising, training, financing and arming political and ethnic groups on their territories or the territories of other States for the purpose of creating subversion, disorder or unrest in other countries;
- (o) The duty of a State to refrain from any economic, political or military activity in the territory of another State without its consent;
  - (a) The right and duty of States to participate actively on the basis of equality in solving outstanding international issues, thus actively contributing to the removal of causes of conflict and interference;
  - (b) The right and duty of States fully to support the right to self-determination, freedom and independence of peoples under colonial domination, foreign occupation or racist regimes, as well as the right of these peoples to wage both political and armed struggle to that end, in accordance with the purposes and principles of the Charter;
  - (c) The right and duty of States to observe, promote and defend all human rights and fundamental freedoms within their own national territories and to work for the elimination of massive and flagrant violations of the rights of nations and peoples, and, in particular, for the elimination of apartheid and all forms of racism and racial discrimination;
  - (d) The right and duty of States to combat, within their constitutional prerogatives, the dissemination of fake or distorted news which can be interpreted as interference in the internal affairs of other States or as being harmful to the promotion of peace, co-operation and friendly relations among States and nations;
  - (c) The right and duty of States not to recognise situations brought about by the threat or use of force or acts undertaken in contravention of the principle of non-intervention and non-interference.

3. The rights and duties set out in this Declaration are interrelated and are in accordance with the Charter.

4. Nothing in this Declaration shall prejudice in any manner the right to self-determination, freedom and independence of peoples under colonial domination, foreign occupation or racist regimes, and the right

to seek and receive support in accordance with the purposes and principles of the Charter.

5. Nothing in this Declaration shall prejudice in any manner the provisions of the Charter.

6. Nothing in this Declaration shall prejudice action taken by the United Nations under Chapters VI and VII of the Charter.

# 275

## Declaration on the Prevention of Nuclear Catastrophe

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*9 December 1981*

*The General Assembly,*

*Bearing in mind* that the foremost task of the United Nations, born in the flames of the Second World War, has been, is and will be to save present and succeeding generations from the scourge of war,

*Recognising* that all the horrors of past wars and all other calamities that have befallen people would pale in comparison with what is inherent in the use of nuclear weapons capable of destroying civilisation on earth,

*Reaffirming* that the universally accepted objective is to eliminate completely the possibility of the use of nuclear weapons through the cessation of their production, followed by the destruction of their stockpiles, and that, to this end, priority in disarmament negotiations should be given to nuclear disarmament,

*Convinced* that, as the first step in this direction, the use of nuclear weapons and the waging of nuclear war should be outlawed,

*Solemnly proclaims*, on behalf of the States Members of the United Nations:

1. States and statesmen that resort first to the use of nuclear weapons will be committing the gravest crime against humanity.
2. There will never be any justification or pardon for statesmen who take the decision to be the first to use nuclear weapons.
3. Any doctrines allowing the first use of nuclear weapons and any actions pushing the world towards a catastrophe are incompatible with human moral standards and the lofty ideals of the United Nations.

4. It is the supreme duty and direct obligation of the leaders of nuclear-weapon States to act in such a way as to eliminate the risk of the outbreak of a nuclear conflict. The nuclear-arms race must be stopped and reversed by joint efforts, through negotiations conducted in good faith and on the basis of equality, having as their ultimate goal the complete elimination of nuclear weapons.

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# 276

## Declaration of the 1980s as the Second Disarmament Decade

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*3 December 1980*

### **1. GENERAL**

1. In proclaiming the decade of the 1970s as the first United Nations Disarmament Decade, the General Assembly, in its resolution 2602 E (XXIV) of 16 December 1969, enumerated its objectives as follows:

- (a) All Governments should intensify without delay their concerted and concentrated efforts for effective measures relating to the cessation of the nuclear-arms race at an early date and to nuclear disarmament and the elimination of other weapons of mass destruction, and for a treaty on general and complete disarmament under strict and effective international control:
- (b) Consideration should be given to channelling a substantial part of the resources freed by measures in the field of disarmament to promote the economic development of developing countries and particular, their scientific and technological progress.

2. Although these objectives were reiterated by the General Assembly in later sessions, the first Disarmament Decade ended without their accomplishment. While it is true that some limited agreements were reached effective measures relating to the cessation of the nuclear-arms race at an early date and to nuclear disarmament have continued to elude man's grasp. Furthermore, no progress has been made in channelling for the enormous resources which are wasted on the unproductive arms race.

3. Though the final Document of the Tenth special Session of the General Assembly, contained in resolution S-10/2 of 30 June 1978,

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which was adopted by consensus, the Assembly after expressing its conviction that disarmament and arms limitation particularly in the nuclear field, were essential for the danger of nuclear war, for the strengthening of international peace and security and for the economic and social advancement of all peoples, laid down a Programme of Action enumerating the specific measures of disarmament which should be implemented over the next few years.

4. In spite of the positive and encouraging outcome of the special session devoted to disarmament, the decade of the 1980s has started with ominous sign of deterioration in the international situation. International peace and security are threatened by the use or threat of use of force against the sovereignty, national independence and territorial integrity of states, by military intervention and occupation, hegemonism interference in the internal affairs of States, the denial of the right of self-determination of people and nations under colonial and alien domination and by the further escalation of the arms race and efforts to achieve military superiority. It is clear that if the emerging trend continues and meaningful efforts are not made to check and reverse this trend, international tensions will be further exacerbated and the danger of war will be greater than foreseen at the time to the special session on disarmament. In this connexion, it is pertinent to recall that in the Final Document the General Assembly emphasised that on the one hand the arms race in all its aspects runs counter to efforts to achieve further relaxation of international tension to establish a viable system of international peace and security and, on the other, that peace and security must be based on strict respect for the principles of the Charter of the United Nations. It is ironic that, while extensive discussions are under way in various forums on global economic problems and on the depletion of resources available for coping with present international economic problems, military expenditures by major military Powers are reaching ever higher levels, involving the greater diversion of resources that could have helped to promote the well-being of all peoples.

5. The close relationship between disarmament and development was also underscored in the final Document, which stated that the resources released as a result of the implementation of disarmament measures should be devoted to the economic and social development of all nations and contribute to the bridging of the economic gap between developed and developing countries. It is, therefore, only appropriate that simultaneously with the proclamation of the Third United Nations Development Decade and the launching of the global round of



negotiations, the 1980s should be declared as the Second Disarmament Decade.

## **II. GOALS AND PRINCIPLES**

6. The goals of the Second Disarmament Decade should be conceived in the context of the ultimate objective of the efforts of States in the disarmament process, which is general and complete disarmament under effective international control, as elaborated in the final Document.

7. Consistent with this overall objective, the goals of the Second Disarmament Decade should be the following:

- (a) Halting and reversing the arms race, particularly the nuclear arms race;
- (b) Concluding and implementing effective agreements on disarmament, particularly nuclear disarmament, which will contribute significantly to the achievement of general and complete disarmament under effective international control;
- (c) Developing on an equitable basis the limited results obtained in the field of disarmament in the 1970s in accordance with the provisions of the final Document;
- (d) Strengthening international peace and security in accordance with the Charter of the United Nations;
- (e) Making available a substantial part of the resources released by disarmament measures to promote the attainment of the objectives of the Third United Nations Development Decade and, in particular, the economic and social development of developing countries, so as to accelerate the progress towards the new international economic order.

8. The disarmament process and the activities during the Second Disarmament Decade should be in accordance with the fundamental principles enshrined in the Final Document and should be carried out in such a balanced and equitable manner as to ensure the right of each State to security through the adoption of appropriate measures, taking into account the importance of nuclear disarmament and conventional disarmament, the special responsibility of the States with the largest military arsenals, the specific requirements of regional situations and the necessity for adequate measures of verification. At each stage, the objective should be undiminished security at the lowest possible level of armaments and military forces.

9. Progress in disarmament should be accompanied by the strengthening of the peace-making and peace-keeping functions of the United Nations in accordance with the Charter.

### **III. ACTIVITIES**

#### **A. General**

10. The decade of the 1980s should witness renewed intensification by all Governments and the United Nations of their efforts to reach agreement and to implement effective measures that will lead to discernible progress towards the goal of general and complete disarmament under effective international control. In this connexion, special attention should be focused on certain identifiable elements in the Programme of Action as adopted by the General Assembly at its tenth special session which should, as a minimum, be accomplished during the Second Disarmament Decade both through negotiations in the multilateral negotiating forum, the Committee on Disarmament and in other appropriate forums. Adequate methods and procedures of verification should be considered in the context of international disarmament negotiations.

#### **B. Comprehensive Programme of Disarmament**

11. Having been recognised as an important element in an international disarmament strategy, the comprehensive programme for disarmament should be elaborated with the utmost urgency. The Committee on Disarmament should expedite its work on the elaboration of the programme with a view to its adoption no later than at the second special session of the General Assembly devoted to disarmament, scheduled for 1982.

#### **C. Priorities**

12. The accomplishment of those specific measures of disarmament which have been identified in the Final Document as worthy of priority negotiations by the multilateral negotiating organ would create a very favourable international climate for the second special session of the General Assembly devoted to disarmament. All efforts should be exerted, therefore, by the Committee on Disarmament urgently to negotiate with a view to reaching agreement, and to submit agreed texts where possible before the second special session devoted to disarmament on:

- (a) A comprehensive nuclear-test-ban treaty;
- (b) A treaty on the prohibition of the development, production and stockpiling of all chemical weapons and their destruction;

- (c) A treaty on the prohibition of the development, production and use of radiological weapons;
- (d) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account all proposals and suggestions that have been made in this regard.

13. The same priority should be given to the following measures which are dealt with outside the Committee on Disarmament:

- (a) Ratification of the Treaty on the Limitation of Strategic Offensive Arms (SALT II) and commencement of negotiations for a SALT III agreement;
- (b) Ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)
- (c) Signature and ratification of the agreement negotiated by the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;
- (d) Achievement of an agreement on mutual reduction of armed forces and armaments and associated measures in central Europe;
- (e) Negotiations on effective confidence-building measures and disarmament measures in Europe among the States participating in the Conference on Security and Co-operation in Europe, taking into account initiatives and proposals to this effect;
- (f) Achievement of a more stable situation in Europe at a lower level of military potential on the basis of approximate equality and parity by agreement on appropriate mutual reduction and limitation of armaments and armed forces in accordance with paragraph 82 of the Final Document, which would contribute to the strengthening of security in Europe and constitute a significant step towards enhancing international peace and security.

14. Other priority measures that should be pursued as rapidly as possible during the Second Disarmament Decade include:

- (a) Significant progress towards the achievement of nuclear disarmament, which will require urgent negotiation of agreements at appropriate stages and with adequate

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measures of verification satisfactory to the States concerned for:

- (i) Cessation of the qualitative improvement and development of nuclear-weapon systems;
  - (ii) Cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes;
  - (iii) A comprehensive, phased programme with agreed time-frames, whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time;
- (b) Prevention of the emergence of new types of weapons of mass destruction and new systems of such weapons;
  - (c) Further strategic arms limitation negotiations between the two parties, leading to agreed significant reductions of, and qualitative limitations on, strategic arms. These should constitute an important step in the direction of nuclear disarmament and, ultimately, of the establishment of a world free of such weapons;
  - (d) Further steps to develop an international consensus to prevent the proliferation of nuclear weapons in accordance with the provisions of paragraphs 65 to 71 of the Final Document;
  - (e) Strengthening of the existing nuclear-weapon-free zone and the establishment of other nuclear-weapon-free zones in accordance with the relevant paragraphs of the Final Document;
  - (f) Establishment of zones of peace in accordance with the relevant provisions of the Final Document;
  - (g) Measures to secure the avoidance of the use of nuclear weapons, the prevention of nuclear war and related objectives, where possible through international agreement, bearing in mind various proposals designed to secure these objectives and in accordance with paragraphs 57 and 58 of the Final Document, and thereby to ensure that the survival of mankind is not endangered;
  - (h) Further steps to prohibit military or any other hostile use of environmental modification techniques;

- (i) Multilateral regional and bilateral measures on the limitation and reduction of conventional weapons and armed forces, in accordance with the relevant provisions of the Final Document;
- (j) Reduction of military expenditures;
- (k) Confidence-building measures, taking into account the particular conditions and requirements of different regions, with a view to strengthening the security of States.

#### **D. Disarmament and Development**

15. Peace and development are indivisible. During the Second Disarmament Decade, utmost efforts should be made towards the implementation of the specific measures whereby disarmament will contribute effectively to economic and social development and thus facilitate the full and early realisation of the new international economic order. To this end, renewed efforts should be made to reach agreement on the reduction of military expenditures and the reallocation of resources from military purposes to economic and social development especially for the benefit of developing countries.

16. Efforts should also be made to strengthen international co-operation for the promotion of the transfer and utilisation of nuclear technology for economic and social development, especially in the developing countries, taking into account the provisions of all relevant paragraphs of the Final Document, in particular to ensure the success of the United Nations Conference for the Promotion of International Cooperation in the Peaceful Uses of Nuclear Energy, to be convened in principle by 1983, as decided upon in General Assembly resolution 34/63 of 29 November 1979, as well as other promotional activities in this field in the United Nations system, including those within the framework of the International Atomic Energy Agency.

#### **E. Disarmament and International Security**

17. An essential condition for progress in the field of disarmament is the preservation and strengthening of international peace and security and the promotion of confidence among States. Nuclear weapons pose the greatest danger to mankind and to the survival of civilisation. It is essential to halt and reverse the nuclear-arms race in all its aspects in order to avert the danger of war involving nuclear weapons. The ultimate goal in this context is the complete elimination of nuclear weapons. Significant progress in nuclear disarmament would be facilitated both by parallel political and international legal measures

to strengthen the security of States and by progress in the limitation and reduction of armed forces and conventional armaments of the nuclear-weapon States and other States in the regions concerned.

18. All States Members of the United Nations have, in the Final Document, reaffirmed their full commitment to the purposes of the Charter of the United Nations and their obligation strictly to observe its principles as well as other relevant and generally accepted principles of international law relating to the maintenance of international peace and security. Disarmament, relaxation of international tension, respect for the right to self-determination and national independence, sovereignty and territorial integrity of States, the peaceful settlement of disputes in accordance with the Charter and the strengthening of international peace and security are directly related to each other. Progress in any of these spheres has a beneficial effect on all of them; in turn, failure in one sphere has negative effects on others. In the decade of the 1980s, all Governments, in particular the most advanced military Powers, should therefore take such steps as will contribute to the widening of trust among nations of the world as well as in the various regions. This implies a commitment on the part of all States to avoid actions likely to increase tension or create new areas of threats to international peace and security and, in their relationship with other countries, strictly to respect the sovereignty and territorial integrity of States, and the right of peoples under colonial or foreign domination to self-determination and national independence.

#### **F. Public Awareness**

19. As stated in paragraph 15 of the Final Document, it is essential that not only Governments but also the peoples of the world recognise and understand the dangers in the present world armaments situation, so that world public opinion will be mobilised on behalf of peace and disarmament. This will be of great importance to the strengthening of international peace and security, the just and peaceful resolution of disputes and conflicts and effective disarmament.

20. In the course of the decade of the 1980s, therefore, governmental and non-governmental information organs of Member States and those of the United Nations and the specialised agencies, as well as non-governmental organisations, should, as appropriate, undertake further programmes of information relating to the danger of the armaments race as well as to disarmament efforts and negotiations and their results, particularly by means of annual activities conducted in connexion with Disarmament Week. These actions should constitute a large-scale programme further to alert world opinion to the danger of

war in general and of nuclear war in particular. In keeping with its central role and primary responsibility in the sphere of disarmament, the United Nations, in particular its Centre for Disarmament, should intensify and co-ordinate its programme of publications, audio-visual materials, co-operation with non-governmental organisations and relations with the media. Among its activities, the United Nations should also, in the course of the Second Disarmament Decade, sponsor seminars in the different regions of the world at which issues relating to world disarmament, in general, and to the particular region, especially, will be extensively discussed.

### **G. Studies**

21. As part of the process of facilitating the consideration of issues in the field of disarmament, studies on specific questions should be undertaken on the decision of the General Assembly, when necessary for preparing the ground for negotiations or reaching agreement. Also, studies pursued under the auspices of the United Nations, in particular by the United Nations Institute for Disarmament Research established by Assembly resolution 34/83 M of 11 December 1979 within the framework of the United Nations Institute for Training and Research, could bring a useful contribution to the knowledge and exploration of disarmament problems, especially in the long term.

### **H. Implementation, Review and Appraisal**

22. In the accomplishment of the activities earmarked for the Second Disarmament Decade, all Governments, particularly the most advanced military Powers, should make an effective contribution. The United Nations should continue to play a central role. The Committee on Disarmament should fully discharge its responsibility as the single multilateral disarmament negotiating body. The General Assembly should, at its annual sessions and, in particular, at its second special session devoted to disarmament to be held in 1982, make an effective contribution to the pursuit of the goals of disarmament.

23. It is pertinent also to recall that paragraphs 121 and 122 of the Final Document stated:

- (a) That bilateral and regional disarmament negotiations may also play an important role and could facilitate the negotiation of multilateral agreements in the field of disarmament;
- (b) That at the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation.

24. In order to ensure a co-ordinated approach and to consider the implementation of the Declaration of the 1980s as the Second Disarmament Decade, this question should be included in the agenda of the second special session of the General Assembly devoted to disarmament, envisaged for 1982.

25. In addition, the General Assembly will undertake at its fortieth session, in 1985, a review and appraisal, through the Disarmament Commission, of progress in the implementation of the measures identified in the present Declaration.



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## Declaration on International Cooperation for Disarmament

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11 December 1979

*The General Assembly,*

*Recalling once again* the affirmation in the Charter of the United Nations of the determination of the peoples of the United Nations to save succeeding generations from the scourge of war and to this end to unite their strength to maintain international peace and security,

*Stressing again* the importance of the recommendations and decisions adopted by the General Assembly at its tenth special session, devoted to disarmament, and recalling the principles proclaimed in the Final Document of that session,

*Convinced* that there is an urgent need for active and combined efforts further to intensify the comprehensive implementation of the recommendations and decisions unanimously adopted at the tenth special session and that, to this end, a continuing and sustained effort by all States in a more coordinated manner and on the basis of world-wide co-operation in the interests of security and peace, is essential,

*Recalling* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, in which the General Assembly proclaimed the duty of all States to pursue in good faith negotiations for the early conclusion of a universal treaty on general and complete disarmament and to strive to adopt appropriate measures to reduce international tensions and strengthen confidence among States,

*Stressing* the inalienable right of every nation and every human being to live in peace, free from the threat of war, in freedom and independence, as was solemnly reaffirmed by the General Assembly

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in the Declaration on the Preparation of Societies for Life in Peace, the strict observance of which is in the highest interests of mankind and is an essential prerequisite for its full development,

*Conscious* that a dynamic development of detente in all spheres of international relations throughout the world would contribute to the achievement of the aims of disarmament,

*Deeply disturbed* by the fact that international peace and security of peoples continue to be threatened by the arms race, particularly in the nuclear field, and the accumulation of stock-piles of highly destructive weapons and that, at the same time, the continuation of the arms race conflicts with the interest of the economic development and the social and spiritual progress of mankind,

*Noting*, in particular, that the arms race is incompatible with and contrary to the efforts directed towards the establishment of the new international economic order,

*Stressing* the fact that the Governments of all countries, particularly of nuclear-weapon States, bear a historic responsibility for eliminating war from human life, primarily through the adoption of effective and decisive disarmament measures aimed at the achievement of general and complete disarmament under strict and effective international control,

Noting that special responsibility for achieving general and complete disarmament, particularly nuclear disarmament, and for averting nuclear war rests with all States possessing nuclear weapons and other militarily significant States,

*Proceeding* from the principle that effective, constructive and continuing co-operation among all States based on mutual confidence and political will, irrespective of their social system and level of economic development, is essential for the achievement of disarmament and the attainment of its goals,

*Convinced* that such co-operation must be demonstrated, developed and intensified in mutual contacts and in any forum where States conduct negotiations on disarmament, particularly in the Committee on Disarmament, in order that the aims of the negotiations may be achieved as speedily as possible,

*Convinced also* that such co-operation must express a common determination by States to bring about a decisive shift in disarmament negotiations and, at the same time, must be sustained by the creation of a favourable atmosphere of trust in relations among States,

*Bearing in mind* the central role and primary responsibility of the United Nations in promoting the uniting of efforts and the establishment of cooperation among States aimed at the solution of disarmament problems,

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*Solemnly calls upon* all States actively to promote the development, strengthening and intensification of international co-operation designed to achieve the goals of disarmament, as defined by the General Assembly at its tenth special session, and to this end, in particular:

- (a) To take initiatives aimed at eliminating the threat of nuclear war and adopting effective new measures to halt and reverse the arms race and pave the way for the ultimate objective of the efforts in the disarmament process, namely, general and complete disarmament under effective international control;
- (b) To exercise actively their inalienable right to take part in disarmament negotiations, as confirmed in the Final Document of the Tenth Special Session of the General Assembly;
- (c) To participate actively, as appropriate, in measures taken in the field of disarmament, bearing in mind the interests of maintaining both international and national security in conformity with the Charter of the United Nations, and actively to promote such measures;
- (d) To conduct disarmament negotiations in good faith on all priority items concurrently, including appropriate confidence-building measures, with a view to ensuring that such negotiations will complement one another and will be conducive to the early achievement of a decisive break-through in the sphere of disarmament;
- (e) To make every effort to secure continuous and accelerated progress in the negotiations on halting the arms race and achieving disarmament and, to these ends, to refrain from impeding such negotiations, in particular with issues unrelated to disarmament;
- (f) To strive in the course of disarmament negotiations to ensure that they will outstrip the qualitative development and stockpiling of weapons to which the negotiations relate and, wherever possible, to prevent the emergence of new types of weapons and weapon systems, particularly weapons of mass destruction;

- (g) To ensure that multilateral, regional and bilateral negotiations on disarmament questions will be consistently conducted in accordance with the respective provisions of the Final Document of the Tenth Special Session, bearing in mind that the United Nations has a central role and primary responsibility in the sphere of disarmament;
- (h) To develop joint efforts in achieving concrete disarmament measures whose implementation would progressively enable a significant portion of the resources made available through such measures to be used for social and economic needs, thus contributing to the bridging of the economic gap between developed and developing countries, taking into account the close relationship between disarmament and development;

## II

*Urges* all States, with a view to improving further the international climate required for the full implementation of the Final Document of the Tenth Special Session of the General Assembly and accelerating the progress of the appropriate disarmament negotiations, in particular:

- (a) To exert determined efforts to expedite measures and pursue policies to strengthen international peace and security and to build confidence among States with a view to reducing the danger of the outbreak of military conflicts and facilitating decisive advance of the process of disarmament, including the creation of a favourable international atmosphere which would be conducive the strengthening of international peace and security;
- (b) To take effective measures for setting in motion the security system provided for in the Charter of the United Nations and to strengthen it by eliminating tensions and settling disputes by peaceful means and to these ends, in particular, to refrain from seeking military superiority and from any other steps which might adversely affect efforts in the field of disarmament, and accordingly to refrain from using their military potential for aggressive purpose, notably the threat or use of force against the sovereignty, territorial integrity or political independence of any State or against peoples under colonial or foreign domination which are striving to exercise their right to self-determination and the achievement of independence, or for interference in the internal affairs of other States;

- (c) To strive consistently for the repudiation of all concepts which are based on military intimidation and policies of acting from a position of strength and which lead to the intensification or perpetuation of the arms race and the further accumulation of armaments;
- (d) To affirm, wherever possible, in their constitutional norms or by any other appropriate means, their political will and determination to promote with all their strength the cause of peace and international security and the achievement of progress in the field of disarmament;
- (e) To intensify steps, both through the United Nations system and individually, to promote a better understanding by world opinion of the danger of the arms race and the need for disarmament, and to ensure that world opinion will exert a positive influence on the efforts of Governments to resolve disarmament issues, utilising to his end educational systems, the mass media and all the appropriate institutions;
- (f) On the basis of the principles of the Charter, to take all appropriate measures, including legislative ones, to prevent and prohibit propaganda for war and the arms race and the dissemination of views asserting their necessity or usefulness on political, economic or other grounds;
- (g) To take vigorous measures, individually or collectively, to disseminate the ideals of peace, disarmament, cooperation and friendly relations between peoples;

### III

*Urges* all States, in implementing the common political will expressed in the Final Document of the Tenth Special Session of the General Assembly, to strive to achieve concrete measures of disarmament and, in that connexion:

- (a) To be guided, in all disarmament negotiations, by the generally recognised principles of international law, as well as by their adherence to the principles of peaceful coexistence;
- (b) To ensure that the problems of disarmament will be solved in the spirit of the Final Document of the Tenth Special Session in such a manner that, as a result of the measures adopted, no individual State or group of States may obtain advantages over others at any stage, that both the security of the States participating in the negotiations and the security of the entire

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international community will be strengthened and that the principle of undiminished security of each party will not be impaired;

- (c) To consult with one another on disarmament matters at all levels, including the highest level, in order that, in a spirit of good will and in an endeavour to harmonise their positions, they may establish the political pre-conditions for the solution of those problems, and also, in the interests of disarmament, to make maximum use of all opportunities for co-operation created by States in other fields of their relations with one another;
- (d) To consider in a fully responsible manner and in a spirit of co-operation all proposals and initiatives aimed at promoting the achievement of mutually acceptable concrete measures of disarmament and helping to accelerate progress in disarmament negotiations;

#### IV

1. *Declares* that the provisions of the present Declaration are interrelated in their interpretation and implementation and that each of them is a component of a joint approach by States in their determination fully to respect and apply all the principles of the Final Document of the Tenth Special Session of the General Assembly and to develop broad international cooperation for achieving the objectives of real disarmament as defined by the Assembly at its tenth special session;

2. *Declares further* that no provision of this Declaration may be interpreted as contradicting the purposes and principles of the Charter or superseding the Final Document of the Tenth Special Session and that no provision of the Declaration may interfere with the immediate realisation of the right of every State to individual or collective self-defence or its legitimate right to defend its territorial integrity, to liberate its occupied territories in accordance with the Charter, or with the right of colonial or displaced peoples to struggle by every possible means for their national freedom, independence and self-determination.

