

## Chapter VII

**Disarmament**

Although Member States continued to differ in 2004 on many disarmament issues, relative progress was made in addressing challenges relating to weapons of mass destruction and conventional weapons, particularly small arms and light weapons, and in promoting transparency in armaments.

The Conference on Disarmament remained unable to reach consensus on a comprehensive programme of work, and consequently did not take action on its agenda items for the sixth consecutive year. However, the Conference was able to adopt a decision on enhancing the engagement of civil society in its work. Similarly, continuing discord among Member States prevented the Disarmament Commission from reaching agreement on its substantive agenda for the 2004 session.

In April, owing to increasing concern over threats to international peace and security associated with the potential proliferation of weapons of mass destruction, the Security Council called on States to ensure compliance with their commitments under multilateral non-proliferation treaties, and established a Committee to monitor their efforts in that regard. The General Assembly reaffirmed the importance of effective verification measures in non-proliferation and other disarmament agreements and asked the Secretary-General to establish a panel of governmental experts to explore the question of verification in all its aspects.

Regarding conventional weapons, Member States maintained progress in efforts to combat the proliferation of small arms and light weapons, particularly regarding the implementation of the Programme of Action adopted by the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. National, regional and subregional initiatives undertaken within that framework increased significantly during the year, including the adoption and strengthening of national laws, weapons collection and destruction activities, and the establishment of arrangements for cooperation. Member States of the Economic Community of West African States began efforts to transform into a legally-binding instrument their 1998 Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in

West Africa. The Protocol on the Control of Firearms, Ammunition and Other Related Materials, adopted in 2001 by member States of the Southern African Development Community, entered into force in November. The open-ended working group established in 2003 to negotiate an international instrument to help identify and trace illicit small arms and light weapons began its work and resolved to produce and circulate the first draft of the proposed instrument in early 2005. The Security Council encouraged international cooperation to prevent the diversion of small arms and light weapons to terrorist groups, particularly Al-Qaida, while the General Assembly asked the Secretary-General to continue consultations with Member States with a view to establishing no later than 2007, a group of governmental experts to consider further steps to enhance such cooperation in combating illicit brokering of those weapons.

Concerning the United Nations Register of Conventional Arms, the Secretary-General reported in July an adjustment to its scope in conformity with the recommendations of the Group of Governmental Experts that reviewed the Register's operation in 2003 and proposed measures to enhance its effectiveness and relevance.

In November, the First Review Conference of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (Mine-Ban Convention) reviewed the Convention's operation and status and adopted an action plan for ending the suffering caused by anti-personnel mines.

The Group of Governmental Experts established to undertake the second review since 1981 of the relationship between disarmament and development reaffirmed the findings of the 1987 Conference on the issue that, although disarmament and development had their logics and existed independently of each other, progress in one could create a conducive environment for the other.

On the bilateral level, the United States and the Russian Federation held meetings during the year to discuss the implementation of their Strategic Offensive Reductions Treaty (Moscow Treaty), which entered into force in 2003.

## UN role in disarmament

### UN machinery

Disarmament issues before the United Nations were considered mainly through the General Assembly and its First (Disarmament and International Security) Committee, the Disarmament Commission (a deliberative body) and the Conference on Disarmament (a multilateral negotiating forum, which met in Geneva). By **decision 59/544** of 23 December, the General Assembly took note of the First Committee's report [A/59/618].

The Department for Disarmament Affairs of the UN Secretariat continued to support the work of Member States and treaty bodies, to service the Advisory Board on Disarmament Matters and to administer the UN disarmament fellowship programme.

### Fourth special session devoted to disarmament

The General Assembly had decided, by resolution 51/45 C [YUN 1996, p. 447], to convene its fourth special session devoted to disarmament in 1999, subject to the emergence of consensus on its agenda and objectives, which had not been achieved.

In 2004, the Assembly established an open-ended working group (see below) to consider, on the basis of consensus, the objectives and agenda of the special session and asked it to report on its work before the end of the Assembly's sixtieth session. A similar working group established previously, which completed its work in 2003 [YUN 2003, p. 530], had not been able to reach consensus on the issue.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/71** without vote [agenda item 65 (dd)].