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# 278

## Declaration on the Preparation of Societies for Life in Peace

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15 December 1978

*The General Assembly,*

*Recalling* that in the Charter the peoples of the United Nations proclaimed their determination to save succeeding generations from the scourge of war and that one of the fundamental purposes of the United Nations is to maintain international peace and security,

*Reaffirming* that, in accordance with General Assembly resolution 95 (I) of 11 December 1946, planning, preparation, initiation or waging of a war of aggression are crimes against peace and that, pursuant to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, of 24 October 1970, and the Definition of Aggression of 14 December 1974, a war of aggression constitutes a crime against the peace,

*Reaffirming* the right of individuals, States and all mankind to life in peace,

*Aware* that, since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed,

*Recognising* that peace among nations is mankind's paramount value, held in the highest esteem by all principal political, social and religious movements,

*Guided* by the lofty goal of preparing societies for and creating conditions of their common existence and cooperation in peace, equality, mutual confidence and understanding,

*Recognising* the essential role of Governments, as well as governmental and non-governmental organisations, both national and

international, the mass media, educational processes and teaching methods, in promoting the ideals of peace and understanding among nations,

*Convinced* that, in the era of modern scientific and technological progress, mankind's resources, energy and creative talents should be directed to the peaceful economic, social and cultural development of all countries, should promote the implementation of the new international economic order and should serve the raising of the living standards of all nations,

*Stressing* with utmost concern that the arms race, in particular in the nuclear field, and the development of new types and systems of weapons, based on modern scientific principles and achievements, threaten world peace,

*Recalling* that, in the Final Document of the Tenth Special Session of the General Assembly, the States Members of the United Nations solemnly reaffirmed their determination to make further collective efforts aimed at strengthening peace and international security and eliminating the threat of war, and agreed that, in order to facilitate the process of disarmament, it was necessary to take measures and pursue policies to strengthen international peace and security and to build confidence among States,

*Reaffirming* the principles contained in the Declaration on the Granting of Independence to Colonial Countries and Peoples, of 14 December 1960, the Declaration on the Strengthening of International Security, of 16 December 1970, and the Declaration on the Deepening and Consolidation of International Detente, of 19 December 1977,

*Recalling* the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples, of 7 December 1965,

*Further recalling* the Universal Declaration of Human Rights, of 10 December 1948, as well as the International Covenant on Civil and Political Rights, of 16 December 1966, and bearing in mind that the latter states, *inter alia*, that any propaganda for war shall be prohibited by law,

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*Solemnly invites* all States to guide themselves in their activities by the recognition of the supreme importance and necessity of establishing, maintaining and strengthening a just and durable peace for pre-sent and future generations and, in particular, to observe the following principles:



1. Every nation and every human being, regardless of race, conscience, language or sex, has the inherent right to life in peace. Respect for that right, as well as for the other human rights, is in the common interest of all mankind and an indispensable condition of advancement of all nations, large and small, in all fields.
2. A war of aggression, its planning, preparation or initiation are crimes against peace and are prohibited by international law.
3. In accordance with the purposes and principles of the United Nations, States have the duty to refrain from propaganda for wars of aggression.
4. Every State, acting in the spirit of friendship and good-neighbourly relations, has the duty to promote all-round, mutually advantageous and equitable political, economic, social and cultural co-operation with other States, notwithstanding their socio-economic systems, with a view to securing their common existence and cooperation in peace, in conditions of mutual understanding of and respect for the identity and diversity of all peoples, and the duty to take up actions conducive to the furtherance of the ideals of peace, humanism and freedom.
5. Every State has the duty to respect the right of all peoples to self-determination, independence, equality, sovereignty, the territorial integrity of States and the inviolability of their frontiers, including the right to determine the road of their development, without interference or intervention in their internal affairs.
6. A basic instrument of the maintenance of peace is the elimination of the threat inherent in the arms race, as well as efforts towards general and complete disarmament, under effective international control, including partial measures with that end in view, in accordance with the principles agreed upon within the United Nations and relevant international agreements.
7. Every State has the duty to discourage all manifestations and practices of colonialism, as well as racism, racial discrimination and apartheid, as contrary to the right of peoples to self-determination and to other human rights and fundamental freedoms.
8. Every State has the duty to discourage advocacy of hatred and prejudice against other peoples as contrary to the principles of peaceful co-existence and friendly cooperation.

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**II**

*Calls upon* all States, in order to implement the above principles:

- (a) To act perseveringly and consistently, with due regard for the constitutional rights and the role of the family, the institutions and the organisations concerned:
  - (i) To ensure that their policies relevant to the implementation of the present Declaration, including educational processes and teaching methods as well as media information activities, incorporate contents compatible with the task of the preparation for life in peace of entire societies and, in particular, the young generations;
  - (ii) Therefore, to discourage and eliminate incitement to racial hatred, national or other discrimination, injustice or advocacy of violence and war;
- (b) To develop various forms of bilateral and multilateral co-operation, also in international, governmental and non-governmental organisations, with a view to enhancing preparation of societies to live in peace and, in particular, exchanging experiences on projects pursued with that end in view;

1. Recommends that the governmental and non-governmental organisations concerned should initiate appropriate action towards the implementation of the present Declaration;

**III**

2. States that a full implementation of the principles enshrined in the present Declaration calls for concerted action on the part of Governments, the United Nations and the specialised agencies, in particular the United Nations Educational, Scientific and Cultural Organisation, as well as other interested international and national organisations, both governmental and non-governmental;

3. Requests the Secretary-General to follow the progress made in the implementation of the present Declaration and to submit periodic reports thereon to the General Assembly, the first such report to be submitted not later than at its thirty-sixth.

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## Declaration on the Deepening and Consolidation of International Detente

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*19 December 1977*

The States Members of the United Nations,

*Reaffirming* their full commitment to the purposes and principles of the Charter of the United Nations and their resolve to ensure conditions in which all peoples can live and prosper in peace with justice,

*Recalling* the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations of 24 October 1970, the Declaration on the Strengthening of International Security of 16 December 1970, as well as the Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 and the Definition of Aggression of 14 December 1974,

*Recognising* that, in order to resolve effectively international problems, an ever increasing degree of harmony and co-operation among nations is called for,

*Anxious* to create conditions whereby all States can put all their resources to the task of improving the living conditions of their peoples without fear of coercion, threat or use of force,

*Noting with satisfaction* a growing interest in and increased desire for relaxation of tension in recent years,

*Convinced* of the urgent need to exert additional efforts to extend this trend to encompass all region of the world and facilitate the settlement of outstanding international problems by peaceful means through participation of and co-operation among States,

*Recognising* that the continuation of the policies of confrontation and rivalry among States or groups of States is incompatible with the relaxation of international tension,

*Reaffirming* the indivisibility of peace and security in all parts of the world and the increasing interdependence among nations, and anxious therefore to work towards the removal of all sources of tension and friction,

*Convinced* that confidence-building measures could contribute to the relaxation of international tension,

*Convinced also* that progress in arms control and disarmament negotiations, particularly in the nuclear field, and the elimination of the threat of war are of great importance for the continued relaxation of tension and for further development of friendly relations among States,

*Convinced* that the establishment of just and equitable economic relations among States is an important condition for genuine and lasting peace and for harmony among nations,

*Convinced also* of the need to eliminate all forms of aggression, foreign occupation and interference in the internal affairs of other States, to ensure respect for human rights, to eliminate colonialism through the free exercise of the right of self-determination and to eradicate racism and apartheid and other forms of injustice,

*Guided*, therefore, by the need for all States, in the supreme interest of peace and the future of mankind, to continue their efforts towards further reduction of tension, the promotion of better relations among themselves and the strengthening and widening of detente, and, to that end.

*Declare* their determination:

1. To adhere firmly to and promote the implementation of the provisions of the Charter of the United Nations, as well as the universally accepted principles and declarations aimed at enhancing world peace and security and the development of friendly and co-operative relations among States, and to fulfil their obligations arising from multilateral treaties and agreements serving the achievement of these objectives;
2. To consider taking new and meaningful steps, both in bilateral and multilateral arms control negotiation forums, aimed at achieving the objective of a cessation of the arms race, in particular the nuclear arms race, at an early stage and

realisation of disarmament measures, especially nuclear disarmament, with the ultimate objective of general and complete disarmament under strict and effective international control;

3. To facilitate the peaceful and speedy settlement of outstanding international problems and to strive to remove both causes and effects of international tension so that relations among all States may evolve in the direction of co-operation and friendship in order to prevent the recurrence of situations which might endanger international peace and security;
4. To strengthen the role of the United Nations as a primary instrument in the maintenance of international peace and security by reinforcing both the peace-making and peacekeeping capabilities of the Organisation;
5. To refrain from the threat or use of force and to abide in their relations with other States by the principles of sovereign equality, territorial integrity, inviolability of international frontiers, inadmissibility of the acquisition and occupation of the territories of other States by force, settlement of disputes—including frontier disputes—strictly by peaceful means, nonintervention and non-interference in the internal affairs of other States, respect for human rights, respect for the right of all nations to choose freely their social, political and economic systems and to develop their external relations in the way they deem best for the interest of their respective peoples in conformity with the Charter of the United Nations;
6. To ensure the free exercise of the right of the peoples under colonial and alien domination to self-determination and to promote majority rule, especially where racial oppression, in particular apartheid, has deprived peoples from exercising their inalienable rights;
7. To work towards the establishment and development of just and balanced economic relations among States and to strive to narrow the gap between the developed and developing countries, in accordance with the resolutions of the General Assembly adopted by consensus at its sixth and seventh special sessions on the establishment of the new international economic order;
8. To encourage and promote respect for human rights and fundamental freedoms for all in conformity with the Universal Declaration of Human Rights and other relevant international

treaties and instruments, including the international Covenant on Human Rights;

9. To foster mutual understanding and trust among peoples by promoting and facilitating cultural exchanges, free movement and contacts among them both on an individual and a collective basis;
10. To develop further their relations and co-operation in conformity with the purposes and principles of the Charter of the United Nations and to observe the principles set forth above which derive from the Charter, recognising that nothing in the present Declaration could either alter or detract from obligations they might have undertaken in relation to other States in accordance with the principles of international law and the Charter.

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# 280

## **Declaration on the use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind**

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*10 November 1975*

*The General Assembly,*

*Noting* that scientific and technological progress has become one of the most important factors in the development of human society,

*Taking into consideration* that, while scientific and technological developments provide ever increasing opportunities to better the conditions of life of peoples and nations, in a number of instances they can give rise to social problems, as well as threaten the human rights and fundamental freedoms of the individual,

*Noting with concern* that scientific and technological achievements can be used to intensify the arms race, suppress national liberation movements and deprive individuals and peoples of their human rights and fundamental freedoms,

*Also noting with concern* that scientific and technological achievements can entail dangers for the civil and political rights of the individual or of the group and for human dignity,

*Noting* the urgent need to make full use of scientific and technological developments for the welfare of man and to neutralise the present and possible future harmful consequences of certain scientific and technological achievements,

*Recognising* that scientific and technological progress is of great importance in accelerating the social and economic development of developing countries,

*Aware* that the transfer of science and technology is one of the principal ways of accelerating the economic development of developing countries,

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*Reaffirming* the right of peoples to self-determination and the need to respect human rights and freedoms and the dignity of the human person in the conditions of scientific and technological progress,

*Desiring* to promote the realisation of the principles which form the basis of the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the Declaration on Social Progress and Development, and the Charter of Economic Rights and Duties of States,

*Solemnly proclaims* that:

1. All States shall promote international co-operation to ensure that the results of scientific and technological developments are used in the interests of strengthening international peace and security, freedom and independence, and also for the purpose of the economic and social development of peoples and the realisation of human rights and freedoms in accordance with the Charter of the United Nations.

2. All States shall take appropriate measures to prevent the use of scientific and technological developments, particularly by the State organs, to limit or interfere with the enjoyment of the human rights and fundamental freedoms of the individual as enshrined in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international instruments.

3. All States shall take measures to ensure that scientific and technological achievements satisfy the material and spiritual needs of all sectors of the population.

4. All States shall refrain from any acts involving the use of scientific and technological achievements for the purposes of violating the sovereignty and territorial integrity of other States, interfering in their internal affairs, waging aggressive wars. Suppressing national liberation movements or pursuing a policy of racial discrimination. Such acts are not only a flagrant violation of the Charter of the United Nations and principles of international law, but constitute an inadmissible distortion of the purposes that should guide scientific and technological developments for the benefit of mankind.

5. All States shall co-operate in the establishment, strengthening and development of the scientific and technological capacity of



developing countries with a view to accelerating the realisation of the social and economic rights of the peoples of those countries.

6. All States shall take measures to extend the benefits of science and technology to all strata of the population and to protect them, both socially and materially, from possible harmful effects of the misuse of scientific and technological developments, including their misuse to infringe upon the rights of the individual or of the group, particularly with regard to respect for privacy and the protection of the human personality and its physical and intellectual integrity.

7. All States shall take the necessary measures, including legislative measures, to ensure that the utilisation of scientific and technological achievements promotes the fullest realisation of human rights and fundamental freedoms without any discrimination whatsoever on grounds of race, sex, language or religious beliefs.

8. All States shall take effective measures, including legislative measures, to prevent and preclude the utilisation of scientific and technological achievements to the detriment of human rights and fundamental freedoms and the dignity of the human person.

9. All States shall, whenever necessary, take action to ensure compliance with legislation guaranteeing human rights and freedoms in the conditions of scientific and technological developments.

# 281

## Declaration of the Indian Ocean as a Zone of Peace

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*16 December 1971*

*The General Assembly,*

*Conscious* of the determination of the peoples of the littoral and hinterland States of the Indian Ocean to preserve their independence, sovereignty and territorial integrity, and to resolve their political, economic and social problems under conditions of peace and tranquillity,

*Recalling* the Declaration of the Third Conference of Heads of State or Government of Non-Aligned Countries, held at Lusaka from 8 to 10 September 1970, calling upon all States to consider and respect the Indian Ocean as a zone of peace from which great Power rivalries and competition as well as bases conceived in the context of such rivalries and competition should be excluded, and declaring that the area should also be free of nuclear weapons,

*Convinced* of the desirability of ensuring the maintenance of such conditions in the Indian Ocean area by means other than military alliances, as such alliances entail financial and other obligations that call for the diversion of the limited resources of the States of the area from the more compelling and productive task of economic and social reconstruction and could further involve them in the rivalries of power blocs in a manner prejudicial to their independence and freedom of action, thereby increasing international tensions,

*Concerned* at recent developments that portend the extension of the arms race into the Indian Ocean area, thereby posing a serious threat to the maintenance of such conditions in the area,

*Convinced* that the establishment of a zone of peace in the Indian Ocean would contribute towards arresting such developments, relaxing

international tensions and strengthening international peace and security,

*Convinced further* that the establishment of a zone of peace in an extensive geographical area in one region could have a beneficial influence on the establishment of permanent universal peace based on equal rights and justice for all, in accordance with the purposes and principles of the Charter of the United Nations,

1. *Solemnly declares* that the Indian Ocean, within limits to be determined, together with the air space above and the ocean floor subjacent thereto, is hereby designated for all time as a zone of peace;

2. *Calls upon* the great Powers, in conformity with this Declaration, to enter into immediate consultations with the littoral States of the Indian Ocean with a view to:

- (a) Halting the further escalation and expansion of their military presence in the Indian Ocean;
- (b) Eliminating from the Indian Ocean all bases, military installations and logistical supply facilities, the disposition of nuclear weapons and weapons of mass destruction and any manifestation of great Power military presence in the Indian Ocean conceived in the context of great Power rivalry;

3. *Calls upon* the littoral and hinterland States of the Indian Ocean, the permanent members of the Security Council and other major maritime users of the Indian Ocean, in pursuit of the objective of establishing a system of universal collective security without military alliances and strengthening international security through regional and other cooperation, to enter into consultations with a view to the implementation of this Declaration and such action as may be necessary to ensure that:

- (a) Warships and military aircraft may not use the Indian Ocean for any threat or use of force against the sovereignty, territorial integrity and independence of any littoral or hinterland State of the Indian Ocean in contravention of the purposes and principles of the Charter of the United Nations;
- (b) Subject to the foregoing and to the norms and principles of international law, the right to free and unimpeded use of the zone by the vessels of all nations is unaffected;
- (c) Appropriate arrangements are made to give effect to any international agreement that may ultimately be reached for the maintenance of the Indian Ocean as a zone of peace;

4. *Requests* the Secretary-General to report to the General Assembly at its twenty-seventh session on the progress that has been made with regard to the implementation of this Declaration;

5. *Decides* to include in the provisional agenda of its twenty-seventh session an item entitled "Declaration of the Indian Ocean as a zone of peace".

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# 282

## **Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction**

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*17 December 1970*

*The General Assembly,*

*Recalling* its resolutions 2340 (XII) of 18 December 1967, 2467 (XIII) of 21 December 1968 and 2574 (XIV) of 15 December 1969, concerning the area to which the title of the item refers,

*Affirming* that there is an area of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, the precise limits of which are yet to be determined,

*Recognising* that the existing legal regime of the high seas does not provide substantive rules for regulating the exploration of the aforesaid area and the exploitation of its resources,

*Convinced* that the area shall be reserved exclusively for peaceful purposes and that the exploration of the area and the exploitation of its resources shall be carried out for the benefit of mankind as a whole,

*Believing* it essential that an international regime applying to the area and its resources and including appropriate international machinery should be established as soon as possible,

*Bearing in mind* that the development and use of the area and its resources shall be undertaken in such a manner as to foster the healthy development of the world economy and balanced growth of international trade, and to minimise any adverse economic effects caused by the fluctuation of prices of raw materials resulting from such activities,

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*Solemnly declares that*

1. The sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as the area), as well as the resources of the area, are the common heritage of mankind.

2. The area shall not be subject to appropriation by any means by States or persons, natural or juridical, and no State shall claim or exercise sovereignty or sovereign rights over any part thereof.

3. No State or person, natural or juridical, shall claim, exercise or acquire rights with respect to the area or its resources incompatible with the international regime to be established and the principles of this Declaration.

4. All activities regarding the exploration and exploitation of the resources of the area and other related activities shall be governed by the international regime to be established.

5. The area shall be open to use exclusively for peaceful purposes by all States, whether coastal or land-locked, without discrimination, in accordance with the international regime to be established.

6. States shall act in the area in accordance with the applicable principles and rules of international law, including the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, adopted by the General Assembly on 24 October 1970, in the interests of maintaining international peace and security and promoting international co-operation and mutual understanding.

7. The exploration of the area and the exploitation of its resources shall be carried out for the benefit of mankind as a whole, irrespective of the geographical location of States, whether landlocked or coastal, and taking into particular consideration the interests and needs of the developing countries.

8. The area shall be reserved exclusively for peaceful purposes, without prejudice to any measures which have been or may be agreed upon in the context of international negotiations undertaken in the field of disarmament and which may be applicable to a broader area. One or more international agreements shall be concluded as soon as possible in order to implement effectively this principle and to constitute a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race.

9. On the basis of the principles of this Declaration, an international regime applying to the area and its resources and including appropriate

international machinery to give effect to its provisions shall be established by an international treaty of a universal character, generally agreed upon. The regime shall, *inter alia*, provide for the orderly and safe development and rational management of the area and its resources and for expanding opportunities in the use thereof, and ensure the equitable sharing by States in the benefits derived therefrom, taking into particular consideration the interests and needs of the developing countries, whether land-locked or coastal.

10. States shall promote international cooperation in scientific research exclusively for peaceful purposes:

- (a) By participation in international programmes and by encouraging co-operation in scientific research by personnel of different countries;
- (b) Through effective publication of research programmes and dissemination of the results of research through international channels;
- (c) By co-operation in measures to strengthen research capabilities of developing countries, including the participation of their nationals in research programmes. No such activity shall form the legal basis for any claims with respect to any part of the area or its resources.

11. With respect to activities in the area and acting in conformity with the international regime to be established. States shall take appropriate measures for and shall co-operate in the adoption and implementation of international rules, standards and procedures for, *inter alia*:

- (a) The prevention of pollution and contamination, and other hazards to the marine environment, including the coastline, and of interference with the ecological balance of the marine environment;
- (b) The protection and conservation of the natural resources of the area and the prevention of damage to the flora and fauna of the marine environment.

12. In their activities in the area, including those relating to its resources. States shall pay due regard to the rights and legitimate interests of coastal States in the region of such activities, as well as of all other States, which may be affected by such activities.. Consultations shall be maintained with the coastal States concerned with respect to activities relating to the exploitation of the area and the exploration of its resources with a view to avoiding infringement of such rights and interests 13. Nothing herein shall affect:

- (a) The legal status of the waters superjacent to the area or that of the air space above those waters.
- (b) The rights of coastal States with respect to measures to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution or threat thereof or from other hazardous occurrences resulting from or caused by any activities in the area, subject to the international regime to be established.

14. Every State shall have the responsibility to ensure that activities in the area, including those relating to its resources, whether undertaken by governmental agencies, or non-governmental entities or persons under its jurisdiction, or acting on its behalf, shall be carried out in conformity with the international regime to be established. The same responsibility applies to international organisations and their members for activities undertaken by such organisations or on their behalf. Damage caused by such activities shall entail liability.

15. The parties to any dispute relating to activities in the area and its resources shall resolve such dispute by the measures mentioned in Article 33 of the Charter of the United Nations and such procedures for settling disputes as may be agreed upon in the international regime to be established.



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# 283

## Declaration on the Strengthening of International Security

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16 December 1970

*The General Assembly,*

*Recalling* the determination of the peoples of the United Nations, as proclaimed by the Charter, to save succeeding generations from the scourge of war, and to this end to live together in peace with one another as good neighbours and to unite their strength to maintain international peace and security,

*Considering* that in order to fulfil the purposes and principles of the United Nations Member States must strictly abide by all provisions of the Charter,

*Recalling* its resolution 2606 (XXIV) of 16 December 1969 in which the General Assembly, *inter alia*, expressed the desire that the twenty-fifth year of the Organisation's existence should be marked by new initiatives to promote peace, security, disarmament and economic and social progress for all mankind and the conviction of the urgent need to make the United Nations more effective as an instrument for maintaining international peace and security,

*Mindful* of the observations, proposals and suggestions advanced during the debate at the twenty-fourth session of the General Assembly or presented subsequently by Governments of Member States concerning the attainment of this objective, and of the report submitted by the Secretary-General in conformity with paragraph 5 of resolution 2606 (XXIV),

*Having in mind* the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, adopted unanimously at the current session,

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*Conscious* of its duty to examine in depth the present international situation and to study the means and recourses provided by the relevant provisions of the Charter in order to build peace, security and co-operation in the world,

1. *Solemnly reaffirms* the universal and unconditional validity of the purposes and principles of the Charter of the United Nations as the basis of relations among States irrespective of their size, geographical location, level of development or political, economic and social systems and declares that the breach of these principles cannot be justified in any circumstances whatsoever;

2. *Calls upon* all States to adhere strictly in their international relations to the purposes and principles of the Charter, including the principle that 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; the principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered; the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter; the duty of States to cooperate with one another in accordance with the Charter; the principle of equal rights and self-determination of peoples; the principle of sovereign equality of States; and the principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter;

3. *Solemnly reaffirms* that, in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail;

4. *Solemnly reaffirms* that States must fully respect the sovereignty of other States and the right of peoples to determine their own destinies, free of external intervention, coercion or constraint, especially involving the threat or use of force, overt or covert, and refrain from any attempt aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country;

5. *Solemnly reaffirms* that every State has the duty to refrain from the threat or use of force against the territorial integrity and political independence of any other State, and that the Territory of a State shall not be the object of military occupation resulting from the use of force in contravention of the provisions of the Charter, that the territory of a State shall not be the object of acquisition by another State resulting

from the threat or use of force, that no territorial acquisition resulting from the threat or use of force shall be recognised as legal and that every State has the duty to refrain from organising, instigating, assisting or participating in acts of civil strife- or terrorist acts in another State;

6. *Urges* Member States to make full use and seek improved implementation of the means and methods provided for in the Charter for the exclusively peaceful settlement of any dispute or any situation, the continuance of which is likely to endanger the maintenance of international peace and security, including negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, good offices including those of the Secretary-General, or other peaceful means of their own choice, it being understood that the Security Council in dealing with such disputes or situations should also take into consideration that legal disputes should as a general rule be referred by the parties to the international Court of Justice in accordance with the provisions of the Statute of the Court;

7. *Urges* all Member States to respond to the immediate need to agree on guidelines for more effective peace-keeping operations in accordance with the Charter, which could increase the effectiveness of the United Nations in dealing with situations endangering international peace and security, and consequently to support the efforts of the Special Committee on Peace-keeping Operations to reach agreement on all questions relating to such operations, as well as on provisions for their appropriate and equitable financing;

8. *Recognizes* the need for effective, dynamic and flexible measures, in accordance with the Charter, to prevent and remove threats to the peace, suppress acts of aggression or other breaches of the peace, and in particular for measures to build, maintain and restore international peace and security;

9. *Recommends* that the Security Council take steps to facilitate the conclusion of the agreements envisaged in Article 43 of the Charter in order fully to develop its capacity for enforcement action as provided for under Chapter VII of the Charter;

10. *Recommends* that the Security Council consider, in conformity with Article 29 of the Charter, whenever appropriate and necessary, the desirability of establishing subsidiary organs, on an *ad hoc* basis, and with the participation of the parties concerned, when conditions so warrant, to assist the Council in the performance of its functions as defined in the Charter;

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11. *Recommends* that all States contribute to the efforts to ensure peace and security for all nations and to establish, in accordance with the Charter, an effective system of universal collective security without military alliances;

12. *Invites* Member States to do their utmost to enhance by all possible means the authority and effectiveness of the Security Council and of its decisions;

13. *Calls upon* the Security Council, including the permanent members, to intensify efforts to discharge, in conformity with the Charter, its primary responsibility for the maintenance of international peace and security;

14. *Recommends* that Member States support the efforts of the Special Committee on the Question of Defining Aggression to bring its work to a successful conclusion, thus achieving the definition of aggression as soon as possible;

15. *Reaffirms* its competence under the Charter to discuss and recommend measures for the peaceful adjustment of any situation which it deems likely to impair the general welfare or friendly relations among States, including situations resulting from a violation of the provisions of the Charter setting forth the purposes and principles of the United Nations;

16. *Urges* all Member States to implement the decisions of the Security Council in accordance with their obligations under Article 25 of the Charter and to respect, as provided for in the Charter, the resolutions of United Nations organs responsible for the maintenance of international peace and security and the peaceful settlement of disputes;

17. *Urges* Member States to reaffirm their will to respect fully their obligations under international law in accordance with the relevant provisions of the Charter and to continue and intensify the efforts towards the progressive development and codification of international law;

18. *Calls upon* all States to desist from any forcible or other action which deprives peoples, in particular those still under colonial or any other form of external domination, of their inalienable right to self-determination, freedom and independence and to refrain from military and repressive measures aimed at preventing the attainment of independence by all dependent peoples in accordance with the Charter and in furtherance of the objectives of General Assembly resolution 1514 (XV) of 14 December 1960, and render assistance to the United

Nations and, in accordance with the Charter, to the oppressed peoples in their legitimate struggle in order to bring about the speedy elimination of colonialism or any other form of external domination;

19. *Affirms* its belief that there is a close connexion between the strengthening of international security, disarmament and the economic development of countries, so that any progress made towards any of these objectives will constitute progress towards all of them;

20. *Urges* all States, particularly the nuclear-weapon States, to make urgent and concerted efforts within the framework of the Disarmament Decade and through other means for the cessation and reversal of the nuclear and conventional arms race at an early date, the elimination of nuclear weapons and other weapons of mass destruction and the conclusion of a treaty on general and complete disarmament under effective international control, as well as to ensure that the benefits of the technology of the peaceful use of nuclear energy shall be available to-all States, to the maximum extent possible, without discrimination;

21. *Emphatically reiterates* the need to undertake, within the framework of the Second United Nations Development Decade, urgent and concerted international action based on a global strategy aimed at reducing and eliminating as soon as possible the economic gap between developed and developing countries, which is closely and essentially correlated to the strengthening of the security of all nations and the establishment of lasting international peace;

22. *Solemnly reaffirms* that universal respect for and full exercise of human rights and fundamental freedoms and the elimination of the violation of those rights are urgent and essential to the strengthening of international security, and hence resolutely condemns all forms of oppression, tyranny and discrimination, particularly racism and racial discrimination, wherever they occur;

23. *Resolutely condemns* the criminal policy of apartheid of the Government of South Africa and reaffirms the legitimacy of the struggle of the oppressed peoples to attain their human rights and fundamental freedoms and self-determination;

24. *Expresses its conviction* that the achievement of universality of the United Nations, in accordance with the Charter, would increase its effectiveness in strengthening international peace and security;

25. *Considers* that the promotion of international cooperation, including regional, subregional and bilateral cooperation among States, in keeping with the provisions of the Charter and based on the principle

of equal rights and on strict respect for the sovereignty and independence of States, can contribute to the strengthening of international security;

26. *Welcomes* the decision of the Security Council to hold periodic meetings in accordance with Article 28, paragraph 2, of the Charter and expresses the hope that these meetings will make an important contribution to the strengthening of international security;

27. *Emphasizes the* need for the United Nations to exert continuous efforts for the strengthening of international peace and security and requests the Secretary-General to submit a report to the General Assembly at its twenty-sixth session on steps taken in pursuance of the present Declaration.

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# 284

## **Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty**

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*21 December 1965*

*The General Assembly,*

*Deeply concerned* at the gravity of the international situation and the increasing threat to universal peace due to armed intervention and other direct or indirect forms of interference threatening the sovereign personality and political independence of States,

*Considering* that the United Nations, in accordance with their aim to eliminate war, threats to the peace and acts of aggression, created an Organisation, based on the sovereign equality of States, whose friendly relations would be based on respect for the principle of equal rights and self-determination of peoples and on the obligation of its Members to refrain from the threat or use of force against the territorial integrity or political independence of any State,

*Recognising* that in the Universal Declaration of Human Rights the General Assembly proclaimed that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, without distinction of any kind,

*Reaffirming* the principle of non-intervention, proclaimed in the charters of the Organisation of American States, the League of Arab States and the Organisation of African Unity and affirmed at the conferences held at Montevideo, Buenos Aires, Chapultepec and Bogota, as well as in the decisions of the Asian-African Conference at Bandung, the First Conference of Heads of State or Government of Non-Aligned

Countries at Belgrade, in the Programme for Peace and International Cooperation adopted at the end of the Second Conference of Heads of State or Government of Non-Aligned Countries at Cairo, and in the declaration on subversion adopted at Accra by the Heads of State and Government of the African States,

*Recognising* that full observance of the principle of the non-intervention of States in the internal and external affairs of other States is essential to the fulfilment of the purposes and principles of the United Nations,

*Considering* that armed intervention is synonymous with aggression and, as such, is contrary to the basic principles on which peaceful international co-operation between States should be built,

*Considering further* that direct intervention, subversion and all forms of indirect intervention are contrary to these principles and, consequently, constitute a violation of the Charter of the United Nations,

*Mindful* that violation of the principle of non-intervention poses a threat to the independence freedom and normal political, economic, social and cultural development of countries particularly those which have freed themselves from colonialism, and can pose a serious threat to the maintenance of peace.

*Fully aware* of the imperative need to create appropriate conditions which would enable all States, and in particular the developing countries, to choose without duress or coercion their own political, economic and social institutions,

*In the light of the foregoing considerations, solemnly declares:*

1. No State has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are condemned.
2. No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights or to secure from it advantages of any kind. Also, no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the regime of another State, or interfere in civil strife in another State.



3. The use of force to deprive peoples of their national identity constitutes a violation of their inalienable rights and of the principle of non-intervention.
4. The strict observance of these obligations is an essential condition to ensure that nations live together in peace with one another, since the practice of any form of intervention not only violates the spirit and letter of the Charter of the United Nations but also leads to the creation of situations which threaten international peace and security.
5. Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State.
6. All States shall respect the right of self-determination and independence of peoples and nations, to be freely exercised without any foreign pressure, and with absolute respect for human rights and fundamental freedoms. Consequently, all States shall contribute to the complete elimination of racial discrimination and colonialism in all its forms and manifestations.
7. For the purpose of the present Declaration, the term "State" covers both individual States and groups of States.
8. Nothing in this Declaration shall be construed as affecting in any manner the relevant provisions of the Charter of the United Nations relating to the maintenance of international peace and security, in particular those contained in Chapters vi, VII and VIII.

# 285

## Declaration on the Neutrality of Laos (1962)

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**DATE OF SIGNATURE:** July 23, 1962

**PLACE OF SIGNATURE:** Geneva

**SIGNATORY STATES:** Burma, Cambodia, Canada, People's Republic of China, Democratic Republic of Viet-Nam, France, India, Poland, Republic of Viet-Nam, Thailand, the Soviet Union, the United Kingdom of Great Britain and Northern Ireland, the United States

[The signatories],

whose representatives took part in the International Conference on the Settlement of the Laotian Question, 1961-1962;

Welcoming the presentation of the statement of neutrality by the Royal Government of Laos of July 9, 1962, and taking note of this statement, which is, with the concurrence of the Royal Government of Laos, incorporated in the present Declaration as an integral part thereof, and the text of which is as follows:

### **The Royal Government of Laos**

Being resolved to follow the path of peace and neutrality in conformity with the interests and aspirations of the Laotian people, as well as the principles of the Joint Communique of Zurich dated June 22, 1961, and of the Geneva Agreements of 1954, in order to build a peaceful, neutral, independent, democratic, unified and prosperous Laos,

Solemnly declares that:

1. It will resolutely apply the five principles of peaceful co-existence in foreign relations, and will develop friendly relations and establish diplomatic relations with all countries, the neighbouring countries first and foremost, on the basis of

equality and of respect for the independence and sovereignty of Laos;

2. It is the will of the Laotian people to protect and ensure respect for the sovereignty, independence, neutrality, unity, and territorial integrity of Laos;
3. It will not resort to the use or threat of force in any way which might impair the peace of other countries, and will not interfere in the internal affairs of other countries;
4. It will not enter into any military alliance or into any agreement, whether military or otherwise, which is inconsistent with the neutrality of the Kingdom of Laos; it will not allow the establishment of any foreign military base on Laotian territory, nor allow any country to use Laotian territory for military purposes or for the purposes of interference in the internal affairs of other countries, nor recognise the protection of any alliance or military coalition, including SEATO;
5. It will not allow any foreign interference in the internal affairs of the Kingdom of Laos in any form whatsoever;
6. Subject to the provisions of Article 5 of the Protocol, it will require the withdrawal from Laos of all foreign troops and military personnel, and will not allow any foreign troops or military personnel to be introduced into Laos;
7. It will accept direct and unconditional aid from all countries that wish to help the Kingdom of Laos build up an independent and autonomous national economy on the basis of respect for the sovereignty of Laos;
8. It will respect the treaties and agreements signed in conformity with the interests of the Laotian people and of the policy of peace and neutrality of the Kingdom, in particular the Geneva Agreements of 1962, and will abrogate all treaties and agreements which are contrary to those principles.

This statement of neutrality by the Royal Government of Laos shall be promulgated constitutionally and shall have the force of law.

The Kingdom of Laos appeals to all the States participating in the International Conference on the Settlement of the Laotian Question, and to all other States, to recognise the sovereignty, independence, neutrality, unity and territorial integrity of Laos, to conform to these principles in all respects, and to refrain from any action inconsistent therewith.

Confirming the principles of respect for the sovereignty, independence, unity and territorial integrity of the Kingdom of Laos and non-interference in its internal affairs which are embodied in the Geneva Agreements of 1954;

Emphasising the principle of respect for the neutrality of the Kingdom of Laos;

Agreeing that the above-mentioned principles constitute a basis for the peaceful settlement of the Laotian question:

Profoundly convinced that the independence and neutrality of the Kingdom of Laos will assist the peaceful democratic development of the Kingdom of Laos and the achievement of national accord and unity in that country, as well as the strengthening of peace and security in South-East Asia;

1. Solemnly declare, in accordance with the will of the Government and people of the Kingdom of Laos, as expressed in the statement of neutrality by the Royal Government of Laos of July 9, 1962, that they recognise and will respect and observe in every way the sovereignty, independence, neutrality, unity and territorial integrity of the Kingdom of Laos. 2. Undertake, in particular, that

- (a) they will not commit or participate in any way in any act which might directly or indirectly impair the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos;
- (b) they will not resort to the use or threat of force or any other measure which might impair the peace of the Kingdom of Laos;
- (c) they will refrain from all direct or indirect interference in the internal affairs of the Kingdom of Laos;
- (d) they will not attach conditions of a political nature to any assistance which they may offer or which the Kingdom of Laos may seek;
- (e) they will not bring the Kingdom of Laos in any way into any military alliance or any other agreement, whether military or otherwise, which is inconsistent with her neutrality, nor invite or encourage her to enter into any such alliance or to conclude any such agreement;
- (f) they will respect the wish of the Kingdom of Laos not to recognise the protection of any alliance or military coalition, including SEATO;

- (g) they will not introduce into the Kingdom of Laos foreign troops or military personnel in any form whatsoever, nor will they in any way facilitate or connive at the introduction of any foreign troops or military personnel;
- (h) they will not establish nor will they in any way facilitate or connive at the establishment in the Kingdom of Laos of any foreign military base, foreign strong point or other foreign military installation of any kind;
- (i) they will not use the territory of the Kingdom of Laos for interference in the internal affairs of other countries;
- (j) they will not use the territory of any country, including their own for interference in the internal affairs of the Kingdom of Laos.

3. Appeal to all other States to recognise, respect and observe in every way the sovereignty, independence and neutrality, and also the unity and territorial integrity, of the Kingdom of Laos and to refrain from any action inconsistent with these principles or with other provisions of the present Declaration.

4. Undertake, in the event of a violation or threat of violation of the sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos, to consult jointly with the Royal Government of Laos and among themselves in order to consider measures which might prove to be necessary to ensure the observance of these principles and the other provisions of the present Declaration.

5. The present Declaration shall enter into force on signature and together with the statement of neutrality by the Royal Government of Laos of July 9, 1962, shall be regarded as constituting an international agreement. The present Declaration shall be deposited in the archives of the Governments of the United Kingdom and the Union of Soviet Socialist Republics, which shall furnish certified copies thereof to the other signatory States and to all the other States of the world.

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# 286

## Declaration on the Prohibition of the Use of Nuclear and Thermo-nuclear Weapons

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*24 November 1961*

*The General Assembly,*

*Mindful of its responsibility under the Charter of the United Nations in the maintenance of international peace and security, as well as in the consideration of principles governing disarmament,*

*Gravely concerned that, while negotiations on disarmament have not so far achieved satisfactory results, the armaments race, particularly in the nuclear and thermo-nuclear fields, has reached a dangerous stage requiring all possible precautionary measures to protect humanity and civilisation from the hazard of nuclear and thermo-nuclear catastrophe,*

*Recalling that the use of weapons of mass destruction, causing unnecessary human suffering, was in the past prohibited, as being contrary to the laws of humanity and to the principles of international law, by international declarations and binding agreements, such as the Declaration of St. Petersburg of 1868, the Declaration of the Brussels Conference of 1874, the Conventions of the Hague Peace Conferences of 1899 and 1907, and the Geneva Protocol of 1925, to which the majority of nations are still parties,*

*Considering that the use of nuclear and thermonuclear weapons would bring about indiscriminate suffering and destruction to mankind and civilisation to an even greater extent than the use of those weapons declared by the aforementioned international declarations and agreements to be contrary to the laws of humanity and a crime under international law,*

*Believing* that the use of weapons of mass destruction, such as nuclear and thermo-nuclear weapons, is a direct negation of the high ideals and objectives which the United Nations has been established to achieve through the protection of succeeding generations from the scourge of war and through the preservation and promotion of their cultures,

1. *Declares* that:

- (a) The use of nuclear and thermo-nuclear weapons is contrary to the spirit, letter and aims of the United Nations and, as such, a direct violation of the Charter of the United Nations;
- (b) The use of nuclear and thermo-nuclear weapons would exceed even the scope of war and cause indiscriminate suffering and destruction to mankind and civilisation and, as such, is contrary to the rules of international law and to the laws of humanity;
- (c) The use of nuclear and thermo-nuclear weapons is a war directed not against an enemy or enemies alone but also against mankind in general, since the peoples of the world not involved in such a war will be subjected to all the evils generated by the use of such weapons;
- (d) Any State using nuclear and thermo-nuclear weapons is to be considered as violating the Charter of the United Nations, as acting contrary to the laws of humanity and as committing a crime against mankind and civilisation;

2. *Requests* the Secretary-General to consult the Governments of Member States to ascertain their views on the possibility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes and to report on the results of such consultation to the General Assembly at its seventeenth session.

# 287

## Excerpt from the State of the Union Message by the President of the United States, George Bush\*

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*Washington, D.C., 28 January 1992*

Tonight I can tell you of dramatic changes in our strategic nuclear force. These are actions we are taking on our own—because they are the right thing to do.

After completing 20 planes for which we have begun procurement, we will shut down further production of the B-2 bomber. We will cancel the small ICBM programme. We will cease production of new warheads for our sea-based ballistic missiles. We will stop all new production of the Peacekeeper missile. And we will not purchase any more advanced cruise missiles.

This weekend I will meet at Camp David with Boris Yeltsin of the Russian Federation. I have informed President Yeltsin that if the Commonwealth—the former Soviet Union—will eliminate all land-based multiple-warhead ballistic missiles, I will do the following:

- We will eliminate all Peacekeeper missiles.
- We will reduce the number of warheads on Minuteman missiles to one, and reduce the number of warheads on our sea-based missiles by about one third.
- And we will convert a substantial portion of our strategic bombers to primarily conventional use.

President Yeltsin's early response has been very positive, and I expect our talks at Camp David to be fruitful.

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\* Text supplied by the United States Mission to the United Nations.



# 288

## **Excerpt from a Message from the President of the Russian Federation, B. N. Yeltsin, to the Secretary-General of the United Nations\***

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*27 January 1992*

... The structures of national armed forces must to a greater extent than is now the case be geared to the goals of ensuring collective security. Accordingly, Russia will do everything possible to promote the further strengthening of the role of the United Nations and its component institutions in the maintenance of peace. If necessary, this will include the provision of our armed forces, in accordance with constitutional procedures, to participate in appropriate international activities.

Russia declares that it is prepared to cooperate with all States and international organisations to this end. It reaffirms that it will not use armed force against any State or States in any circumstances whatsoever, except in response to aggression against Russia, its friends and allies, and will not be the first to use nuclear weapons.

A key element of our efforts to create a single global security space will be active participation and cooperation in the process of arms limitation and reduction.

Disarmament is a traditional priority of Russia. This goes back to the Hague conferences at the end of the last and beginning of the present century, of which Russia was the initiator. And today disarmament is seen by us as one of the most important instruments for ensuring national security and strengthening international peace and stability.

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\* A/47/77-S/23486 and Corr.1, annex. 214

As the successor State to the former USSR, Russia re-affirms all its obligations under bilateral and multilateral treaties and agreements in force and signed on the subject of arms limitation and disarmament and will strictly observe them.

As regards military-political and military-strategic questions, we shall steadfastly abide by the following long-term policies.

We shall organise the armed forces in such a manner that they cannot be used for purposes other than defence and peace-keeping activities in accordance with decisions of the international community.

On the road to the complete elimination of nuclear weapons everywhere, we shall strive to reduce nuclear forces to the minimum level which would guarantee that there will be no war. Incentives to making a first disabling strike must also be eliminated.

We are no longer adversaries of the United States and the other NATO countries and we consider as obsolete a situation in which we aim our nuclear sights at each other. We must by joint efforts decisively deliver ourselves from this legacy of the period of confrontation and "Cold War".

The processes of nuclear disarmament, which the interests of the peoples of the world so insistently require us to implement, will be incomplete and inadequate if they are conducted solely within the framework of relations between Russia and the United States. The other nuclear Powers— China, the United Kingdom and France— must not remain on the sidelines and continue the uncontrolled build-up of their offensive nuclear arsenals. This could already in the next few years destabilise the international situation. They must also participate in the processes of genuine nuclear disarmament.