#### Convening of the fourth special session of the General Assembly devoted to disarmament

*The General Assembly,*

*Recalling* its resolutions 49/75 I of 15 December 1994, 50/70 F of 12 December 1995, 51/45 C of 10 December 1996, 52/38 F of 9 December 1997, 53/77 AA of 4 December 1998, 54/54 U of 1 December 1999, 55/33 M of 20 November 2000, 56/24 D of 29 November 2001 and 57/61 of 22 November 2002 and its decision 58/521 of 8 December 2003,

*Recalling also* that, there being a consensus to do so in each case, three special sessions of the General As-

sembly devoted to disarmament were held in 1978, 1982 and 1988,

*Bearing in mind* the Final Document of the Tenth Special Session of the General Assembly, adopted by consensus at the first special session devoted to disarmament,

*Bearing in mind also* the ultimate objective of general and complete disarmament under effective international control,

*Taking note* of paragraph 98 of the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur from 20 to 25 February 2003, and paragraph 91 of the Final Document of the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, held at Durban, South Africa, from 17 to 19 August 2004, which supported the convening of the fourth special session of the General Assembly devoted to disarmament, which would offer an opportunity to review, from a perspective more in tune with the current international situation, the most critical aspects of the process of disarmament and to mobilize the international community and public opinion in favour of the elimination of nuclear and other weapons of mass destruction and of the control and reduction of conventional weapons,

*Recalling* the United Nations Millennium Declaration, adopted by the Heads of State and Government during the Millennium Summit of the United Nations, held in New York from 6 to 8 September 2000, in which they resolved "to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers",

*Reiterating its conviction* that a special session of the General Assembly devoted to disarmament can set the future course of action in the fields of disarmament, arms control, non-proliferation and related international security matters,

*Emphasizing* the importance of multilateralism in the process of disarmament, arms control, non-proliferation and related international security matters,

*Taking note* of the report of the Open-ended Working Group to consider the objectives and agenda, including the possible establishment of the preparatory committee, for the fourth special session of the General Assembly devoted to disarmament,

1. *Decides* to establish an open-ended working group, working on the basis of consensus, to consider the objectives and agenda, including the possible establishment of the preparatory committee, for the fourth special session of the General Assembly devoted to disarmament, taking note of the paper presented by the Chairman of Working Group II during the 1999 substantive session of the Disarmament Commission and the written proposals and views submitted by Member States as contained in the working papers presented during the three substantive sessions of the Open-ended Working Group in 2003, as well as the reports of the Secretary-General regarding the views of Member States on the objectives, agenda and timing of the fourth special session of the General Assembly devoted to disarmament;

2. *Requests* the Open-ended Working Group to hold an organizational session in order to set the dates for its substantive sessions in 2006, and to submit a report on its work, including possible substantive recommendations, before the end of the sixtieth session of the General Assembly;

3. *Requests* the Secretary-General, within existing resources, to provide the Open-ended Working Group with the necessary assistance and services as may be required to discharge its tasks;

4. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Convening of the fourth special session of the General Assembly devoted to disarmament".

### Disarmament Commission

In 2004, the Disarmament Commission, composed of all UN Member States, held nine formal and five informal meetings (New York, 5-23 April) [A/59/42] and an organizational meeting on 22 December [A/60/42], at which the Commission discussed possible agenda items, including issues relating to nuclear disarmament (see p. 528) and conventional disarmament (see p. 564). Proposals in that regard were submitted by Indonesia, on behalf of the Non-Aligned Movement; Ireland, on behalf of the European Union (EU); and the United States, which also proposed measures for improving the effectiveness of the UN disarmament machinery. Deliberations revealed a wide gap among delegations on agenda items, and, in efforts to narrow the gap, the Chairman presented a new proposal that drew from others, to serve as a basis for discussion; however, the Commission was unable to reach agreement on its substantive agenda. On 23 April, the Commission decided to continue deliberations on agenda items for its 2005 session, and requested its Chairman to continue informal consultations and to present the outcome to the Commission's organizational meeting in December 2004.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/461], adopted **resolution 59/105** without vote [agenda item 67 (d)].