In addition to the elimination of nuclear weapons, we support the complete elimination of all other types of weapons of mass destruction under effective control.

We favour the adoption of effective measures to strengthen the regime of non-proliferation of nuclear and other types of weapons of mass destruction and also of the means of their delivery.

We advocate the maximum mutual openness and predictability, as well as measures of trust in the military sphere, including military doctrines, defence budgets, plans for the organisation and activities of armed forces and the international arms trade.

We are open to cooperation in the elaboration of additional measures designed to avert the outbreak of war through accident, miscalculation or terrorism and to prevent military incidents.

We shall cooperate and participate in the creation of collective security structures on the basis of the United Nations Charter.

The pursuit of these long-term disarmament policies requires the very rapid adoption of a series of effective measures—both in cooperation with our partners and unilaterally—in all the key directions of the process of arms limitation and reduction.

### **Strategic Offensive Arms**

The Treaty on strategic offensive arms has been submitted for ratification to the Supreme Soviet of the Russian Federation. The process of ratification of the Treaty has also begun in the United States.

Russia wishes not to rest on its laurels but, together with the United States, to move forward ever faster along the road to the curtailment of superfluous military structures, particularly nuclear structures. Further to the Treaty on strategic offensive arms, we have already taken a whole series of major unilateral measures. About 600 strategic ballistic missiles have been removed from combat duty, a whole series of military programmes for the creation of new types of strategic offensive arms has been curtailed, and measures have been taken to increase strategic stability and predictability.

As you see, the policy of good example in relations between Russia and the United States in the matter of the reduction of nuclear arsenals is already bearing real fruit and it must be developed by every possible means.

With this aim, we have decided on new initiatives designed to accelerate the process of nuclear disarmament.

In addition, I have sent President George Bush the proposals of Russia for new, far-reaching reductions in strategic offensive arms.

Following the reductions which we have proposed on each side, there would remain a total of 2,000 to 2,500 strategic nuclear devices. In other words, the existing strategic arsenals of Russia and the United States would be radically reduced.

I intend at the forthcoming meeting with President George Bush at Camp David to discuss in detail and in a constructive spirit questions relating to further major reductions in strategic offensive arms.

### **Tactical Nuclear Weapons**

We have also already undertaken, in parallel with the United States ' of America, major measures to cut tactical nuclear weapons.

Currently, such weapons of the former USSR are located in the territory of three States— Russia, Belarus and Ukraine. Pursuant to the agreement reached between the States participating in the Commonwealth of Independent States, all tactical nuclear munitions will be relocated to Russia by 1 July 1992.

Production of nuclear warheads for ground-launched tactical nuclear missiles, nuclear artillery shells and nuclear mines has been halted. Stocks of such tactical nuclear munitions will be eliminated.

I say also that Russia will eliminate one third of the sea-launched tactical nuclear weapons and half of the nuclear warheads for ground-to-air missiles. We have already taken steps towards this end.

With a view to the total elimination of tactical nuclear weapons in the foreseeable future, Russia will, in addition to these steps that are already being taken, cut by half its stocks of air-launched tactical nuclear munitions.

### **Anti-Ballistic Missiles and Space**

Russia confirms its adherence to the Treaty on anti-ballistic missiles, which is one of the effective means of limiting the strategic arms race and an important factor in the maintenance of strategic stability.

While maintaining this position of principle, we are prepared to continue open-minded discussion of the United States proposal on limited non-nuclear anti-ballistic missile systems. Our final attitude to this idea will be determined by the extent to which it meets the objective of strengthening strategic stability against a background of sharp cuts in strategic offensive arms.

I declare Russia's readiness, on a basis of mutuality with the United States of America, to eliminate existing anti-satellite systems and to work out an agreement for a total ban on weapons specially designed to attack satellites.

### **Prohibition of Nuclear Weapons Tests and Production of Fissile Materials for Use in Armaments**

Russia is resolutely in favour of all nuclear weapons tests being prohibited. We are abiding by the one-year moratorium on nuclear explosions proclaimed in October 1991, and we hope that the other nuclear Powers will also refrain from conducting nuclear tests. An atmosphere of mutual restraint would promote the reaching of agreement not to conduct such tests at all.

In the interests of finally resolving this problem, we propose to the United States of America the renewal of the phased bilateral talks on the further limitation of nuclear weapons tests.

Russia intends to continue implementing the programme for halting the production of weapons-grade plutonium. Industrial reactors for the production of weapons-grade plutonium will be shut down by the year 2000, and some of them, under an accelerated timetable, as early as 1993. We confirm our proposal to the United States of America to reach agreement on a monitored cessation of the production of fissile materials for weapons.

### **Non-proliferation of Weapons of Mass Destruction and Means of Their Delivery**

As the successor State to the USSR, Russia naturally reaffirms its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, including those devolving on it as a depositary. We are counting on the early accession to the Treaty, as non-nuclear States, of Belarus, Kazakhstan and Ukraine, and also of the other States participating in the Commonwealth of Independent States.

Russia declares its full support for the activity of the International Atomic Energy Agency, and advocates a strengthening of the effectiveness of its safeguards.

We are pleased that an understanding has been reached on the establishment of a nuclear-weapon-free zone on the Korean peninsula.

We intend to take further steps to ensure that export from Russia should not lead to the proliferation of means of mass destruction. From the specific standpoint, we are as of now working on the issues involved in arriving at the principle of "comprehensive IAEA guarantees" as a condition of our peaceful nuclear exports and in officially adhering, as an equal participant, to the international regime for the non-proliferation of missiles and missile technology. We support the efforts of the "Australian group" with respect to the monitoring of chemical exports.

It is our intention to adopt domestic legislation regulating the export from Russia of "dual-purpose" materials, equipment and technologies which could be used to develop nuclear, chemical and biological weapons, as well as military missiles. We are also establishing an effective system for the State monitoring of such exports. We shall institute the closest cooperation and coordination between all States participating in the Commonwealth of Independent States on these issues.

Russia supports the guidelines approved at London in October 1991 by the major conventional weapons exporting countries on trade in armaments, and will abide by them.

### **Conventional Weapons**

The treaty on conventional armed forces in Europe has been submitted to the Russian Parliament for ratification. There is an understanding with the other States participating in the Commonwealth of Independent States to whose territory the applicability of the treaty extends that they will also ratify it.

Russia confirms its intention, jointly with the other States participating in the Commonwealth of Independent States, to reduce the armed forces of the former Union of Soviet Socialist Republics by 700,000.

Russia attaches great importance both to the talks currently under way in Vienna on strength reductions and confidence-building measures and to the forthcoming new talks, after the "Helsinki-II" conference, on security and cooperation in Europe. These new talks could become a full-time Europe-wide forum for seeking approaches to the establishment of a collective Europe-wide security system.

Russia will seek to reach agreement in negotiations with China on the reduction of armed forces and armaments in the frontier region.

Another important contribution to the strengthening of stability will be made by our decision not to hold in 1992 major manoeuvres involving more than 13,000 troops, and this not only in the European, but also in the Asian, part of the territory of the Commonwealth of Independent States.

We also hope that there is a possibility of signing in the very near future a treaty on an "open skies" regime.

### **Chemical Weapons**

We are in favour of the earliest possible conclusion—in 1992—of a global convention on the prohibition of chemical weapons which, while effectively barring the possession of chemical weapons, would not impair the lawful economic interests of its parties.

Russia is abiding by the agreement signed with the United States in 1990 on the non-production and destruction of chemical weapons. However, the deadlines it specifies for the destruction of such weapons will require some adjustment.

All the chemical weapons of the former USSR are located in the territory of Russia, and it will take responsibility for destroying them.

We are preparing a State programme for destroying such weapons, and are ready to cooperate in this matter with the United States of America and other interested countries.

### **Biological Weapons**

Russia is in favour of the strict implementation of the 1972 Convention on the Prohibition of Biological Weapons and of the establishment on a multilateral basis of an appropriate monitoring mechanism and for the implementation of measures to build confidence and promote openness.

Russia, as a party to the 1972 Convention, repudiates those parts of the reservations made by the USSR to the 1925 Geneva Protocol for the prohibition of the use in war of chemical and bacteriological methods which relate to the possibility of retaliatory use of biological weapons.

### **Defence Budget**

Russia will continue to make substantial cuts in its defence budget and to apply them to social issues.

In 1990-1991, defence expenditures in comparable prices were already reduced by 20 per cent, and within this figure expenditures on the purchase of armaments and technology were cut by 30 per cent.

In 1992, we intend to cut military expenditures by a further 10 per cent (in 1991 prices). The volume of arms production in the coming year will be approximately half that for last year.

### **Conversion of Military Production**

Russia welcomes the international cooperation in the field of conversion of military production, and will for its part encourage it by establishing a "most favourable treatment regime" and instituting tax concessions for relevant joint projects. Conversion will be carried out at maximum advantage to the nation.

These are the main lines of Russia's policy in the field of arms reduction and disarmament. We are open to ideas and proposals from other States aimed at strengthening international peace and security. Through joint efforts, a stable world can and must be guaranteed.

# 289

## Responses to the United States and Soviet Unilateral Initiatives

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### UNITED NATIONS

#### **Statement Attributable to the Spokesman for the Secretary-General\***

The Secretary-General warmly welcomes the timely and far-reaching announcement by President George Bush on 27 September outlining a number of measures that the United States would unilaterally take in regard to nuclear weapons and forces. The announcement comprises a most substantial set of measures that would further the process of nuclear disarmament and further de-escalate the threat of nuclear war. The steps envisaged could go a long way towards strengthening international peace and security.

The Secretary-General earnestly hopes, in addition, that discussions between the United States and the Soviet Union relating to the proposal by President Bush for the elimination of certain multiple nuclear warheads will commence as soon as possible. The success of those negotiations would be of utmost importance to the world as a whole.

#### **Statement Attributable to the Spokesman for the Secretary-General\*\***

The Secretary-General is highly appreciative of the concrete and positive response by President Mikhail Gorbachev on 5 October to President George Bush's announcement of 27 September of the United States' decision to take a number of unilateral measures with regard to nuclear weapons and forces. He hopes that these two important and

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\* SG/SM/4626-DC/2386 of 30 September 1991.

\*\* SG/SM/4631-DC/2388 of 7 October 1991.



dramatic initiatives will provide a new momentum to the efforts to achieve further significant reductions in their nuclear arsenals, contribute to greater stability and lead to the adoption of additional steps towards the objective of a comprehensive test ban.

Furthermore, the Secretary-General urges the other nuclear-weapon States to consider responding to President Gorbachev's invitation that they join in the bilateral effort.

## ***CHINA***

### **XINHUA PRESS AGENCY**

*Beijing, 29 September 1991*

#### **China Welcomes Bush's Plan for Nuclear Disarmament**

A Chinese Foreign Ministry spokesman stated here today that China welcomes the plan for nuclear disarmament announced by US President Bush on September 27.

The spokesman made this statement when asked by correspondents to comment on Bush's initiative for nuclear disarmament.

The spokesman said that the Chinese Government has always stood for nuclear disarmament, advocating complete prohibition and thorough destruction of nuclear weapons.

China hopes that this plan "will help realise the earlier-mentioned objectives", he said.

He continued, "We maintain that the United States and the Soviet Union, which possess the largest nuclear arsenals, have a special responsibility for nuclear disarmament and thus have the obligation to take the lead in halting the testing, production and deployment of nuclear weapons and substantially cutting the nuclear weapons of all types in their possession".

## ***FRANCE***

### **COMMUNIQUE ISSUED BY THE PRESIDENCY OF THE REPUBLIC\***

*Paris, 28 September 1991*

President Bush's initiative is the beginning of a watershed in nuclear disarmament.

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\* Press release of 30 September 1991 issued by the United Kingdom Mission to the United Nations..

France welcomes it and will very carefully consider both the proposed measures and the reactions they arouse.

Following on the 1987 Treaty on Soviet and American intermediate nuclear forces and the 1991 Treaty on strategic arms concluded by the United States and USSR, the proposals that have just been put forward must make it possible to speed up the reduction of the redundant nuclear arsenals.

France approves of every prospect of progress towards the reduction and effective destruction of nuclear weapons, on which she is herself ready to embark at the appropriate time according to the conditions she set out before the United Nations in September 1983.

The French plan for arms control and disarmament of 3 June 1991, the decisions taken by the President of the Republic concerning the final warning weapons and his proposal for consultations between the four powers possessing nuclear weapons in Europe on the safety of the Soviet weapons are all initiatives moving in the same direction, that of achieving greater security for all countries.

### **COMMUNIQUE ISSUED BY THE PRESIDENCY OF THE REPUBLIC\***

*Paris, 7 October 1991*

France, who was very pleased to see President Bush's proposals, warmly welcomes the Soviet Union's positive reaction and the abolition of tactical nuclear weapons proposed by Gorbachev.

English translation provided by the Permanent Mission of France to the United Nations.

She supports the USSR President's proposal for a reduction of the Soviet and American strategic forces, which go faster and further than those envisaged in the START agreement.

France considers it necessary to avoid a destabilising new arms race in the missile defence sphere. She will study with interest the points in the Soviet President's proposal which seem to have this aim in view.

Finally, France notes with satisfaction that the Soviet Union and United States are genuinely embarking on the path of the minimum deterrent strategy that she advocates. She confirms that, at the appropriate moment, she will take her part in the nuclear disarmament process.

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\* Policy Statement 64/91 of 7 October 1991, issued by British Information Services.

## UNITED KINGDOM

### Statement by Prime Minister John Major\*

#### *Nuclear Initiative*

These are far-reaching proposals. The President and I both want to seize this opportunity to achieve a safer world. I trust that President Gorbachev and President Yeltsin will respond with equal imagination. If they do it will be a turning point in our history, bringing enormous benefits for mankind. We have a unique chance to maintain our security at much lower levels of nuclear weapons and to ensure that those weapons that remain stay under the tightest control.

For some time we have been consulting with our American and other allies how we can best consolidate the historic changes which have occurred in Eastern Europe and the Soviet Union. We all agreed that we should take further imaginative steps in arms control while preserving the essentials of our defence in a world which is still unstable. These consultations have borne fruit in the bold initiative just announced by President Bush.

I would stress three points:

- (i) First, the enormous strides we are making in arms control have been made possible by the policies of NATO: policies based on sound defence and solidarity, rather than pacifism and unilateralism. We will need NATO and the habit of consulting with allies as much in the future as in the past if we are to capitalise on the hopeful trends now before us.
- (ii) Second, the aim is to keep only the minimum of nuclear weapons needed to make sure that Europe never again faces large-scale war: adequate conventional and nuclear forces remain the bedrock of our security. The Government will ensure that Britain retains both.
- (iii) Third, these moves, exciting though they are, do not exhaust the possibilities. The Government's agenda has other important arms control initiatives on it: including an arms transfers register, a ban on chemical weapons and a programme to ensure that the weapons we are controlling or banning in Europe do not spread to countries elsewhere in the world.

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\* A/46/592-S/23161, annex.

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## **Text of a Doorstep Interview Given by Prime Minister John Major on 6 October 1991**

### ***Nuclear Weapons Cuts: The Soviet Response***

*The Prime Minister:*

When President Bush announced his proposals a week or so ago, I said that if Gorbachev responded in like fashion then it could well be a turning point in the peace process. We have now had a response from President Gorbachev. At first sight it does seem to be a very comprehensive response, and that is very welcome.

If it is what it seems to be, then there may be a unique opportunity to see a dramatic de-escalation in nuclear weapons.

I welcome that very much, and we would want very carefully to study the proposals that have been laid out before us. I think there are several points to make about this. Firstly, what has happened today is an absolute vindication of NATO strategy over recent years. Had the West not held to that strategy, I very much doubt that we would have seen the remarkable events of recent weeks. Secondly, although these announcements are very welcome indeed, I believe we do have to bear in mind that the Soviet Union still remains a very large military and nuclear power, and we would want to look very carefully to see how these matters develop.

*Question:*

Does this mean that you would consider making further cuts in Britain's arsenal, and in particular reconsider Trident?

*Prime Minister:*

No, I don't believe that would be an appropriate response. We have made reductions in our own nuclear weapons over recent weeks, and we have announced those. The Trident is the essential minimum defence that we need in this country, and we must maintain Trident. The Soviet Union, despite those very welcome reductions, are still an immense nuclear power and immense military power, and we need that essential deterrent that Trident provides, and we will keep it.

*Question:*

And the question of nuclear testing?

*Prime Minister:*

Well, we will study very carefully all the proposals in the Soviet Union plans. I think at this stage it is wise to examine them carefully before we respond.

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## Excerpts from a Statement by President Mikhail Gorbachev\*

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*Moscow, 5 October 1991*

A week ago, the President of the United States, George Bush, put forward an important initiative on nuclear weapons.

We see in this initiative the confirmation that new thinking has received wide support in the international community. George Bush's proposals are a fitting continuation of the work begun at Reykjavik. That is my basic assessment. I know that Boris Yeltsin and the leaders of the other republics share this opinion.

In this statement I shall announce the steps we are taking and the proposals we are making in response.

*First.* The following actions will be taken with regard to tactical nuclear weapons:

- All nuclear artillery ammunition and nuclear warheads for tactical missiles will be destroyed;
- Nuclear warheads of anti-aircraft missiles will be removed from the army and stored in central bases. Part of them will be destroyed. All nuclear mines will be destroyed;
- All tactical nuclear weapons will be removed from surface ships and multi-purpose submarines. These weapons, as well as weapons from ground-based naval aviation, will be placed in central storage areas. Part of them will be destroyed.

Thus, the Soviet Union and the United States are taking radical measures on a reciprocal basis leading to the elimination of tactical nuclear weapons.

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\* A/C.1/46/10, annex.

Moreover, we propose that the United States should on a reciprocal basis completely eliminate all tactical nuclear weapons from its naval forces. Also on a reciprocal basis, we could remove from active units of forward-based (tactical) aviation all nuclear ammunition (bombs and aircraft missiles) and store them in centralised bases.

The USSR calls on the other nuclear Powers to join in these far-reaching Soviet-United States measures with regard to tactical nuclear weapons.

*Second.* Like the United States President, I am in favour of the earliest possible ratification of the Treaty on Strategic Offensive Weapons. This issue will be discussed at the first session of the reconstituted Supreme Soviet of the USSR.

Taking into account the unilateral steps on strategic offensive weapons announced by George Bush, we shall take the following measures:

- Our heavy bombers, like those of the United States, will be taken off alert and their nuclear weapons will be stored;
- Work will be halted on the new modified short-range missile for Soviet heavy bombers;
- The Soviet Union will halt work on a mobile small intercontinental ballistic missile;
- Plans to build new launchers for intercontinental ballistic missiles on railway cars and to modernise those missiles will be abandoned. Thus, the number of our mobile intercontinental ballistic missiles with multiple individually targeted warheads will not increase;
- All our intercontinental ballistic missiles on railway cars will be returned to their permanent storage sites;
- As a step in response, we shall remove from day-to-day alert status 503 intercontinental ballistic missiles, including 134 intercontinental ballistic missiles with multiple individually-targeted warheads;
- We have already removed from active service three nuclear missile submarines with 44 launchers for submarine-based ballistic missiles and three more submarines with 48 launchers are now being removed.

*Third.* We have decided to make deeper cuts in our strategic offensive weapons than are envisaged in the Treaty on Strategic Offensive Weapons. As a result, at the end of the seven-year period, the remaining number of nuclear warheads in our possession will be

5,000 instead of the 6,000 envisaged under the Treaty. We would of course welcome reciprocal steps by the United States.

We propose to the United States that immediately after the ratification of the Treaty, intensive negotiations should be begun on further radical reductions in strategic offensive weapons by approximately half.

We are ready to discuss United States proposals on non-nuclear anti-aircraft systems.

We propose that we examine with the United States the possibility of creating joint systems with ground- and space-based elements to avert nuclear missile attacks.

*Fourth.* We declare an immediate one-year unilateral moratorium on nuclear-weapons tests. We hope other nuclear Powers will follow our example. This will open the way to the earliest possible and complete cessation of nuclear testing.

We are in favour of reaching an agreement with the United States on a controlled cessation of the production of all fissionable materials for weapons.

*Fifth.* We are ready to begin a detailed dialogue with the United States on the development of safe and ecologically clean technologies to store and transport nuclear warheads and methods of utilising nuclear explosive devices and increasing nuclear safety.

To increase the reliability of nuclear-arms control we are placing all strategic nuclear weapons under single control and including all strategic defence systems in a single arm of the armed services.

*Sixth.* We hope that eventually the other nuclear Powers will actively join in the efforts of the USSR and the United States.

I believe the time has come for a joint statement by all the nuclear Powers renouncing a first nuclear strike. The USSR has long firmly adhered to this principle.

I am convinced that a similar step by the American side would have an enormous impact.

*Seventh.* We welcome the plans by the United States Administration to reduce its armed forces by 500,000 in the immediate future. On our side we intend to reduce our armed forces by 700,000.

In conclusion, I wish to stress the following: by acting in this way—unilaterally, bilaterally and through negotiations—we are decisively advancing the disarmament process and approaching the goal proclaimed at the beginning of 1986—a nuclear-free, safer and more stable world.

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## United States and Soviet Unilateral Initiatives on Nuclear Arms

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### EXCERPTS FROM A SPEECH BY PRESIDENT GEORGE BUSH

*Washington, 27 September 1991*

If we and the Soviet leaders take the right steps, some on our own, some on their own, some together, we can dramatically shrink the arsenal of the world's nuclear weapons. We can more effectively discourage the spread of nuclear weapons. We can rely more on defensive measures in our strategic relationship. We can enhance stability, and actually reduce the risk of nuclear war.

Now is the time to seize this opportunity. After careful study and consultations with my senior advisers, and after considering valuable counsel from Prime Minister Major, President Mitterrand, Chancellor Kohl and other allied leaders, I am announcing today a series of sweeping initiatives affecting every aspect of our nuclear forces on land, on ships, and on aircraft.

I met again today with our Joint Chiefs of Staff, and I can tell you, they wholeheartedly endorse each of these steps. I'll begin with the category in which we will make the most fundamental change in nuclear forces in over 40 years: non-strategic or theater weapons.

Last year, I cancelled United States plans to modernise our ground-launched theater nuclear weapons. Later, our NATO allies joined us in announcing that the alliance would propose the mutual elimination of all nuclear artillery shells from Europe as soon as short-range nuclear force negotiations began with the Soviets. But starting these talks now would only perpetuate these systems while we engage in lengthy negotiations. Last month's events not only permit, but indeed demand, swifter and bolder action.



I am therefore directing that the United States eliminate its entire worldwide inventory of ground-launched, short-range—that is, theater—nuclear weapons. We will bring home and destroy all of our nuclear artillery shells and short-range ballistic missile warheads.

We will of course ensure that we preserve an effective air-delivered nuclear capability in Europe. That is essential to NATO's security.

In turn, I have asked the Soviets to go down this road with us, to destroy their entire inventory of ground-launched theater nuclear weapons, not only their nuclear artillery and nuclear warheads for short-range ballistic missiles, but also the theater systems the United States no longer has, systems like nuclear warheads for air defense missiles and nuclear land mines.

Recognising further the major changes in the international military landscape, the United States will withdraw all tactical nuclear weapons from its surface ships and attack submarines, as well as those nuclear weapons associated with our land-based naval aircraft. This means removing all nuclear Tomahawk cruise missiles from United States ships and submarines, as well as nuclear bombs aboard aircraft carriers.