#### Report of the Disarmament Commission

*The General Assembly,*

*Having considered* the report of the Disarmament Commission,

*Recalling* its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993, 49/77 A of 15 December 1994, 50/72 D of 12 December 1995, 51/47 B of 10 December 1996, 52/40 B of 9 December 1997, 53/79 A of 4 December 1998, 54/56 A of 1 December 1999, 55/35 C of 20 November 2000, 56/26 A of 29 November 2001, 57/95 of 22 November 2002 and 58/67 of 8 December 2003,

*Considering* the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

*Bearing in mind* its decision 52/492 of 8 September 1998,

1. *Takes note* of the report of the Disarmament Commission;

2. *Reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee of the General Assembly, the Disarmament Commission and the Conference on Disarmament;

3. *Also reaffirms* the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

4. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly, and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items on its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";

5. *Recommends* that the Disarmament Commission consider the following items at its 2005 substantive session:

(a) [To be determined];

(b) [To be determined];

6. *Requests* the Disarmament Commission to meet for a period not exceeding three weeks during 2005, namely, from 18 July to 5 August, and to submit a substantive report to the General Assembly at its sixtieth session;

7. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament, together with all the official records of the fifty-ninth session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

8. *Also requests* the Secretary-General to ensure full provision to the Disarmament Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Report of the Disarmament Commission".

### Conference on Disarmament

The Conference on Disarmament, a multilateral negotiating body, held a three-part session in Geneva in 2004 (19 January–26 March, 10 May–25 June and 26 July–8 September) [A/59/27].

The Conference continued to consider the cessation of the nuclear arms race and nuclear dis-

armament; prevention of nuclear war; prevention of an arms race in outer space; effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; new types of weapons of mass destruction (WMDs) and new systems of such weapons; radiological weapons; a comprehensive programme of disarmament; and transparency in armaments.

Besides the continuing lack of consensus on a programme of work, which had undermined progress in the Conference for many years, another area of disagreement in 2004 was how to approach new issues that could be relevant to the current international environment, particularly terrorism and WMDs and compliance with arms control and disarmament agreements. A number of Member States expressed interest in addressing those issues without including them in the agenda. Subsequently, the Conference considered them in informal plenary meetings as “additional issues”. In efforts to resolve the impasse on a programme of work, successive Presidents of the Conference held consultations, at which a number of informal proposals on the work programme were considered. Deliberations were based mainly on the 2003 cross-group proposal put forward by five former Presidents (“A-5 proposal”) [YUN 2003, p. 531], which many members regarded as the most promising solution. While a number of delegations advocated a comprehensive approach to the work programme as a guarantee for addressing the security concerns of all States, others criticized such linking of issues. The Conference concluded its 2004 session without resolving the deadlock and, once again, did not set up any mechanism to deal with its agenda items. Nonetheless, members were able to take a decision on enhancing the engagement of civil society in the Conference’s work. The Conference decided to hold its 2005 session between January and September and requested its current President and incoming President to hold consultations during the intersessional period and make recommendations, taking into account all proposals.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/461], adopted **resolution 59/104** without vote [agenda item 67].

#### Report of the Conference on Disarmament

*The General Assembly,*

*Having considered* the report of the Conference on Disarmament,

*Convinced* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum

of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

*Recognizing* the need to conduct multilateral negotiations with the aim of reaching agreement on concrete issues,

*Recalling*, in this respect, that the Conference has a number of urgent and important issues for negotiation,

*Taking note* of active discussions held on the programme of work during the 2004 session of the Conference, as duly reflected in the report and the records of the plenary meetings,

*Taking note also* of significant contributions made during the 2004 session to promote substantive discussions on issues on the agenda, as well as of discussions held on other issues that could also be relevant to the current international security environment,

*Stressing* the urgent need for the Conference to commence its substantive work at the beginning of its 2005 session,

*Taking note* of the decision reached on 12 February 2004 with regard to enhancement of the engagement of civil society in the work of the Conference and the statement by the President made thereafter,

1. *Reaffirms* the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. *Calls upon* the Conference to intensify consultations and explore possibilities with a view to reaching an agreement on a programme of work;

3. *Takes note* of the strong collective interest of the Conference in commencing substantive work as soon as possible during its 2005 session;

4. *Welcomes* the decision of the Conference to request its current President and the incoming President to conduct consultations during the intersessional period and, if possible, to make recommendations, taking into account all relevant proposals, including those submitted as the documents of the Conference, views presented and discussions held, and to endeavour to keep the membership of the Conference informed, as appropriate, of their consultations, as expressed in paragraph 46 of its report;

5. *Requests* all States members of the Conference to cooperate with the current President and successive Presidents in their efforts to guide the Conference to the early commencement of substantive work in its 2005 session;

6. *Requests* the Secretary-General to continue to ensure the provision to the Conference of adequate administrative, substantive and conference support services;

7. *Requests* the Conference to submit a report on its work to the General Assembly at its sixtieth session;

8. *Decides* to include in the provisional agenda of its sixtieth session the item entitled “Report of the Conference on Disarmament”.

#### Multilateral disarmament agreements

As at 31 December 2004, the following numbers of States had become parties to the multilateral agreements listed below (in chronological order, with the years in which they were initially signed or opened for signature).

(Geneva) Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (1925): 133 parties

The Antarctic Treaty (1959): 45 parties

Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (1963): 124 parties

Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (1967) [YUN 1966, p. 41, GA res. 2222(XXI), annex]: 98 parties

Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (1967): 39 parties

Treaty on the Non-Proliferation of Nuclear Weapons (1968) [YUN 1968, p. 17, GA res. 2373(XXII), annex]: 189 parties

Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof (1971) [YUN 1970, p. 18, GA res. 2660(XXV), annex]: 92 parties

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1972) [YUN 1971, p. 19, GA res. 2826 (XXVI), annex]: 153 parties

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (1977) [YUN 1976, p. 45, GA res. 31/72, annex]: 69 parties

Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (1979) [YUN 1979, p. 111, GA res. 34/68, annex]: 11 parties

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (1981): 97 parties

South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga) (1985): 17 parties

Treaty on Conventional Armed Forces in Europe (CFE Treaty) (1990): 30 parties

Treaty on Open Skies (1992): 31 parties

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (1993): 166 parties

Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty) (1995): 10 parties

African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty) (1996): 22 parties

Comprehensive Nuclear-Test-Ban Treaty (1996): 120 parties

Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (1997): 26 parties

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (Mine-Ban Convention, formerly known as Ottawa Convention) (1997): 144 parties

Inter-American Convention on Transparency in Conventional Weapons Acquisitions (1999): 9 parties

Agreement on Adaptation of the CFE Treaty (1999): 3 parties

[*The United Nations Disarmament Yearbook*, vol. 29: 2004, Sales No. E.05.IX.1]

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## Nuclear disarmament

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### Conference on Disarmament

In 2004, the Conference on Disarmament was not able to establish any subsidiary body to deal with nuclear disarmament owing to the continuing lack of agreement on a programme of work (see p. 524). Consequently, the question of nuclear disarmament was addressed only at plenary meetings, where delegations reaffirmed or further elaborated their respective positions on the item. Concerns were expressed about the proliferation of WMDs, especially nuclear weapons and related technologies; underscored was the importance of Security Council resolutions 1373 (2001) on measures to eliminate international terrorism [YUN 2001, p. 61] and 1540(2004) on the non-proliferation of WMDs (see p. 544).

### Fissile material

In 2004, as in previous years, difficulties in reaching agreement on a comprehensive programme of work (see p. 524) that would take into account Member States' negotiating priorities, prevented the Conference on Disarmament from establishing an ad hoc committee to consider the issue of the prohibition of the production of fissile material for nuclear weapons and other nuclear explosive devices. Nonetheless, the issue was addressed during plenary meetings and an informal meeting, at which delegations reaffirmed their views on the subject. While countries of the Non-Aligned Movement emphasized that any treaty on that subject should include existing stockpiles of such material, others, mostly Western States and China, supported the United States new position, which, while reaffirming commitment to negotiations on a legally binding treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, raised concerns about effective verification. The President of the Conference

drew attention to a proposal for establishing an expert group to address related technical issues [CD/1734].