The bottom line is that under normal circumstances, our ships will not carry tactical nuclear weapons. Many of these land- and sea-based warheads will be dismantled and destroyed. Those remaining will be secured in central areas where they would be available if necessary in a future crisis.

Again, there is every reason for the Soviet Union to match our actions by removing all tactical nuclear weapons from its ships and attack submarines, by withdrawing nuclear weapons for land-based naval aircraft, and by destroying many of them and consolidating what remains at central locations.

I urge them to do so.

No category of nuclear weapons has received more attention than those in our strategic arsenals. The Strategic Arms Reduction Treaty, START, which President Gorbachev and I signed last July, was the culmination of almost a decade's work. It calls for substantial stabilising reductions and effective verification.

Prompt ratification by both parties is essential. But I also believe the time is right to use START as a springboard to achieve additional stabilising changes. First, to further reduce tensions, I am directing that all United States strategic bombers immediately stand down from their alert posture. As a comparable gesture, I call upon the Soviet

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Union to confine its mobile missiles to their garrisons, where they will be safer and more secure.

Second, the United States will immediately stand down from alert all intercontinental ballistic missiles scheduled for deactivation under START. Rather than waiting for the Treaty's reduction plan to run its full seven-year course, we will accelerate elimination of these systems once START is ratified. I call upon the Soviet Union to do the same.

Third, I am terminating the development of the mobile Peacekeeper ICBM as well as the mobile portions of the small ICBM programme. The small single warhead ICBM will be our only remaining ICBM modernisation programme, and I call upon the Soviets to terminate any and all programmes for future ICBMs with more than one warhead, and to limit ICBM modernisation to one type of single warhead missile, just as we have done.

Fourth, I am cancelling the current programme to build a replacement for the nuclear short-range attack missile for our strategic bombers.

And fifth, as a result of the strategic nuclear weapons adjustments that I've just outlined, the United States will streamline its command and control procedures, allowing us to more effectively manage our strategic nuclear forces.

As the system works now, the Navy commands the submarine part of our strategic deterrent while the Air Force commands the bomber and land-based elements. But as we reduce our strategic forces, the operational command structure must be as direct as possible, and I therefore approve the recommendation of Secretary Cheney and the Joint Chiefs to consolidate operational command of these forces into a United States strategic command under one commander, with participation from both services.

Since the 1970s, the most vulnerable and unstable part of the United States and Soviet nuclear forces has been intercontinental missiles with more than one warhead. Both sides have these ICBMs in fixed silos in the ground where they are more vulnerable than missiles on submarines. I propose that the United States and the Soviet Union seek early agreement to eliminate from their inventories all ICBMs with multiple warheads. After developing a timetable acceptable to both sides, we could rapidly move to modify or eliminate these systems under procedures already established in the START agreement.

In short, such an action would take away the single most unstable part of our nuclear arsenals.

But there is more to do. The United States and the Soviet Union are not the only nations with ballistic missiles. Some 15 nations have them now, and in less than a decade, that number could grow to 20.

The recent conflict in the Persian Gulf demonstrates in no uncertain terms that the time has come for strong action on this growing threat to world peace. Accordingly, I am calling on the Soviet leadership to join us in taking immediate, concrete steps to permit the limited deployment of non-nuclear defenses to protect against limited ballistic missile strikes, whatever their source, without undermining the credibility of existing deterrent forces.

And we will intensify our effort to curb nuclear and missile proliferation. These two efforts will be mutually reinforcing. To foster cooperation, the United States soon will propose additional initiatives in the area of ballistic missile early warning.

Finally, let me discuss yet another opportunity for cooperation that can make our world safer. During last month's attempted coup in Moscow, many Americans asked me if I thought Soviet nuclear weapons were under adequate control. I do not believe that America was at increased risk of nuclear attack during those tense days. But I do believe more can be done to ensure the safe handling and dismantling of Soviet nuclear weapons.

Therefore, I propose that we begin discussions with the Soviet Union to explore joint technical cooperation in three areas: first, we should explore joint technical cooperation on the safe and environmentally responsible storage, transportation, dismantling, and destruction of nuclear warheads; second, we should discuss existing arrangements for the physical security and safety of nuclear weapons, and how these might be enhanced. And third, we should discuss nuclear command and control arrangements, and how these might be improved to provide more protection against the unauthorized or accidental use of nuclear weapons.

My friend French President Mitterrand offered a similar idea a short while ago. After further consultations with the alliance, and when the leadership in the USSR is ready, we will begin this effort.

The initiatives that I'm announcing build on the new defense strategy that I set out a year ago, one that shifted our focus away from the prospect of global confrontation. We're consulting with our allies on the implementation of many of these steps, which fit well with the new post-Cold War strategy and force posture that we've developed in NATO.

As we implement these initiatives, we will closely watch how the new Soviet leadership responds. We expect our bold initiatives to meet with equally bold steps on the Soviet side. If this happens, further cooperation is inevitable. If it does not, then an historic opportunity will have been lost.

# 292

## United States-Soviet Joint Statement on Afghanistan\*

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*Moscow, 13 September 1991*

The United States of America and the Union of Soviet Socialist Republics, consistent with the United Nations General Assembly resolutions adopted at the forty-third, forty-fourth and forty-fifth sessions and with their commitment to the Geneva Accords on Afghanistan, recognise the fundamental right of the Afghan people to determine their own destiny free from outside interference. In this regard, they support the statement of the United Nations Secretary-General dated 21 May 1991, and re-affirm the need for a political settlement in Afghanistan that ensures an independent and non-aligned Afghanistan at peace with its neighbours and that establishes a new, broad-based government through an electoral process that respects Afghan political and Islamic traditions. The United States and the USSR agree that a transition period is required to reach these goals.

To this end, they call for and pledge to support a democratic and free electoral process that is not subject to manipulation or interference by anyone. The results of the electoral process must be respected and fully implemented by all.

They request the United Nations, with the support of concerned Governments, including those of Islamic countries, to work with the Afghans to convene a credible and impartial transition mechanism whose functions would include directing and managing a credible electoral process fully consistent with these principles. This transition mechanism, working closely with the United Nations and others as necessary, would have independent authority with all powers required

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\* A/46/595-S/23163, annex I.

to prepare for, conduct and implement the results of this electoral process leading to the establishment of a new government that will have the broad support of the Afghan people. The details of these and other powers and functions would be decided through an intra-Afghan dialogue.

The United States and the USSR agree that a cessation of hostilities is essential for the peaceful conduct of elections during the transition period and for a lasting political settlement. To facilitate this cessation, they agree to discontinue their weapons deliveries to all Afghan sides. They also agree that a ceasefire and a cut-off of weapons deliveries from all other sources should follow this step. They agree further to work towards withdrawal of major weapons systems from Afghanistan.

The United States and the USSR also reiterate their commitment to support an international humanitarian assistance effort to promote the prompt repatriation of refugees and reconstruction of Afghanistan.

To these ends, they reaffirm their willingness to promote in every way possible the efforts of the United Nations Secretary-General to contribute in practical ways to the early settlement of this conflict.

# 293

## Commentary on the United States-Soviet Joint Statement on Afghanistan

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*Moscow, 13 September 1991*

Today, the USSR and the United States issued a joint statement on Afghanistan specifying agreed approaches of the sides to a political settlement in that country along the lines of the United Nations Secretary-General's statement of 21 May 1991.

Settlement of the issue of "negative symmetry", that is, discontinuation of Soviet and United States arms supplies to the conflicting Afghan sides, is one of the crucial elements of this agreement. The USSR and the United States agreed to cut off such supplies beginning 1 January 1992. They further agreed that neither the USSR nor the United States will intensify arms supplies to any Afghan side in the interim. It is also hoped that during the remaining time the issue of the Soviet prisoners of war (POWs) will be settled. The United States pledges its best efforts to resolve this important humanitarian question.

It is also expected that other countries involved in the Afghan conflict should also follow the USSR and the United States in limiting their assistance to Afghanistan to humanitarian assistance only.

We expect that our joint steps will facilitate launching an intra-Afghan negotiating process and should lead to a pause followed by a complete cessation of military operations.

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# 294

## Selected Security Council Resolutions on the Special Commission on Iraq

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### SECURITY COUNCIL RESOLUTION 707 (1991)\*

*The Security Council,*

*Recalling* its resolution 687 (1991), and its other resolutions on this matter,

*Recalling* the letter of 11 April 1991 from the President of the Security Council to the Permanent Representative of Iraq to the United Nations (S/22485) noting that on the basis of Iraq's written agreement (S/22456) to implement fully resolution 687 (1991) the pre-conditions established in paragraph 33 of that resolution for a ceasefire had been met,

*Noting* with grave concern the letters dated 26 June 1991 (S/22739), 28 June 1991 (S/22743) and 4 July 1991 (S/22761) from the Secretary-General, conveying information obtained from the Executive Chairman of the Special Commission and the Director-General of the IAEA which establishes Iraq's failure to comply with its obligations under resolution 687 (1991),

*Recalling further* the statement issued by the President of the Security Council on 28 June 1991 (S/22746) requesting that a high-level mission consisting of the Chairman of the Special Commission, the Director-General of the IAEA, and the Under-Secretary-General for Disarmament Affairs be dispatched to meet with officials at the highest levels of the Government of Iraq at the earliest opportunity to obtain written assurance that Iraq will fully and immediately cooperate in the inspection of the locations identified by the Special Commission

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\* S/RES/707 (1991), adopted by the Security Council at its 3004th meeting, on 15 August 1991.



and present for immediate inspection any of those items that may have been transported from those locations,

*Dismayed* by the report of the high-level mission to the Secretary-General (S/22761) on the results of its meetings with the highest levels of the Iraqi Government,

*Gravely concerned* by the information provided to the Council by the Special Commission and the IAEA on 15 July 1991 (S/22788) and 25 July 1991 (S/22837) regarding the actions of the Government of Iraq in flagrant violation of resolution 687 (1991),

*Gravely concerned* also by the evidence in the letter of 7 July 1991 from the Minister of Foreign Affairs of Iraq to the Secretary-General and in subsequent statements and findings that Iraq's notifications of 18 and 28 April were incomplete and that it had concealed activities, which both constituted material breaches of its obligations under resolution 687 (1991),

*Noting* also from the letters dated 26 June 1991 (S/22739), 28 June 1991 (S/22743) and 4 July 1991 (S/22761) from the Secretary-General that Iraq has not fully complied with all of its undertakings relating to the privileges, immunities and facilities to be accorded to the Special Commission and the IAEA inspection teams mandated under resolution 687 (1991),

*Affirming* that in order for the Special Commission to carry out its mandate under paragraph 9 (b) (i), (ii) and (iii) of resolution 687 (1991) to inspect Iraq's chemical and biological weapons and ballistic missile capabilities and to take possession of them for destruction, removal or rendering harmless, full disclosure on the part of Iraq as required in paragraph 9 (a) of resolution 687 (1991) is essential,

*Affirming* that in order for the IAEA, with the assistance and cooperation of the Special Commission, to determine what nuclear-weapons-usable material or any subsystems or components or any research, development, support or manufacturing facilities related to them need, in accordance with paragraph 13 of resolution 687 (1991), to be destroyed, removed or rendered harmless, Iraq is required to make a declaration of all its nuclear programmes including any which it claims are for purposes not related to nuclear-weapons-usable material,

*Affirming* that the aforementioned failures of Iraq to act in strict conformity with its obligations under resolution 687 (1991) constitutes a material breach of its acceptance of the relevant provisions of resolution 687 (1991) which established a ceasefire and provided the

conditions essential to the restoration of peace and security in the region,

*Affirming further* that Iraq's failure to comply with its safeguards agreement with the International Atomic Energy Agency, concluded pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968, as established by the resolution of the Board of Governors of the IAEA of 18 July 1991 (GOV 2532), constitutes a breach of its international obligations,

*Determined* to ensure full compliance with resolution 687 (1991) and in particular its section C,

*Acting* under Chapter VII of the Charter,

1. *Condemns* Iraq's serious violation of a number of its obligations under section C of resolution 687 (1991) and of its undertakings to cooperate with the Special Commission and the IAEA, which constitutes a material breach of the relevant provisions of resolution 687 which established a ceasefire and provided the conditions essential to the restoration of peace and security in the region;

2. *Further condemns* non-compliance by the Government of Iraq with its obligations under its safeguards agreement with the International Atomic Energy Agency, as established by the resolution of the Board of Governors of 18 July, which constitutes a violation of its commitments as a party to the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968;

3. *Demands* that Iraq:

- (i) provide full, final and complete disclosure, as required by resolution 687 (1991), of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than 150 km, and of all holdings of such weapons, their components and production facilities and locations, as well as all other nuclear programmes, including any which it claims are for purposes not related to nuclear-weapons-usable material, with out further delay;
- (ii) allow the Special Commission, the IAEA and their Inspection Teams immediate, unconditional and unrestricted access to any and all areas, facilities, equipment, records and means of transportation which they wish to inspect;
- (iii) cease immediately any attempt to conceal, or any movement or destruction of any material or equipment relating to its nuclear, chemical or biological weapons or ballistic missile programmes, or material or equipment relating to its other

- nuclear activities without notification to and prior consent of the Special Commission;
- (iv) make available immediately to the Special Commission, the IAEA and their Inspection Teams any items to which they were previously denied access;
  - (v) allow the Special Commission, the IAEA and their Inspection Teams to conduct both fixed wing and helicopter flights throughout Iraq for all relevant purposes including inspection, surveillance, aerial surveys, transportation and logistics without interference of any kind and upon such terms and conditions as may be determined by the Special Commission, and to make full use of their own aircraft and such airfields in Iraq as they may determine are most appropriate for the work of the Commission;
  - (vi) halt all nuclear activities of any kind, except for use of isotopes for medical, agricultural or industrial purposes, until the Security Council determines that Iraq is in full compliance with this resolution and paragraphs 12 and 13 of resolution 687 (1991), and the IAEA determines that Iraq is in full compliance with its safeguards agreement with that Agency;
  - (vii) ensure the complete implementation of the privileges, immunities and facilities of the representatives of the Special Commission and the IAEA in accordance with its previous undertakings and their complete safety and freedom of movement;
  - (viii) immediately provide or facilitate the provision of any transportation, medical or logistical support requested by the Special Commission, the IAEA and their Inspection Teams;
  - (ix) respond fully, completely and promptly to any questions or requests from the Special Commission, the IAEA and their Inspection Teams;

4. *Determines* that Iraq retains no ownership interest in items to be destroyed, removed or rendered harmless pursuant to paragraph 12 of resolution 687 (1991);

5. *Requires* that the Government of Iraq forthwith comply fully and without delay with all its international obligations, including those set out in the present resolution, in resolution 687 (1991), in the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968 and its safeguards agreement with the IAEA;

6. *Decides* to remain seized of this matter.

# 295

## Security Council Resolution 715 (1991)\*

*The Security Council,*

*Recalling* its resolutions 687 (1991) of 3 April 1991 and 707 (1991) of 15 August 1991, and its other resolutions on this matter,

*Recalling in particular* that under resolution 687 (1991) the Secretary-General and the Director General of the International Atomic Energy Agency were requested to develop plans for future ongoing monitoring and verification, and to submit them to the Security Council for approval,

*Taking note* of the report and note of the Secretary-General, transmitting the plans submitted by the Secretary-General and the Director General of the International Atomic Energy Agency,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Approves*, in accordance with the provisions of resolutions 687 (1991), 707 (1991) and the present resolution, the plans submitted by the Secretary-General and the Director General of the International Atomic Energy Agency;

2. *Decides* that the Special Commission shall carry out the plan submitted by the Secretary-General, as well as continuing to discharge its other responsibilities under resolutions 687 (1991), 699 (1991) and 707 (1991) and performing such other functions as are conferred upon it under the present resolution;

3. *Requests* the Director General of the International Atomic Energy Agency to carry out, with the assistance and cooperation of the Special Commission, the plan submitted by him and to continue to discharge his other responsibilities under resolutions 687 (1991), 699 (1991) and 707 (1991);

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\* S/RES/715 (1991), adopted by the Security Council at its 3012th meeting, on 11 October 1991.

4. *Decides* that the Special Commission, in the exercise of its responsibilities as a subsidiary organ of the Security Council shall:

- (a) Continue to have the responsibility for designating additional locations for inspection and overflights;
- (b) Continue to render assistance and cooperation to the Director General of the International Atomic Energy Agency, by providing him by mutual agreement with the necessary special expertise and logistical, informational and other operational support for the carrying out of the plan submitted by him;
- (c) Perform such other functions, in cooperation in the nuclear field with the Director General of the International Atomic Energy Agency, as may be necessary to coordinate activities under the plans approved by the present resolution, including making use of commonly available services and information to the fullest extent possible, in order to achieve maximum efficiency and optimum use of resources;

5. *Demands* that Iraq meet unconditionally all its obligations under the plans approved by the present resolution and cooperate fully with the Special Commission and the Director General of the International Atomic Energy Agency in carrying out the plans;

6. *Decides* to encourage the maximum assistance, in cash and in kind, from all Member States to support the Special Commission and the Director General of the International Atomic Energy Agency in carrying out their activities under the plans approved by the present resolution, without prejudice to Iraq's liability for the full costs of such activities;

7. *Requests* the Committee established under resolution 661 (1990), the Special Commission and the Director General of the International Atomic Energy Agency to develop in cooperation a mechanism for monitoring any future sales or supplies by other countries to Iraq of items relevant to the implementation of section C of resolution 687 (1991) and other relevant resolutions, including the present resolution and the plans approved hereunder;

8. *Requests* the Secretary-General and the Director General of the International Atomic Energy Agency to submit to the Security Council reports on the implementation of the plans approved by the present resolution, when requested by the Security Council and in any event at least every six months after the adoption of this resolution;

9. *Decides* to remain seized of the matter.

# 296

## **General Assembly Resolution 44/21: Enhancing International Peace, Security and International Co-operation in All Its Aspects in Accordance with the Charter of the United Nations**

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*New York, 15 November 1989*

*The General Assembly,*

*Desiring* to strengthen further the role and effectiveness of the United Nations in maintaining international peace and security for all States on the basis of full and universal respect for the Charter of the United Nations and through better international co-operation in resolving international problems of a political, economic, social, cultural or humanitarian character,

*Mindful* of the potential of the United Nations to be even more effective in achieving international co-operation,

1. *Calls upon* all States to intensify their practical efforts towards ensuring international peace and security in all its aspects through co-operative means in accordance with the Charter of the United Nations;

2. *Reaffirms* its support for the validity and relevance of the Charter and urges all States to abide by it and, in particular, to respect the principles of sovereign equality, political independence and territorial integrity of States and non-intervention in internal affairs, refrain from the threat or use of force inconsistent with the Charter, settle disputes peacefully, adhere to the principles of equal rights and self-determination of peoples, respect for human rights and fundamental freedoms, and co-operation among States, and comply in good faith with their obligations assumed in accordance with the Charter;

3. *Encourages* Member States to consult and co-operate within the framework of the United Nations, the Security Council, the General Assembly and their appropriate subsidiary bodies in order to find multi-faceted approaches to implement and strengthen the principles and the system of international peace, security and international co-operation laid down in the Charter.

# 297

## **Secretary-General Javier Perez de Cuellar's Statement to the Conference Concerning the 1925 Geneva Protocol Prohibiting Use in War of Asphyxiating, Poisonous or Other Gases**

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*Paris, 7 January 1989*

It is a great honour for me to address this august gathering, assembled to discuss a question to which I attach the highest importance: the strengthening of the authority of the 1925 Geneva Protocol.

In my capacity as Secretary-General of the United Nations, I wish to express my gratitude to Presidents Mitterrand and Reagan, who took the initiative of convening this Conference, and to thank France, the depositary of the Protocol, for acting as host. This gesture demonstrates once more its dedication to the principles and ideals of the United Nations.

I am gratified to see so many States represented here. The presence of their representatives goes to show the extent to which the danger of chemical weapons preoccupies the international community.

While all weapons deal death and destruction, some are more atrocious and barbarous than others. Since they ignore the material and focus on the extermination of human beings, chemical weapons belong to this category. It is hardly necessary to state here, in this country, which lived through the horror of large-scale use of gas during the First World War, that chemical weapons are monstrously inhumane, that their use is reckless and that they cause the death or incapacity of their victims in horrible and often prolonged suffering.

For a very long time it was customary law which was interpreted as barring certain methods of warfare. In antiquity, the Roman jurists



used to enunciate the following principle: "*armis bella non venenis geri*" (war is conducted with weapons, not poison).

The tradition was maintained subsequently, and in the nineteenth century, the century which saw the emergence of the chemical industry, nations included in some declarations references to the condemnation and prohibition of the use of poisoned projectiles and gases.

It was not, however, until they underwent the appalling experience of poisonous gases during the First World War that nations felt impelled to sign the Geneva Protocol, which constituted a decisive step in the codification of the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare.

For the first time, they agreed to comply in this area with juridically restrictive norms of international conduct, assigning common goals to their collective efforts. The formulation of those goals was an event of cardinal importance in itself. But still more critical was the acceptance of the goals by those who had not participated in their elaboration. This legal instrument continues today to reflect their will to mitigate the effects of war through the universal respect of humanitarian principles. Accordingly, I can but urge those States which have not already done so to accede to it.

This appeal, moreover, is to be found in many resolutions adopted by the United Nations, which, by describing chemical and biological weapons as arms of mass destruction in 1948, resolutely endorsed the principles and objectives of the Protocol. It also clearly affirmed their priority nature in the Programme of Action of the Final Document unanimously adopted by the General Assembly in 1978 at its first special session devoted to disarmament.

Lastly, the United Nations has vigorously sustained the efforts undertaken to arrive at both a consensus on the application of the Protocol and a rigorous interpretation of the rules of international law.

All those efforts could come to nothing if the law is not respected.

I have therefore on a number of occasions taken the initiative of arranging investigations into reports of the use of chemical and bacteriological weapons.

Specialists who conducted the inquiries *in situ*, as speedily and as efficiently as possible, ascertained the facts impartially and in some cases, alas, concluded that chemical weapons had been used and hence that the Protocol had been breached.

We all here are aware of the complexity of the verification procedures. Like other procedures, they can be further refined.

This is why, in accordance with the General Assembly's request, I appointed qualified experts last year whose task is to develop further technical guidelines and procedures available to me for the conduct of such investigations. It does indeed seem necessary to carry out rapid investigations as promptly as possible and to ensure that they are conducted in the best conditions. Thus, if in the future I should again have to decide on such initiatives, I should be in a better position to communicate rapidly to the Member States the results of more specific and more conclusive investigations, establishing the reality of the alleged facts and thus deterring more effectively the use of chemical weapons.

As a result of these investigations, the United Nations has already shown its determination to tackle promptly questions relating to chemical weapons. The resolutions adopted by the Security Council leave no doubt on this score.

In the light of reports confirming the continued use of chemical weapons, the members of the Security Council have affirmed on a number of occasions the urgent necessity of complying strictly with the Protocol and have strongly and unambiguously condemned all use of chemical weapons.

The profound consternation and concern of the international community as a whole were recently manifested again in the General Assembly. Alarmed by the terrifying prospect of both the development of chemical weapons production capacity, which is relatively easy, and the continued use of chemical weapons, the General Assembly reacted strongly by unanimously adopting three resolutions on the subject of chemical and biological weapons.

This overwhelming consensus testifies to a strong support for the imprescriptible precepts of law and morality and to the recognition of the fact that the universal elimination of chemical weapons would not endanger the security of any country. On the other hand, everything would be put in jeopardy if those weapons became widespread.

Although the Protocol is still the cornerstone of international law relating to the prohibition of the use of chemical and biological weapons, it is not a disarmament treaty. The international community was fully aware of this when it requested the Conference on Disarmament to negotiate a multilateral convention on chemical disarmament. Only a global regime of prohibition and destruction of those weapons under

effective international control can ensure total compliance with the ban on their use.

At its most recent session the General Assembly again emphasised the urgency of the task of the Conference on Disarmament, which is continuing its negotiations on the subject of a convention for the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction.

It thus demonstrated the existence of a common will to go beyond the unanimous refusal to use chemical weapons and to embark on the establishment of an unprecedented verifiable international regime for the elimination of a whole category of armaments and for the prevention of the use of chemical and pharmaceutical technology for hostile purposes.

The problems with which we are faced are complex. I am fully aware of this. Everyone knows that the Geneva negotiations are extremely far-reaching and delicate. To deal satisfactorily with areas as sensitive as verification, State security and the protection of the interests of the civilian chemical industry certainly requires the utmost attention. Yet, even while the discussions are being held, weapons are being improved, their destructive power is increasing and the difficulties facing the negotiators are proliferating.

This is why, after more than 15 years of endeavour, even if some points have still to be negotiated, it is absolutely essential that the work be expedited and that the negotiators succeed in elaborating provisions on all the aspects which the convention is to cover.

To assist them, the time has come to take concerted political action at a high level. The Conference which brings us together today provides us with a unique opportunity to impart to the negotiations of the Conference on Disarmament, the powerful political momentum without which the technicians and other experts will not be able to reach agreement.

Because it is the convention that should enable us to meet the challenge of chemical weapons.

Your presence here today and the determination and political will which have marked in recent months the deliberations and negotiations within the United Nations are clear evidence that there is no alternative to continued effort, and that all nations, large or small, have an equal interest in working towards a world without chemical weapons.

Unless there is compliance with the Geneva Protocol, there will be no credible convention. Unless there is a convention, there will be no final elimination of chemical weapons.

This is why I appeal today to all States, especially the members of the Conference on Disarmament, to intensify their efforts aimed at prohibiting once and for all the use of chemical weapons, to quicken the pace of the Geneva negotiations, and to conclude as promptly as possible a global convention on the prohibition of chemical weapons which can receive universal support.

The road to disarmament is, admittedly, long and difficult. However, one by one the obstacles with which it is strewn are being surmounted. In this respect, we may congratulate ourselves on the successes and advances achieved last year at the regional and bilateral levels. They have helped to restore confidence in the United Nations and in the multilateral approach to problems.

Not only would it be a resounding success for multilateral negotiations if the chemical threat was eliminated, but such a victory would also constitute a remarkable achievement in the cause of multilateral disarmament and of international peace and security, in full conformity with the objectives of the Charter of the United Nations.

I wish this Conference every success in its work.

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## Address by General Secretary Mikhail Gorbachev at the Forty-third Session of the General Assembly

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*7 December 1988 (excerpts)*

Now let me turn to the main issue—*disarmament*, without which none of the problems of the coming century can be solved.

International development and communication have been distorted by the arms race and the militarisation of thinking.

As you know, on 15 January 1986 the Soviet Union put forward a programme of building a nuclear-weapon-free world. Translated into actual negotiating positions, it has already produced material results.

Tomorrow marks the first anniversary of the signing of the INF Treaty. I am therefore particularly pleased to note that the implementation of the Treaty—the elimination of missiles—is proceeding normally, in an atmosphere of trust and businesslike work.

A large breach has thus been made in a seemingly unbreakable wall of suspicion and animosity. We are witnessing the emergence of a new historic reality—a *turning away from the principle of super-armament to the principle of reasonable defence sufficiency*. We are present at the birth of a new model of ensuring security— not through the build-up of arms, as was almost always the case in the past, but on the contrary, through their reduction on the basis of compromise.

The Soviet leadership has decided to demonstrate once again its readiness to reinforce this healthy process not only by words but also by deeds.

Today, I can report to you that the Soviet Union has taken a decision to reduce its armed forces.

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Within the next two years their numerical strength will be reduced by 500,000 men. The numbers of conventional armaments will also be substantially reduced. This will be done *unilaterally*, without relation to the talks on the mandate of the Vienna meeting.

By agreement with our Warsaw Treaty allies, we have decided to withdraw by 1991 six tank divisions from the German Democratic Republic, Czechoslovakia and Hungary, and to disband them.

Assault landing troops and several other formations and units, including assault crossing units with their weapons and combat equipment, will also be withdrawn from the groups of Soviet forces stationed in those countries.

Soviet forces stationed in those countries will be reduced by 50,000 men and their armaments by 5,000 tanks.

All Soviet divisions remaining, for the time being, in the territory of our allies are being reorganised. Their structure will be different from what it is now; after a major cutback of their tanks it will become clearly defensive.

At the same time, we shall reduce the numerical strength of the armed forces and the numbers of armaments stationed in the European part of the USSR.

In total, Soviet armed forces in this part of our country and in the territories of our European allies will be reduced by 10,000 tanks, 8,500 artillery systems and 800 combat aircraft.

Over these two years we intend to reduce significantly our armed forces in the Asian part of our country, too. By agreement with the Government of the Mongolian People's Republic a major portion of Soviet troops temporarily stationed there will return home.

In taking this fundamental decision the Soviet leadership expresses the will of the people, who have undertaken a profound renewal of their entire socialist society.

We shall maintain our country's defence capability at a level of reasonable and reliable sufficiency so that no one might be tempted to encroach on the security of the USSR and our allies.

By this action, and by all our activities in favour of demilitarising international relations, we wish to draw the attention of the international community to yet another pressing problem—the problem of transition *from the economy of armaments to an economy of disarmament*.

Is conversion of military production a realistic idea? I have already had occasion to speak about this. We think that, indeed, it is realistic.

For its part, the Soviet Union is prepared:

- In the framework of our economic reform, we are ready to draw up and make public our internal plan of conversion;
- In the course of 1989 to draw up, as an experiment, conversion plans for two or three defence plants;
- To make public our experience in providing employment for specialists from military industry and in using its equipment, buildings and structures in civilian production,

It is desirable that all States, in the first place major military Powers, should submit to the United Nations their national conversion plans.

It would also be useful to set up a group of scientists to undertake a thorough analysis of the problem of conversion as a whole and as applied to individual countries and regions, and report to the Secretary-General of the United Nations, and, subsequently, to have this matter considered at a session of the General Assembly.

And finally, since I am here on American soil, and also for other obvious reasons, I have to turn to the subject of our relations with this great country. I had a chance to appreciate the full measure of its hospitality during my memorable visit to Washington exactly a year ago.

The relations between the Soviet Union and the United States of America have a history of five and a half decades. As the world changed, so did the nature, role and place of those relations in world politics.

For too long a time they developed along the lines of confrontation and sometimes animosity—either overt or covert.

But in the last few years the entire world could breath a sigh of relief, thanks to the changes for the better in the substance and the atmosphere of the relationship between Moscow and Washington.

No one intends to underestimate the seriousness of our differences and the toughness of outstanding problems. We have, however, already graduated from the primary school of learning to understand each other and seek solutions in both our own and common interests.

The USSR and the United States have built the largest nuclear and missile arsenals. But it is those two countries that, having become specifically aware of their responsibility, were the first to conclude a

treaty on the reduction and physical elimination of a portion of their armaments which posed a threat to both of them and to all others.

Both countries possess the greatest and the most sophisticated military secrets. But it is those two countries that have laid a basis for and are further developing a system of mutual verification both of the elimination of armaments and of the reduction and prohibition of their production.

It is those two countries that are accumulating the experience for future bilateral and multilateral agreements.

We value this. We acknowledge and appreciate the contribution made by President Ronald Reagan and by the members of his Administration, particularly George Shultz.

All this is our joint investment in a venture of historic importance. We must not lose this investment, or leave it idle.

The next United States Administration headed by President-elect George Bush will find in us a partner who is ready—without long pauses or backtracking—to continue the dialogue in a spirit of realism, openness and goodwill, with a willingness to achieve concrete results working on the agenda which covers the main issues of Soviet-United States relations and world politics.

I have in mind, above all, consistent movement toward a treaty on 50 per cent reduction in strategic offensive arms while preserving the ABM Treaty;

- working out a convention on the elimination of chemical weapons—here, as we see it, prerequisites exist to make 1989 *a decisive year*, and
- negotiations on the reduction of conventional arms and armed forces in Europe.

I also have in mind economic, environmental and humanistic problems in their broadest sense.

It would be quite wrong to put the positive changes in the international situation exclusively to the credit of the USSR and the United States.

The Soviet Union highly appreciates the major and original contribution of socialist countries in the process of creating a healthier international environment.

During the course of negotiations we are constantly aware of the presence of other major Powers, both nuclear and non-nuclear.



Many countries, including medium-sized and small ones, and, of course, the Non-Aligned Movement and the intercontinental Group of Six are playing a uniquely important constructive role.

We in Moscow are happy that an ever increasing number of statesmen, political, party and public figures and—I want to emphasise this—scientists, cultural figures, representatives of mass movements and various churches, and activists of the so-called people's diplomacy, are ready to shoulder the burden of universal responsibility.

In this regard, I believe that the idea of convening on a regular basis, under the auspices of the United Nations, an assembly of public organisations deserves attention.

We are not inclined to simplify the situation in the world.

Yes, the trend toward disarmament has been given a powerful impetus, and the process is gaining a momentum of its own. But it has not yet become irreversible.

Yes, the willingness to give up confrontation in favour of dialogue and co-operation is felt strongly. But it is still far from becoming a permanent feature in the practice of international relations.

Yes, movement toward a nuclear-weapon-free and non-violent world is capable of radically transforming the political and intellectual identity of our planet. But only the first steps have been made, and even they have been met with mistrust in certain influential quarters and face resistance.

The legacy and the inertia of the past continue to be felt. Profound contradictions and the roots of many conflicts have not disappeared. And there remains another fundamental fact which is that a peaceful period will be taking shape in the context of the existence and rivalry of different socio-economic and political systems.

However, the thrust of our international efforts and one of the key elements of the new thinking is that this rivalry should be given a quality of reasonable competition with due regard for freedom of choice and a balance of interests.

Then it will even become useful and productive from the standpoint of global development.

Otherwise—if the arms race, as before, remains its basic component—this rivalry will be deadly.

More and more people throughout the world—leaders as well as ordinary people—are beginning to understand it.

Esteemed President,  
Distinguished Delegates,

I am concluding my first address to the United Nations with the same feeling that I had when I began it—a feeling of responsibility to my own people and to the world community.

We are meeting at the end of a year which has meant so much for the United Nations and on the eve of a year from which we all expect so much.

I would like to believe that our hopes will be matched by our joint effort to put an end to an era of wars, confrontation and regional conflicts, to aggressions against nature, to the terror of hunger and poverty as well as to political terrorism.

This is our common goal and we can only reach it together.

Thank you.

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## **Report of the Secretary-General on the Work of the Organisation September 1987 (Excerpts)**

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Disarmament, achieved through balanced arms reductions with adequate verification, is an essential element in the dynamic process of building peace. It has stood, rightly, in the forefront of diplomatic activity during the past year. New attitudes and revised policies have emerged, bringing new life to the long, sterile disarmament scene. For the first time, there appears a good and early prospect of a net reduction in nuclear weapons. While an agreement between the USSR and the United States to eliminate all of their intermediate-range nuclear missiles would still leave sufficient nuclear weapons in existence to destroy the world many times over, it would none the less have real significance. Such an agreement can encourage progress in other East-West negotiations, including those on strategic weapons and, by demonstrating the present feasibility of agreement between the USSR and the United States, give impetus to other disarmament negotiations now in progress. Moreover, it can be seen as constituting a first step, at least, towards the goal of eliminating all nuclear weapons for which these two major nuclear Powers have in principle renewed their support. There have already been new positive moves in the Conference on Disarmament in Geneva to complete the treaty—long under negotiation—banning the production and use of chemical weapons under effective verification. Progress on other agreements is overdue and, I believe, will come if the benefits of the elimination of Soviet and United States intermediate-range nuclear missiles are felt. I would point in particular to the desirability of early agreement on a comprehensive nuclear test-ban treaty which for many years has been seen in the United Nations as having cardinal importance. Continuation and even intensification of testing, in so far as it is directed at

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developing new weapons or perfecting those now deployed, will tend to mitigate the value of eliminating one present type of missile and perpetuate a competition that has been a major cause of distrust.

Verification has been a difficult element on which to find agreement in most of the disarmament negotiations now under way. This is an area in which the United Nations can make a significant contribution. The forthcoming third special session of the General Assembly devoted to disarmament can, with thorough preparation, provide a valuable opportunity to consider how the Organisation's potential in this regard can be realised. Indeed, the session will permit a timely review of the entire work of the United Nations in the field of disarmament, an area of vital importance where rationalisation and innovation could permit the resources of Member States to be effectively focused on the most productive activities.

The regional dimension of disarmament merits much attention since it is in regional conflicts that weapons are actually being used for purposes of war. The acquisition of large quantities of sophisticated arms by developing countries places a severe strain on badly needed resources while adding nothing to the strength of their economies. Furthermore, it adds to external debt and creates a secondary demand for imports that increases their dependence. Improved regional security arrangements could reduce the need felt by them for expensive arms and large armed forces. The negotiations currently in progress in Vienna on confidence-building measures and troop reductions in Europe offer a new prospect for that continent. The establishment by the United Nations of regional centres for the promotion of peace and disarmament is an initiative of much promise in this regard in the developing world that merits the support of all Member States.

I am deeply persuaded that the entire world has greatly benefitted from the preservation of certain regions—one, outer space, being infinitely larger than the earth itself—from the deployment of nuclear weapons or, in the case of the Antarctica, from any military use at all.

This year marks the twentieth anniversary of the entry into force of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, which was concluded under the auspices of the United Nations. As space technology advances and a growing number of countries become involved in space activities, the Treaty assumes ever greater relevance to the common human destiny. It is the shared responsibility of Member States to ensure compliance with the letter and spirit of the Treaty. I would call upon all countries that have a

space technology capability to co-operate bilaterally and multilaterally in pursuing peaceful uses of outer space, including projects that will bring the benefits of space technology to developing countries. Let the United Nations not only help to preserve such achievements as Tlatelolco, the demilitarisation of Antarctica, and the Treaty prohibiting nuclear deployment on the deep sea-bed, but, proceeding from their example, also seek to gain new regions exclusively for peaceful use.

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## United Nations Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (1979)

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**DATE OF SIGNATURE:** December 5, 1979

**PLACE OF SIGNATURE:** New York

**RATIFICATIONS:** Australia, Austria, Chile, Netherlands, Pakistan, Philippines, Uruguay

**DATE OF ENTRY INTO FORCE:** July 11, 1984.

*The States Parties to this Agreement,*

*Noting* the achievements of States in the exploration and use of the moon and other celestial bodies,

*Recognising* that the moon, as a natural satellite of the earth, has an important role to play in the exploration of outer space,

*Determined* to promote on the basis of equality the further development of co-operation among States in the exploration and use of the moon and other celestial bodies,

*Desiring* to prevent the moon from becoming an area of international conflict. *Bearing in mind* the benefits which may be derived from the exploitation of the natural resources of the moon and other celestial bodies,

*Recalling* the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space, the Convention on International Liability for Damage Caused by Space Objects, and the Convention on Registration of Objects Launched into Outer Space,

*Taking into account* the need to define and develop the provisions of these international instruments in relation to the moon and other celestial bodies, having regard to further progress in the exploration and use of outer space, *have agreed* on the following:

### **Article 1**

1. The provisions of this Agreement relating to the moon shall also apply to other celestial bodies within the solar system, other than the earth, except in so far as specific legal norms enter into force with respect to any of these celestial bodies.

2. For the purposes of this Agreement reference to the moon shall include orbits around or other trajectories to or around it.

3. This Agreement does not apply to extraterrestrial materials which reach the surface of the earth by natural means.

### **Article 2**

All activities on the moon, including its exploration and use, shall be carried out in accordance with international law, in particular the Charter of the United Nations, and taking into account the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, adopted by the General Assembly on 24 October 1970, in the interests of maintaining international peace and security and promoting international co-operation and mutual understanding, and with due regard to the corresponding interests of all other States Parties.

### **Article 3**

1. The moon shall be used by all States Parties exclusively for peaceful purposes.

2. Any threat or use of force or any other hostile act or threat of hostile act on the moon is prohibited. It is likewise prohibited to use the moon in order to commit any such act or to engage in any such threat in relation to the earth, the moon, spacecraft, the personnel of spacecraft or man-made space objects.

3. States Parties shall not place in orbit around or other trajectory to or around the moon objects carrying nuclear weapons or any other kinds of weapons of mass destruction or use such weapons on or in the moon.

4. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of

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military manoeuvres on the moon shall be forbidden. The use of military personnel for scientific research for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration and use of the moon shall also not be prohibited.

#### ***Article 4***

1. The exploration and use of the moon shall be the province of all mankind and shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development. Due regard shall be paid to the interests of present and future generations as well as to the need to promote higher standards of living and conditions of economic and social progress and development in accordance with the Charter of the United Nations.

2. States Parties shall be guided by the principle of co-operation and mutual assistance in all their activities concerning the exploration and use of the moon. International co-operation in pursuance of this Agreement should be as wide as possible and may take place on a multilateral basis, on a bilateral basis or through international intergovernmental organisations.

#### ***Article 5***

1. States Parties shall inform the Secretary-General of the United Nations as well as the public and the international scientific community, to the greatest extent feasible and practicable, of their activities concerned with the exploration and use of the moon. Information on the time, purposes, locations, orbital parameters and duration shall be given in respect of each mission to the moon as soon as possible after launching, while information on the results of each mission, including scientific results, shall be furnished upon completion of the mission. In the case of a mission lasting more than thirty days, information on conduct of the mission including any scientific results, shall be given periodically at thirty days' intervals. For missions lasting more than six months, only significant additions to such information need to be reported thereafter.

2. If a State Party becomes aware that another State Party plans to operate simultaneously in the same area of or in the same orbit around or trajectory to or around the moon, it shall promptly inform the other State of the timing of and plans for its own operations.

3. In carrying out activities under this Agreement, States Parties shall promptly inform the Secretary-General, as well as the public and the international scientific community, of any phenomena they discover



in outer space, including the moon, which could endanger human life or health, as well as of any indication of organic life.

### **Article 6**

1. There shall be freedom of scientific investigation on the moon by all States Parties without discrimination of any kind, on the basis of equality and in accordance with international law.

2. In carrying out scientific investigations and in furtherance of the provisions of this Agreement, the States Parties shall have the right to collect on and remove from the moon samples of its mineral and other substances. Such samples shall remain at the disposal of those States Parties which caused them to be collected and may be used by them for scientific purposes. States Parties shall have regard to the desirability of making a portion of such samples available to other interested States Parties and the international scientific community for scientific investigation. States Parties may in the course of scientific investigations also use mineral and other substances of the moon in quantities appropriate for the support of their missions.

3. States Parties agree on the desirability of exchanging scientific and other personnel on expeditions to or installations on the moon to the greatest extent feasible and practicable.

### **Article 7**

1. In exploring and using the moon, States Parties shall take measures to prevent the disruption of the existing balance of its environment whether by introducing adverse changes in that environment, by its harmful contamination through the introduction of extra-environmental matter or otherwise. States Parties shall also take measures to avoid harmfully affecting the environment of the earth through the introduction of extraterrestrial matter or otherwise.

2. States Parties shall inform the Secretary-General of the United Nations of the measures being adopted by them in accordance with paragraph 1 of this article and shall also, to the maximum extent feasible, notify him in advance of all placements by them of radioactive materials on the moon and of the purposes of such placements.

3. States Parties shall report to other States Parties and to the Secretary-General concerning areas of the moon having special scientific interest in order that, without prejudice to the rights of other States Parties, consideration may be given to the designation of such areas as international scientific preserves for which special protection arrangements are to be agreed upon in consultation with the competent bodies of the United Nations.

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**Article 8**

1. States Parties may pursue their activities in the exploration and use of the moon anywhere on or below its surface, subject to the provisions of this Agreement.

2. For these purposes States Parties may, in particular:

- (a) Land their space objects on the moon and launch them from the moon;
- (b) Place their personnel, space vehicles, equipment, facilities, stations and installations anywhere on or below the surface of the moon.

Personnel, space vehicles, equipment, facilities, stations and installations may move or be moved freely over or below the surface of the moon.

3. Activities of States Parties in accordance with paragraphs 1 and 2 of this article shall not interfere with the activities of other States Parties on the moon. Where such interference may occur, the States Parties concerned shall undertake consultations in accordance with article 15, paragraphs 2 and 3 of this Agreement.

**Article 9**

1. States Parties may establish manned and unmanned stations on the moon. A State Party-establishing a station shall use only that area which is required for the needs of the station and shall immediately inform the Secretary-General of the United Nations of the location and purposes of that station. Subsequently, at annual intervals that State shall likewise inform the Secretary-General whether the station continues in use and whether its purposes have changed.

2. Stations shall be installed in such a manner that they do not impede the free access to all areas of the moon by personnel, vehicles and equipment of other States Parties conducting activities on the moon in accordance with the provisions of this Agreement or of article I of the Treaty on Principle Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies.

**Article 10**

1. States Parties shall adopt all practicable measures to safeguard the life and health of persons on the moon. For this purpose they shall regard any person on the moon as an astronaut within the meaning of article V of the Treaty on Principles Governing the Activities of States

in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies and as part of the personnel of a spacecraft within the meaning of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

2. States Parties shall offer shelter in their stations, installations, vehicles and other facilities to persons in distress on the moon.

### **Article 11**

1. The moon and its natural resources are the common heritage of mankind, which finds its expression in the provisions of this Agreement and in particular in paragraph 5 of this article.

2. The moon is not subject to national appropriation by any claim of sovereignty, by means of use or occupation, or by any other means.

3. Neither the surface nor the subsurface of the moon, nor any part thereof or natural resources in place, shall become property of any State, international intergovernmental or non-governmental organisation, national organisation or non-governmental entity or of any natural person. The placement of personnel, space vehicles, equipment, facilities, stations and installations on or below the surface of the moon, including structures connected with its surface or subsurface, shall not create a right of ownership over the surface or the subsurface of the moon or any areas thereof. The foregoing provisions are without prejudice to the international regime referred to in paragraph 5 of this article.

4. States Parties have the right to exploration and use of the moon without discrimination of any kind, on a basis of equality and in accordance with international law and the terms of this Agreement.

5. States Parties to this Agreement hereby undertake to establish an international regime, including appropriate procedures, to govern the exploitation of the natural resources of the moon as such exploitation is about to become feasible. This provision shall be implemented in accordance with article 18 of this Agreement.

6. In order to facilitate the establishment of the international regime referred to in paragraph 5 of this article. States Parties shall inform the Secretary-General of the United Nations as well as the public and the international scientific community, to the greatest extent feasible and practicable, of any natural resources they may discover on the moon.

7. The main purposes of the international regime to be established shall include:

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- (a) The orderly and safe development of the natural resources of the moon;
  - (b) The rational management of those resources;
  - (c) The expansion of opportunities in the use of those resources;
  - (d) An equitable sharing by all States Parties in the benefits derived from those resources, whereby the interest and needs of the developing countries, as well as the efforts of those countries which have contributed either directly or indirectly to the exploration of the moon, shall be given special consideration.

8. All the activities with respect to the natural resources of the moon shall be carried out in a manner compatible with the purposes specified in paragraph 7 of this article and the provisions of article 6, paragraph 2, of this Agreement.

### ***Article 12***

1. States Parties shall retain jurisdiction and control over their personnel, vehicles, equipment, facilities, stations and installations on the moon. The ownership of space vehicles, equipment, facilities, stations and installations shall not be affected by their presence on the moon.

2. Vehicles, installations and equipment or their component parts found in places other than their intended location shall be dealt with in accordance with article 5 of the Agreement on Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

3. In the event of an emergency involving a threat to human life, States Parties may use the equipment, vehicles, installations, facilities or supplies of other States Parties on the moon. Prompt notification of such use shall be made to the Secretary-General of the United Nations or the State Party concerned.

### ***Article 13***

A State Party which learns of the crash landing, forced landing or other unintended landing on the moon of a space object, or its component parts, that were not launched by it, shall promptly inform the launching State Party and the Secretary General of the United Nations.

### ***Article 14***

1. States Parties to this Agreement shall bear international responsibility for national activities on the moon, whether such

activities are carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried out in conformity with the provisions set forth in this Agreement. States Parties shall ensure that non-governmental entities under their jurisdiction shall engage in activities on the moon only under the authority and continuing supervision of the appropriate State Party.

2. States Parties recognise that detailed arrangements concerning liability for damage caused on the moon, in addition to the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies and the Convention on International Liability for Damage Caused by Space Objects, may become necessary as a result of more extensive activities on the moon. Any such arrangements shall be elaborated in accordance with the procedure provided for in article 18 of this Agreement.

### ***Article 15***

1. Each State Party may assure itself that the activities of other States Parties in the exploration and use of the moon are compatible with the provisions of this Agreement. To this end, all space vehicles, equipment, facilities, stations and installations on the moon shall be open to other States Parties. Such States Parties shall give reasonable Advance notice of a projected visit, in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited. In pursuance of this article, any State Party may act on its own behalf or with the full or partial assistance of any other State Party or through appropriate international procedures within the framework of the United Nations and in accordance with the Charter.

2. A State Party which has reason to believe that another State Party is not fulfilling the obligations incumbent upon it pursuant to this Agreement or that another State Party is interfering with the rights which the former State has under this Agreement may request consultations with that State Party. A State Party receiving such a request shall enter into such consultations without delay. Any other State Party which requests to do so shall be entitled to take part in the consultations. Each State Party participating in such consultations shall seek a mutually acceptable resolution of any controversy and shall bear in mind the rights and interests of all States Parties. The Secretary-General of the United Nations shall be informed of the results

of the consultations and shall transmit the information received to all States Parties concerned.

3. If the consultations do not lead to a mutually acceptable settlement which has due regard for the rights and interests of all States Parties, the parties concerned shall take all measures to settle the dispute by other peaceful means of their choice appropriate to the circumstances and the nature of the dispute. If difficulties arise in connexion with the opening of consultations or if consultations do not lead to a mutually acceptable settlement, any State Party may seek the assistance of the Secretary-General, without seeking the consent of any other State Party concerned, in order to resolve the controversy. A State Party which does not maintain diplomatic relations with another State Party concerned shall participate in such consultations, at its choice, either itself or through another State Party or the Secretary-General as intermediary.

#### ***Article 16***

With the exception of articles 17 to 21, references in this Agreement to States shall be deemed to apply to any international intergovernmental organisation which conducts space activities if the organisation declares its acceptance of the rights and obligations provided for in this Agreement and if a majority of the States members of the organisation are States Parties to this Agreement and to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies. States members of any such organisation which are States Parties to this Agreement shall take all appropriate steps to ensure that the organisation makes a declaration in accordance with the foregoing.

#### ***Article 17***

Any State Party to this Agreement may propose amendments to the Agreement. Amendments shall enter into force for each State Party to the Agreement accepting the amendments upon their acceptance by a majority of the States Parties to the Agreement and thereafter for each remaining State Party to the Agreement on the date of acceptance by it.

#### ***Article 18***

Ten years after the entry into force of this Agreement, the question of the review of the Agreement shall be included in the provisional agenda of the General Assembly of the United Nations in order to consider, in the light of past application of the Agreement, whether it

requires revision. However, at any time after the Agreement has been in force for five years, the Secretary-General of the United Nations, as depository, shall at the request of one third of the States Parties in the Agreement and with the concurrence of the majority of the States Parties, convene a conference of the States Parties to review this Agreement. A review conference shall also consider the question of the implementation of the provisions of article 11, paragraph 5, on the basis of the principle referred to in paragraph 1 of that article and taking into account in particular any relevant technological developments.

### ***Article 19***

1. This Agreement shall be open for signature by all States at United Nations Headquarters in New York.

2. This Agreement shall be subject to ratification by signatory States. Any State which does not sign this Agreement before its entry into force in accordance with paragraph 3 of this article may accede to it at any time. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. This Agreement shall enter into force on the thirtieth day following the date of deposit of the fifth instrument of ratification.

4. For each State depositing its instrument of ratification or accession after the entry into force of this Agreement, it shall enter into force on the thirtieth day following the date of deposit of any such instrument.

5. The Secretary-General 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 to this Agreement, the date of its entry into force and other notices.

### ***Article 20***

Any State Party to this Agreement may give notice of its withdrawal from the Agreement one year after its entry into force by written notification to the Secretary-General of the United Nations. Such withdrawal shall take effect one year from the date of receipt of this notification.

### ***Article 21***

The original of this Agreement, 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 certified copies thereof to all signatory and acceding States.

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## General Assembly Resolution 32/75 of 12 December 1977

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*The General Assembly,*

*Having considered* the item entitled "Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security",

*Recalling* its resolutions 2667 (XXV) of 7 December 1970, 2831 (XXVI) of 16 December 1971, 3075 (XXVIII) of 6 December 1973 and 3462 (XXX) of 11 December 1975,

*Deeply concerned* that, despite the repeated requests by the General Assembly for the implementation of effective measures aimed at its cessation, the arms race, particularly of nuclear armaments, has continued to increase at an alarming speed, absorbing enormous material and human resources from the economic and social development of all countries and constituting a grave danger for world peace and security,

*Considering* that the ever-spiralling arms race is not compatible with the efforts aimed at establishing a new international economic order, as defined in the Declaration and the Programme of Action on the Establishment of a New International Economic Order, contained in General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) of 1 May 1974, in the Charter of Economic Rights and Duties of States, contained in Assembly resolution 3281 (XXIX) of 12 December 1974, and in other resolutions of the Assembly, and that these efforts imply more than ever the resolute action of all States to achieve the cessation of the arms race and the implementation of effective measures of disarmament, particularly in the nuclear field,

*Conscious* that disarmament is a matter of grave concern to all States and that consequently there is a pressing need for all



Governments and peoples to be informed about and to understand the situation prevailing in the field of the arms race and disarmament,

*Recalling* that the Secretary-General was requested by the General Assembly, in resolution 3462 (XXX), to bring up to date, with the assistance of qualified consultant experts appointed by him, the 1971 report entitled *Economic and Social Consequences of the Arms Race and of Military Expenditures*,<sup>1</sup> covering the basic topics of that report and taking into account any new developments which he would consider necessary, and to transmit it to the Assembly in time to permit its consideration at the thirty-second session,

1. *Welcomes with satisfaction* the updated report of the Secretary-General on the economic and social consequences of the arms race and of military expenditures<sup>2</sup> and expresses the hope that it will help to focus future disarmament negotiations on nuclear disarmament and on the goal of general and complete disarmament under effective international control;

2. *Expresses its appreciation* to the Secretary-General and to the consultant experts as well as to the Governments and international organisations that have rendered assistance in the updating of the report;

3. *Decides* to transmit the report to the General Assembly at its special session devoted to disarmament, to be held in New York between 23 May and 28 June 1978;

4. *Recommends* that the conclusions of the updated report on the economic and social consequences of the arms race and of military expenditures should be taken into account in future disarmament negotiations;

5. *Requests* the Secretary-General to arrange for the reproduction of the report as a United Nations publication and to give it the widest possible publicity in as many languages as is considered desirable and practicable;

6. *Recommends* to all Governments the widest possible distribution of the report, including its translation into the respective national languages;

7. *Invites* the specialised agencies as well as intergovernmental, national and non-governmental organisations to use their facilities to make the report widely known;

8. *Reaffirms* its decision to keep the item entitled "Economic and social consequences of the armaments race and its extremely harmful

effects on world peace and security" under constant review and decides to include it in the provisional agenda of its thirty-fifth session.

*100th plenary meeting 12 December 1977*

#### **REFERENCES**

1. A/8469/Rev.1 (United Nations publication, Sales No. E.72.IX.16).
2. A/32/88 and Corr. 1 and Add. 1.

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# 302

## Decision on Strengthening the Review Process for the Treaty\*

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*New York, 11 May 1995*

*On the eve of the conclusion of the 1995 Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (17 April-12 May), the 175 States Parties participating in the Conference adopted without a vote the following three decisions of historic significance to the future of the Treaty itself and to the nuclear non-proliferation effort as a whole.*

1. The Conference of the Parties on the Non-Proliferation of Nuclear Weapons examined the implementation of article VIII, paragraph 3 of the Treaty and agreed to strengthen the review process for the operation of the Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised.

2. The States party to the Treaty participating in the Conference decided, in accordance with article VIII, paragraph 3, that Review Conferences should continue to be held every five years and that, accordingly, the next Review Conference should be held in the year 2000.

3. The Conference decided that, beginning in 1997, the Preparatory Committee should hold, normally for a duration of 10 working days, a meeting in each of the three years prior to the Review Conference. If necessary, a fourth preparatory meeting may be held in the year of the Conference.

4. The purpose of the Preparatory Committee meetings would be to consider principles, objectives and ways in order to promote the full

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\* NPT/CONF.1995/32(t)EC.I, contained in an annex to the Final Document of the 1995 Review and Extension Conference of the Treaty (NPT/CONF.1995/32 (Part I)).

implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference. These include those identified in the decision on principles and objectives for nuclear non-proliferation and disarmament, adopted on 11 May 1995. These meetings should also make the procedural preparations for the next Review Conference.

5. The Conference also concluded that the present structure of three Main Committees should continue and the question of an overlap of issues being discussed in more than one Committee should be resolved in the General Committee, which would coordinate the work of the Committees so that the substantive responsibility for the preparation of the report with respect to each specific issue is undertaken in only one Committee.

6. It was also agreed that subsidiary bodies could be established within the respective Main Committees for specific issues relevant to the Treaty, so as to provide for a focused consideration of such issues. The establishment of such subsidiary bodies would be recommended by the Preparatory Committee for each Review Conference in relation to the specific objectives of the Review Conference.

7. The Conference agreed further that Review Conferences should look forward as well as back. They should evaluate the results of the period they are reviewing, including the implementation of undertakings of the States parties under the Treaty, and identify the areas in which, and the means through which, further progress should be sought in the future. Review Conferences should also address specifically what might be done to strengthen the implementation of the Treaty and to achieve its universality.

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# 303

## Decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament\*

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*New York, 11 May 1995*

*The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,*

*Reaffirming* the preamble and articles of the Treaty on the Non-Proliferation of Nuclear Weapons,

*Welcoming* the end of the Cold War, the ensuing easing of international tension and the strengthening of trust between States,

*Desiring* a set of principles and objectives in accordance with which nuclear non-proliferation, nuclear disarmament and international cooperation in the peaceful uses of nuclear energy should be vigorously pursued and progress, achievements and shortcomings evaluated periodically within the review process provided for in article VIII, paragraph 3, of the Treaty, the enhancement and strengthening of which is welcomed,

*Reiterating* the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

*The Conference affirms* the need to continue to move with determination towards the full realisation and effective implementation of the provisions of the Treaty, and accordingly adopts the following principles and objectives:

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\* NPT/CONF.1995/32/DEC.2, contained in an annex to the Final Document of the 1995 Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF. 1995/32 (Part I)).

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## **Universality**

1. Universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons is an urgent priority. All States not yet party to the Treaty are called upon to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities. Every effort should be made by all States parties to achieve this objective.

## **Non-proliferation**

2. The proliferation of nuclear weapons would seriously increase the danger of nuclear war. The Treaty on the Non-Proliferation of Nuclear Weapons has a vital role to play in preventing the proliferation of nuclear weapons. Every effort should be made to implement the Treaty in all its aspects to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States parties to the Treaty.

## **Nuclear Disarmament**

3. Nuclear disarmament is substantially facilitated by the easing of international tension and the strengthening of trust between States which have prevailed following the end of the cold war. The undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the nuclear-weapon States reaffirm their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

4. The achievement of the following measures is important in the full realisation and effective implementation of article VI, including the programme of action as reflected below:

- (a) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable Comprehensive Nuclear Test Ban Treaty no later than 1996. Pending the entry into force of a Comprehensive Test Ban Treaty, the nuclear-weapon States should exercise utmost restraint;
- (b) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;

- (c) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control.

### **Nuclear Weapon Free Zones**

5. The conviction that the establishment of internationally recognised nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, enhances global and regional peace and security is reaffirmed.

6. The development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction, should be encouraged as a matter of priority, taking into account the specific characteristics of each region. The establishment of additional nuclear-weapon-free zones by the time of the Review Conference in the year 2000 would be welcome.

7. The cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of such nuclear-weapon-free zones and the relevant protocols.

### **Security Assurances**

8. Noting United Nations Security Council resolution 984 (1995), which was adopted unanimously on 11 April 1995, as well as the declarations of the nuclear-weapon States concerning both negative and positive security assurances, further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument.

### **Safeguards**

9. The International Atomic Energy Agency is the competent authority responsible to verify and assure, in accordance with the statute of the Agency and the Agency's safeguards system, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Nothing should be done to undermine the authority of the International Atomic Energy Agency in this regard. States parties that have concerns

regarding non-compliance with the safeguards agreements of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate.

10. All States parties required by article III of the Treaty to sign and bring into force comprehensive safeguards agreements and which have not yet done so should do so without delay.

11. International Atomic Energy Agency safeguards should be regularly assessed and evaluated. Decisions adopted by its Board of Governors aimed at further strengthening the effectiveness of Agency safeguards should be supported and implemented and the Agency's capability to detect undeclared nuclear activities should be increased. Also, States not party to the Treaty on the Non-Proliferation of Nuclear Weapons should be urged to enter into comprehensive safeguards agreements with the Agency.

12. New supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to non-nuclear-weapon States should require, as a necessary precondition, acceptance of Agency's full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices.

13. Nuclear fissile material transferred from military use to peaceful nuclear activities should, as soon as practicable, be placed under Agency safeguards in the framework of the voluntary safeguards agreements in place with the nuclear-weapon States. Safeguards should be universally applied once the complete elimination of nuclear weapons has been achieved.

### **Peaceful Uses of Nuclear Energy**

14. Particular importance should be attached to ensuring the exercise of the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I, II as well as III of the Treaty.

15. Undertakings to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy should be fully implemented.



16. In all activities designed to promote the peaceful uses of nuclear energy, preferential treatment should be given to the non-nuclear-weapon States party to the Treaty, taking the needs of developing countries particularly into account.

17. Transparency in nuclear-related export controls should be promoted within the framework of dialogue and cooperation among all interested States party to the Treaty.

18. All States should, through rigorous national measures and international cooperation, maintain the highest practicable levels of nuclear safety, including in waste management, and observe standards and guidelines in nuclear materials accounting, physical protection and transport of nuclear materials.

19. Every effort should be made to ensure that the International Atomic Energy Agency has the financial and human resources necessary to meet effectively its responsibilities in the areas of technical cooperation, safeguards and nuclear safety. The Agency should also be encouraged to intensify its efforts aimed at finding ways and means for funding technical assistance through predictable and assured resources.

20. Attacks or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety and raise serious concerns regarding the application of international law on the use of force in such cases, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations.

*The Conference requests* that the President of the Conference bring the present decision, the decision on strengthening the review process for the Treaty and the decision on the extension of the Treaty on the Non-Proliferation of Nuclear Weapons, to the attention of the heads of State or Government of all States and seek their full cooperation on these documents and in the furtherance of the goals of the Treaty.

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# 304

## Decision on the Extension of the Treaty on the Non-Proliferation of Nuclear Weapons\*

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*New York, 11 May 1995*

The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Having convened* in New York from 17 April to 12 May 1995, in accordance with article VIII, paragraph 3, and article X, paragraph 2, on the Treaty on the Non-Proliferation of Nuclear Weapons,

*Having reviewed* the operation of the Treaty and affirming that there is a need for full compliance with the Treaty, its extension and its universal adherence, which are essential to international peace and security and the attainment of the ultimate goals of the complete elimination of nuclear weapons and a treaty on general and complete disarmament under strict and effective international control,

*Having reaffirmed* article VIII, paragraph 3, of the Treaty and the need for its continued implementation in a strengthened manner and, to this end, emphasising the decision on strengthening the review process for the Treaty and the decision on principles and objectives for nuclear non-proliferation and disarmament, also adopted by the Conference,

*Having established* that the Conference is quorate in accordance with article X, paragraph 2, of the Treaty,

*Decides* that, as a majority exists among States party to the Treaty for its indefinite extension, in accordance with its article X, paragraph 2, the Treaty shall continue in force indefinitely.

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\* NPT/CONF.1995/32/DEC.3, contained in an annex to the Final Document of the 1995 Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF. 1995/32 (Part I)).

# 305

## **Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all its Aspects\***

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### **I. Preamble**

1. We, the States participating in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, having met in New York from 9 to 20 July 2001,

2. *Gravely concerned* about the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, which have a wide range of humanitarian and socio-economic consequences and pose a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels,

3. *Concerned also* by the implications that poverty and under development may have for the illicit trade in small arms and light weapons in all its aspects,

4. *Determined* to reduce the human suffering caused by the illicit trade in small arms and light weapons in all its aspects and to enhance the respect for life and the dignity of the human person through the promotion of a culture of peace,

5. *Recognising* that the illicit trade in small arms and light weapons in all its aspects sustains conflicts, exacerbates violence, contributes to the displacement of civilians, undermines respect for international humanitarian law, impedes the provision of humanitarian assistance to victims of armed conflict and fuels crime and terrorism,

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\* A/CONF. 192/5, chap. IV.

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6. *Gravely concerned* about its devastating consequences on children, many of whom are victims of armed conflict or are forced to become child soldiers, as well as the negative impact on women and the elderly, and in this context, taking into account the special session of the United Nations General Assembly on children,

7. *Concerned also* about the close link between terrorism, organised crime, trafficking in drugs and precious minerals and the illicit trade in small arms and light weapons, and stressing the urgency of international efforts and cooperation aimed at combating this trade simultaneously from both a supply and demand perspective,

8. *Reaffirming* our respect for and commitment to international law and the purposes and principles enshrined in the Charter of the United Nations, including the sovereign equality of States, territorial integrity, the peaceful resolution of international disputes, non-intervention and non-interference in the internal affairs of States,

9. *Reaffirming* the inherent right to individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations,

10. *Reaffirming also* the right of each State to manufacture, import and retain small arms and light weapons for its self-defence and security needs, as well as for its capacity to participate in peacekeeping operations in accordance with the Charter of the United Nations,

11. *Reaffirming* the right of self-determination of all peoples, taking into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, and recognising the right of peoples to take legitimate action in accordance with the Charter of the United Nations to realise their inalienable right of self-determination. This shall not be construed as authorising or encouraging any action that would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples,

12. *Recalling* the obligations of States to fully comply with arms embargoes decided by the United Nations Security Council in accordance with the Charter of the United Nations,

13. *Believing* that Governments bear the primary responsibility for preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects and, accordingly, should intensify their efforts to define the problems associated with such trade and find ways of resolving them,

14. *Stressing* the urgent necessity for international cooperation and assistance, including financial and technical assistance, as appropriate, to support and facilitate efforts at the local, national, regional and global levels to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

15. *Recognising* that the international community has a duty to deal with this issue, and acknowledging that the challenge posed by the illicit trade in small arms and light weapons in all its aspects is multi-faceted and involves, *inter alia*, security, conflict prevention and resolution, crime prevention, humanitarian, health and development dimensions,

16. *Recognising also* the Important contribution of civil society, including non-governmental organisations and industry in, *inter alia*, assisting Governments to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

17. *Recognising further* that these efforts are without prejudice to the priorities accorded to nuclear disarmament, weapons of mass destruction and conventional disarmament,

18. *Welcoming* the efforts being undertaken at the global, regional, sub-regional, national and local levels to address the illicit trade in small arms and light weapons in all its aspects, and desiring to build upon them, taking into account the characteristics, scope and magnitude of the problem in each State or region,<sup>1</sup>

19. *Recalling* the Millennium Declaration and also welcoming ongoing initiatives in the context of the United Nations to address the problem of the illicit trade in small arms and light weapons in all its aspects,

20. *Recognising* that the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime, establishes standards and procedures that complement and reinforce efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects,

21. *Convinced* of the need for a global commitment to a comprehensive approach to promote, at the global, regional, subregional, national and local levels, the prevention, reduction and eradication of the illicit trade in small arms and light weapons in all its aspects as a contribution to international peace and security,

22. *Resolve* therefore to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects by:

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- (a) Strengthening or developing agreed norms and measures at the global, regional and national levels that would reinforce and further coordinate efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects;
  - (b) Developing and implementing agreed international measures to prevent, combat and eradicate illicit manufacturing of and trafficking in small arms and light weapons;
  - (c) Placing particular emphasis on the regions of the world where conflicts come to an end and where serious problems with the excessive and destabilising accumulation of small arms and light weapons have to be dealt with urgently;<sup>2</sup>
  - (d) Mobilising the political will throughout the international community to prevent and combat illicit transfers and manufacturing of small arms and light weapons in all their aspects, to cooperate towards these ends and to raise awareness of the character and seriousness of the interrelated problems associated with the illicit manufacturing of and trafficking in these weapons;
  - (e) Promoting responsible action by States with a view to preventing the illicit export, import, transit and re-transfer of small arms and light weapons.

## **II. Preventing, Combating and Eradicating the Illicit Trade in Small Arms and Light Weapons in All its Aspects**

1. We, the States participating in this Conference, bearing in mind the different situations, capacities and priorities of States and regions, undertake the following measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects:

### ***At the National Level***

2. To put in place, where they do not exist, adequate laws, regulations and administrative procedures to exercise effective control over the production of small arms and light weapons within their areas of jurisdiction and over the export, import, transit or retransfer of such weapons, in order to prevent illegal manufacture of and illicit trafficking in small arms and light weapons, or their diversion to unauthorised recipients.

3. To adopt and implement, in the States that have not already done so, the necessary legislative or other measures to establish as criminal offences under their domestic law the illegal manufacture,

possession, stockpiling and trade of small arms and light weapons within their areas of jurisdiction, in order to ensure that those engaged in such activities can be prosecuted under appropriate national penal codes.

4. To establish, or designate as appropriate, national coordination agencies or bodies and institutional infrastructure responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. This should include aspects of the illicit manufacture, control, trafficking, circulation, brokering and trade, as well as tracing, finance, collection and destruction of small arms and light weapons.

5. To establish or designate, as appropriate, a national point of contact to act as liaison between States on matters relating to the implementation of the Programme of Action.

6. To identify, where applicable, groups and individuals engaged in the illegal manufacture, trade, stockpiling, transfer, possession, as well as financing for acquisition, of illicit small arms and light weapons, and take action under appropriate national law against such groups and individuals.

7. To ensure that henceforth licensed manufacturers apply an appropriate and reliable marking on each small arm and light weapon as an integral part of the production process. This marking should be unique and should identify the country of manufacture and also provide information that enables the national authorities of that country to identify the manufacturer and serial number so that the authorities concerned can identify and trace each weapon.

8. To adopt where they do not exist and enforce, all the necessary measures to prevent the manufacture, stockpiling, transfer and possession of any unmarked or inadequately marked small arms and light weapons.

9. To ensure that comprehensive and accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms and light weapons under their jurisdiction. These records should be organised and maintained in such a way as to ensure that accurate information can be promptly retrieved and collated by competent national authorities.

10. To ensure responsibility for all small arms and light weapons held and issued by the State and effective measures for tracing such weapons.

11. To assess applications for export authorisations according to strict national regulations and procedures that cover all small arms and light weapons and are consistent with the existing responsibilities of States under relevant international law, taking into account in particular the risk of diversion of these weapons into the illegal trade. Likewise, to establish or maintain an effective national system of export and import licensing or authorisation, as well as measures on international transit, for the transfer of all small arms and light weapons, with a view to combating the illicit trade in small arms and light weapons.

12. To put in place and implement adequate laws, regulations and administrative procedures to ensure the effective control over the export and transit of small arms and light weapons, including the use of authenticated end-user certificates and effective legal and enforcement measures.

13. To make every effort, in accordance with national laws and practices, without prejudice to the right of States to re-export small arms and light weapons that they have previously imported, to notify the original exporting State in accordance with their bilateral agreements before the retransfer of those weapons.

14. To develop adequate national legislation or administrative procedures regulating the activities of those who engage in small arms and light weapons brokering. This legislation or procedures should include measures such as registration of brokers, licensing or authorisation of brokering transactions as well as the appropriate penalties for all illicit brokering activities performed within the State's jurisdiction and control.

15. To take appropriate measures, including all legal or administrative means, against any activity that violates a United Nations Security Council arms embargo in accordance with the Charter of the United Nations.

16. To ensure that all confiscated, seized or collected small arms and light weapons are destroyed, subject to any legal constraints associated with the preparation of criminal prosecutions, unless another form of disposition or use has been officially authorised and provided that such weapons have been duly marked and registered.

17. To ensure, subject to the respective constitutional and legal systems of States, that the armed forces, police or any other body authorised to hold small arms and light weapons establish adequate and detailed standards and procedures relating to the management



and security of their stocks of these weapons. These standards and procedures should, *inter alia*, relate to: appropriate locations for stockpiles; physical security measures; control of access to stocks; inventory management and accounting control; staff training; security, accounting and control of small arms and light weapons held or transported by operational units or authorised personnel; and procedures and sanctions in the event of thefts or loss.

18. To regularly review, as appropriate, subject to the respective constitutional and legal systems of States, the stocks of small arms and light weapons held by armed forces, police and other authorised bodies and to ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified, that programmes for the responsible disposal, preferably through destruction, of such stocks are established and implemented and that such stocks are adequately safeguarded until disposal.

19. To destroy surplus small arms and light weapons designated for destruction, taking into account, *inter alia*, the report of the Secretary-General of the United Nations on methods of destruction of small arms, light weapons, ammunition and explosives (S/2000/1092) of 15 November 2000.

20. To develop and implement, including in conflict and post-conflict situations, public awareness and confidence-building programmes on the problems and consequences of the illicit trade in small arms and light weapons in all its aspects, including, where appropriate, the public destruction of surplus weapons and the voluntary surrender of small arms and light weapons, if possible, in cooperation with civil society and non-governmental organisations, with a view to eradicating the illicit trade in small arms and light weapons.

21. To develop and implement, where possible, effective disarmament, demobilisation and reintegration programmes, including the effective collection, control, storage and destruction of small arms and light weapons, particularly in post-conflict situations, unless another form of disposition or use has been duly authorised and such weapons have been marked and the alternate form of disposition or use has been recorded, and to include, where applicable, specific provisions for these programmes in peace agreements.

22. To address the special needs of children affected by armed conflict, in particular the reunification with their family, their reintegration into civil society, and their appropriate rehabilitation.

23. To make public national laws, regulations and procedures that impact on the prevention, combating and eradicating of the illicit trade

in small arms and light weapons, in all its aspects and to submit, on a voluntary basis, to relevant regional and international organisations and in accordance with their national practices, information on, inter alia, (a) small arms and light weapons confiscated or destroyed within their jurisdiction; and (b) other relevant information such as illicit trade routes and techniques of acquisition that can contribute to the eradication of the illicit trade in small arms and light weapons in all its aspects.

### ***At the Regional Level***

24. To establish or designate, as appropriate, a point of contact within sub-regional and regional organisations to act as liaison on matters relating to the implementation of the Programme of Action.

25. To encourage negotiations, where appropriate, with the aim of concluding relevant legally binding instruments aimed at preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects, and where they do exist to ratify and fully implement them.

26. To encourage the strengthening and establishing, where appropriate and as agreed by the States concerned, of moratoria or similar initiatives in affected regions or subregions on the transfer and manufacture of small arms and light weapons, and/or regional action programmes to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects, and to respect such moratoria, similar initiatives, and/or action programmes and cooperate with the States concerned in the implementation thereof, including through technical assistance and other measures.

27. To establish, where appropriate, subregional or regional mechanisms, in particular trans-border customs cooperation and networks for information-sharing among law enforcement, border and customs control agencies, with a view to preventing, combating and eradicating the illicit trade in small arms and light weapons across borders.

28. To encourage, where needed, regional and subregional action on illicit trade in small arms and light weapons in all its aspects in order to, as appropriate, introduce, adhere, implement or strengthen relevant laws, regulations and administrative procedures.

29. To encourage States to promote safe, effective stockpile management and security, in particular physical security measures, for small arms and light weapons, and to implement, where appropriate, regional and subregional mechanisms in this regard.

30. To support, where appropriate, national disarmament, demobilisation and reintegration programmes, particularly in post-conflict situations, with special reference to the measures agreed upon in paragraphs 28 to 31 of this section.

31. To encourage regions to develop, where appropriate and on a voluntary basis, measures to enhance transparency with a view to combating the illicit trade in small arms and light weapons in all its aspects.

***At the Global Level***

32. To cooperate with the United Nations system to ensure the effective implementation of arms embargoes decided by the United Nations Security Council in accordance with the Charter of the United Nations.

33. To request the Secretary-General of the United Nations, within existing resources, through the Department for Disarmament Affairs, to collate and circulate data and information provided by States on a voluntary basis and including national reports, on implementation by those States of the Programme of Action.

34. To encourage, particularly in post-conflict situations, the disarmament and demobilisation of ex-combatants and their subsequent reintegration into civilian life, including providing support for the effective disposition, as stipulated in paragraph 17 of this section, of collected small arms and light weapons.

35. To encourage the United Nations Security Council to consider, on a case-by-case basis, the inclusion, where applicable, of relevant provisions for disarmament, demobilisation and reintegration in the mandates and budgets of peacekeeping operations.

36. To strengthen the ability of States to cooperate in identifying and tracing in a timely and reliable manner illicit small arms and light weapons.

37. To encourage States and the World Customs Organisation, as well as other relevant organisations, to enhance cooperation with the International Criminal Police Organisation (Interpol) to identify those groups and individuals engaged in the illicit trade in small arms and light weapons in all its aspects in order to allow national authorities to proceed against them in accordance with their national laws.

38. To encourage States to consider ratifying or acceding to international legal instruments against terrorism and transnational organised crime.

39. To develop common understandings of the basic issues and the scope of the problems related to illicit brokering in small arms and light weapons with a view to preventing, combating and eradicating the activities of those engaged in such brokering.

40. To encourage the relevant international and regional organisations and States to facilitate the appropriate cooperation of civil society, including non-governmental organisations, in activities related to the prevention, combat and eradication of the illicit trade in small arms and light weapons in all its aspects, in view of the important role that civil society plays in this area.

41. To promote dialogue and a culture of peace by encouraging, as appropriate, education and public awareness programmes on the problems of the illicit trade in small arms and light weapons in all its aspects, involving all sectors of society.

### **III. Implementation, International Cooperation and Assistance**

1. We, the States participating in the Conference, recognise that the primary responsibility for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects falls on all States. We also recognise that States need close international cooperation to prevent, combat and eradicate this illicit trade.

2. States undertake to cooperate and to ensure coordination, complementarity and synergy in efforts to deal with the illicit trade in small arms and light weapons in all its aspects at the global, regional, subregional and national levels and to encourage the establishment and strengthening of cooperation and partnerships at all levels among international and intergovernmental organisations and civil society, including non-governmental organisations and international financial institutions.

3. States and appropriate international and regional organisations in a position to do so should, upon request of the relevant authorities, seriously consider rendering assistance, including technical and financial assistance where needed, such as small arms funds, to support the implementation of the measures to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects as contained in the Programme of Action.

4. States and international and regional organisations should, upon request by the affected States, consider assisting and promoting conflict prevention. Where requested by the parties concerned, in accordance with the principles of the Charter of the United Nations, States and

international and regional organisations should consider promotion and assistance of the pursuit of negotiated solutions to conflicts, including by addressing their root causes.

5. States and international and regional organisations should, where appropriate, cooperate, develop and strengthen partnerships to share resources and information on the illicit trade in small arms and light weapons in all its aspects,

6. With a view to facilitating implementation of the Programme of Action, States and international and regional organisations should seriously consider assisting interested States, upon request, in building capacities in areas including the development of appropriate legislation and regulations, law enforcement, tracing and marking, stockpile management and security, destruction of small arms and light weapons and the collection and exchange of information.

7. States should, as appropriate, enhance cooperation, the exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional and global levels in order to combat the illicit trade in small arms and light weapons in all its aspects.

8. Regional and international programmes for specialist training on small arms stockpile management and security should be developed. Upon request. States and appropriate international or regional organisations in a position to do so should support these programmes. The United Nations, within existing resources, and other appropriate international or regional organisations should consider developing capacity for training in this area.

9. States are encouraged to use and support, as appropriate, including by providing relevant information on the illicit trade in small arms and light weapons, Interpol's International Weapons and Explosives Tracking System database or any other relevant database that may be developed for this purpose.

10. States are encouraged to consider international cooperation and assistance to examine technologies that would improve the tracing and detection of illicit trade in small arms and light weapons, as well as measures to facilitate the transfer of such technologies.

11. States undertake to cooperate with each other, including on the basis of the relevant existing global and regional legally binding instruments as well as other agreements and arrangements, and, where appropriate, with relevant international, regional and inter-governmental organisations, in tracing illicit small arms and light

weapons, in particular by strengthening mechanisms based on the exchange of relevant information.

12. States are encouraged to exchange information on a voluntary basis on their national marking systems on small arms and light weapons.

13. States are encouraged, subject to their national practices, to enhance, according to their respective constitutional and legal systems, mutual legal assistance and other forms of cooperation in order to assist investigations and prosecutions in relation to the illicit trade in small arms and light weapons in all its aspects.

14. Upon request, States and appropriate international or regional organisations in a position to do so should provide assistance in the destruction or other responsible disposal of surplus stocks or unmarked or inadequately marked small arms and light weapons.

15. Upon request, States and appropriate international or regional organisations in a position to do so should provide assistance to combat the illicit trade in small arms and light weapons linked to drug trafficking, transnational organised crime and terrorism.

16. Particularly in post-conflict situations, and where appropriate, the relevant regional and international organisations should support, within existing resources, appropriate programmes related to the disarmament, demobilisation and reintegration of ex-combatants.

17. With regard to those situations, States should make, as appropriate, greater efforts to address problems related to human and sustainable development, taking into account existing and future social and developmental activities, and should fully respect the rights of the States concerned to establish priorities in their development programmes.

18. States, regional and subregional and international organisations, research centres, health and medical institutions, the United Nations system, international financial institutions and civil society are urged, as appropriate, to develop and support action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with the illicit trade in small arms and light weapons in all its aspects.

#### **IV. Follow-up to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects**

1. We, the States participating in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,

recommend to the General Assembly the following agreed steps to be undertaken for the effective follow-up of the Conference:

- (a) To convene a conference no later than 2006 to review progress made in the implementation of the Programme of Action, the date and venue to be decided at the fifty-eighth session of the General Assembly;
- (b) To convene a meeting of States on a biennial basis to consider the national, regional and global implementation of the Programme of Action;
- (c) To undertake a United Nations study, within existing resources, for examining the feasibility of developing an international instrument to enable States to identify and trace in a timely and reliable manner illicit small arms and light weapons;
- (d) To consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons.

2. Finally we, the States participating in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects:

- (a) Encourage the United Nations and other appropriate international and regional Organisations to undertake initiatives to promote the implementation of the Programme of Action;
- (b) Also encourage all initiatives to mobilise resources and expertise to promote the implementation of the Programme of Action and to provide assistance to States in their implementation of the Programme of Action;
- (c) Further encourage non-governmental organisations and civil society to engage, as appropriate, in all aspects of international, regional, subregional and national efforts to implement the present Programme of Action.

## ***ANNEX***

### **INITIATIVES UNDERTAKEN AT THE REGIONAL AND SUBREGIONAL LEVELS TO ADDRESS THE ILLICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS**

- In June 1998, the Organisation of African Unity (OAU) adopted a decision on the proliferation of small arms and light weapons, stressing the role that OAU should play in coordinating efforts

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to address the problem in Africa and requesting the Secretary-General of OAU to prepare a comprehensive report on the issue.

- Decision on the illicit proliferation, circulation and trafficking of small arms and light weapons (AHG/Dec.137 (XXXV)), adopted by the Assembly of Heads of State and Government of OAU at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999 (see A/54/424, annex II).
- From 30 November to 1 December 2000, OAU held a Ministerial Meeting at Bamako on the issue of small arms and light weapons. The meeting adopted the Bamako Declaration (A/CONF.192/PC/23).
- First Continental Meeting of African Experts on Small Arms and Light Weapons, Addis Ababa, May 2000,
- International Consultation on the Illicit Proliferation, Circulation and Trafficking in Small Arms and Light Weapons, Addis Ababa, June 2000.
- Summit of Heads of State and Government of the Southern African Development Community, Namibia, August 2000.
- Decision by the Council of Ministers of the Southern African Development Community to conclude its negotiations on a protocol on the control of firearms, ammunition and other related materials in the region of the community.
- Decision by the States members of the Economic Community of West African States to implement their agreement on a moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa.
- The Great Lakes and Horn of Africa Conference on the Proliferation of Small Arms, attended by the Foreign Ministers of all 10 countries of the region, met at Nairobi in March 2000 and adopted the Nairobi Declaration.
- In November 1997, the States members of the Organisation of American States (OAS) signed the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. The Convention, which came into force in 1998, set forth a set of substantial measures to combat illicit arms trafficking. The Convention has been reinforced by the adoption by the States members of the OAS Inter-American Drug Abuse Control Commission of model regulations for the control of the



international movement of firearms, their parts, components and ammunition. In April 1998, the Presidents of the States members (Argentina, Brazil, Paraguay and Uruguay) of the Common Market of the Southern Cone (MERCOSUR) and associated States (Bolivia and Chile) signed a joint declaration agreeing to create a joint register mechanism of buyers and sellers of firearms, explosives, ammunition and related materials.

- Regional Preparatory Meeting of the Latin American and Caribbean States for the 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects was held at Brasilia, from 22 to 24 November 2000. The Brasilia Declaration was adopted at the meeting.
- In June 1999, the First Summit Conference of Heads of State and Government of Latin America and the Caribbean and the European Union, held at Rio de Janeiro, adopted the Declaration of Rio de Janeiro. In June 1999, a workshop was held at Lima on the topic "Illicit Traffic in Small Arms: Latin American and Caribbean issues". The workshop was part of the Secretary-General's mandate, under General Assembly resolution 53/77 T of 4 December 1998, to conduct broad-based consultations on illicit trafficking in small arms.
- Establishment, by the States parties to the Inter-American Convention, of the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.
- The Organisation of Security and Cooperation in Europe (OSCE) adopted the OSCE Document on Small Arms and Light Weapons on 24 November 2000.
- Adoption by the European Union of the Programme for Preventing and Combating Illicit Trafficking in Conventional Arms and the other initiatives undertaken, such as the Joint Action on Small Arms, which has been endorsed by several Member States not members of the European Union.
- Seminar on Small Arms and Light Weapons, held by the Forum for Security Cooperation (OSCE), Vienna, 3-5 April 2000.
- Conference on Export Controls, Sofia, December 1999.
- Workshop on Small Arms and Light Weapons: Possible Contribution to the Stability Pact for South-eastern Europe, Slovenia, January 2000.

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- Meeting of the Working Table on Security Issues of the Stability Pad for South-eastern Europe, Bosnia and Herzegovina, February 2000.
  - Workshop on Stockpile Management and Security of Small Arms and Light Weapons, Thun, Switzerland, March 2000.
  - Regional Seminar on Illicit Trafficking in Small Arms and Light Weapons, co-hosted by the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and the Governments of Indonesia and Japan, was held at Jakarta in May 2000. The Seminar made a positive contribution to the debate on illicit trafficking in small arms and light weapons in general, and in particular to the efforts of the Association of South-East Asian Nations (ASEAN) and its member States.
  - The Asia Regional Workshop on Small Arms was held at Tokyo, in June 2000, as part of the informal consultations in the context of the preparatory process for the 2001 United Nations Conference in the Asian region.
  - Conference entitled "Countering Small Arms and Light Weapons Proliferation in South Asia", organised by the Governments of Canada and Sri Lanka and the Colombo-based Regional Centre for Strategic Studies, in collaboration with the United Nations Department for Disarmament Affairs, Colombo, June 2000. The conference was the first such in South Asia at which the issue of small arms as well as others related to the 2001 Conference were discussed.
  - Pacific Islands Forum paper on small arms: "The Interests and Involvement of Pacific Island Forum Countries".
  - Meeting of the South Pacific Chiefs of Police and the Oceania Customs Organisation Subcommittee, Fiji, March 2000.
  - Second Ministerial Meeting of the Human Security Network, Lucerne, Switzerland, 11-12 May 2000.
  - Workshop on Traceability of Small Arms and Light Weapons: Tracing, Marking and Record-Keeping, Geneva, 12-13 March 2001.
  - North Atlantic Treaty Organisation (NATO)/Euro-Atlantic Partnership Council Workshop on Small Arms and Light Weapons: Export Controls and Small Arms and Light Weapons Transfers, Brussels, 16-17 March 2000.
  - Euro-Atlantic Partnership Council/Partnership for Peace workshop in support of the South-East Europe Initiative (SEEI)

on Regional Cooperation in South-East Europe and the Challenge of Small Arms and Light Weapons, Ohrid, the former Yugoslav Republic of Macedonia, 22-23 June 2000.

- NATO/Euro-Atlantic Partnership Council Experts Workshop on Export Control of Small Arms and Light Weapons, Brussels, 21 November 2000.
- Partnership for Peace Training Course on Stockpile Management and Security of Small Arms and Light Weapons, Brugg, Switzerland, May-June 2001.
- Workshop on Small Arms and Light Weapons: Practical Challenges for the Implementation of Current Undertakings in the Organisation for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council, Baku, 21-22 June 2001.
- Asian Regional Forum Experts Group Meeting on Transnational Crime, 30 and 31 October 2000, Seoul, Republic of Korea.
- The Foreign Ministers of the G8 meeting in Miyazaki, Japan on 12 and 13 July 2000, agreed to take several measures to deal with the uncontrolled and illegal transfer of small arms and light weapons, as well as their destabilising accumulation, with a view to restricting the means for armed conflicts and achieving concrete results at the United Nations Conference in 2001.
- On 14 and 15 December 1999, Bulgaria hosted a Regional Conference on Export Controls, under the auspices of the Stability Pact for South-Eastern Europe, co-sponsored by the Government of the United States of America. The Conference issued a Joint Declaration on Responsible Arms Transfers and a Statement on Harmonisation of End-Use/End-User Certificates.
- On 17 and 18 March 2000, a seminar on controlling flows of small arms and light weapons was held at Jablonna, Poland. The seminar was organised by Saferworld (London), the Institute of Public Affairs (Warsaw) and co-hosted by the Polish Ministry of Foreign Affairs.
- On 18 and 19 September 2000, the Governments of Poland and Canada organised a seminar in Warsaw to address the issue of small arms disarmament within the context of peacekeeping operations.
- On 28 and 29 September 2000, the Governments of the Netherlands and Hungary organised, at The Hague, an expert

workshop on destruction of small arms and light weapons related to stockpile management and weapons collection in post-conflict situations.

- From 16 to 19 October 2000, the Stability Pact for South-Eastern Europe and the Governments of Bulgaria and Canada organised a seminar on collection and destruction techniques for small arms and light weapons at Sofia.
- On 20 and 21 October, the Czech Ministry for Foreign Affairs, Safer-world, and the Institute of International Relations held a seminar in the Czech Republic on improving accountability and transparency in relation to production transfers and holding of arms in an enlarged European Union.
- On 7 November 2000, the Canadian Joint Delegation to NATO and the Centre for European Security and Disarmament organised a roundtable on Small Arms and Europe-Atlantic Security at NATO headquarters.
- On 17 and 18 November 2000, the Ministry of Foreign Affairs of Hungary, Saferworld and Szeged Centre for Security Policy organised a roundtable at Szeged, Hungary, entitled "Tackling small arms diffusion in South-Eastern Europe: Towards a subregional Action Programme on small arms in the context of the Stability Pact".
- On 15 and 16 May 2001, Canada and the European Union, under the Swedish Presidency, organised a workshop in Canada on small arms and light weapons destruction in the context of peace support operations.
- On 20 and 21 September 2001 the Governments of Canada and Poland co-hosted and co-chaired a Euro-Atlantic Partnership Council Seminar on Disarmament and Peacekeeping. This seminar focused upon the implementation of weapons collection programmes during peace support operations.
- On 22 and 23 October 2000, the Governments of Canada and Bulgaria co-hosted and co-chaired a Stability Pact Seminar on Small Arms and Light Weapons Destruction. The seminar demonstrated practical arms destruction methods.
- Canada, in conjunction with Cambodia and Japan, held an Asian Regional Forum seminar on transparency in conventional arms transfers, in Phnom Penh, on 22 and 23 February 2001. This seminar concluded with a set of recommendations that are presently being considered by the Asian Regional Forum.

- On 26 and 27 April 2001 the Governments of Canada and Hungary co-hosted and co-chaired a Euro-Atlantic Partnership Council seminar on arms embargoes and sanctions. This seminar developed recommendations to improve the implementation of arms embargoes.
- On 21 and 22 May 2001, in Ottawa, the Government of Canada sponsored an OAS Seminar entitled: "The OAS and the 2001 Conference: Tackling the Illicit Trade in Small Arms and Light Weapons in All Its Aspects".
- International Meeting on Small Arms, Oslo, 13 and 14 July 1998.
- Second International Meeting on Small Arms and Light Weapons, Oslo, 6 and 7 December 1999 (Oslo II).
- On 13 and 14 February 2001, Lancaster House Policy Brainstorming Sem-inar on Small Arms and Light Weapons.
- Pacific Islands Small Arms Workshop, Brisbane, Australia, 9-11 May 2001.
- From 25 to 27 October 1999, the States members of the Economic Community of Central African States held in N'djamena, under the auspices of the United Nations Standing Advisory Committee on Security Questions in Central Africa, a subregional conference on the proliferation of and illicit traffic in small arms and light weapons in Central Africa.

### **REFERENCES**

1. See the annex for regional and subregional initiatives.
2. The term "excessive and destabilising accumulation of small arms and light weapons" is described in paragraphs 34-37 of the report of the Panel of Governmental Experts on Small Arms (A/52/298, annex).

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