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/81** by recorded vote (179-2-2) [agenda item 65].

**The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled “Cessation of the nuclear arms race and nuclear disarmament”, an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices**

*The General Assembly,*

*Recalling* its resolutions 48/75 L of 16 December 1993, 53/77 I of 4 December 1998, 55/33 Y of 20 November 2000, 56/24 J of 29 November 2001, 57/80 of 22 November 2002 and 58/57 of 8 December 2003,

*Convinced* that a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would be a significant contribution to nuclear disarmament and nuclear non-proliferation,

*Recalling* the 1998 report of the Conference on Disarmament, in which, inter alia, the Conference recorded that, in proceeding to take a decision on this matter, that decision was without prejudice to any further decisions on the establishment of further subsidiary bodies under agenda item 1 and that intensive consultations would be pursued to seek the views of the members of the Conference on Disarmament on appropriate methods and approaches for dealing with agenda item 1, taking into consideration all proposals and views in that respect,

1. *Recalls* the decision of the Conference on Disarmament to establish, under item 1 of its agenda entitled “Cessation of the nuclear arms race and nuclear disarmament”, an ad hoc committee which shall negotiate, on the basis of the report of the Special Coordinator and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices;

2. *Urges* the Conference on Disarmament to agree on a programme of work that includes the immediate commencement of negotiations on such a treaty.

#### RECORDED VOTE ON RESOLUTION 59/81:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary,

Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Palau, United States.

*Abstaining:* Israel, United Kingdom.

#### Security assurances

The Conference on Disarmament addressed the issue of security assurances for non-nuclear-weapon States against the use or threat of use of nuclear weapons. During plenary meetings, delegations reaffirmed or further elaborated their respective positions on the item. Many non-nuclear-weapon States emphasized their interest in a binding instrument to provide them with security assurances, which they noted would strengthen the nuclear non-proliferation regime.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/457], adopted **resolution 59/64** by recorded vote (118-0-63) [agenda item 63].

**Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons**

*The General Assembly,*

*Bearing in mind* the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

*Convinced* that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

*Welcoming* the progress achieved in recent years in both nuclear and conventional disarmament,

*Noting* that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control,

*Convinced* that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

*Determined* to abide strictly by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

*Recognizing* that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

*Considering* that, until nuclear disarmament is achieved on a universal basis, it is imperative for the in-

ternational community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

*Recognizing* that effective measures and arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

*Bearing in mind* paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

*Recalling* the relevant parts of the special report of the Committee on Disarmament submitted to the General Assembly at its twelfth special session, the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session, the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,

*Recalling also* paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, inter alia, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

*Noting* the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons, with a view to reaching agreement on this question,

*Taking note* of the proposals submitted under the item in the Conference on Disarmament, including the drafts of an international convention,

*Taking note also* of the relevant decision of the Thirtieth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur from 20 to 25 February 2003, as well as the relevant recommendations of the Organization of the Islamic Conference,

*Taking note further* of the unilateral declarations made by all the nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against the non-nuclear-weapon States,

*Noting* the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

*Taking note* of Security Council resolution 984(1995) of 11 April 1995 and the views expressed on it,

*Recalling* its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December

1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994, 50/68 of 12 December 1995, 51/43 of 10 December 1996, 52/36 of 9 December 1997, 53/75 of 4 December 1998, 54/52 of 1 December 1999, 55/31 of 20 November 2000, 56/22 of 29 November 2001, 57/56 of 22 November 2002 and 58/35 of 8 December 2003,

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties with regard to evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, be explored further in order to overcome the difficulties;

5. *Also recommends* that the Conference on Disarmament actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

RECORDED VOTE ON RESOLUTION 59/64:

*In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* None.

*Abstaining:* Albania, Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia, Monaco, Nauru, Netherlands, New Zealand, Norway, Palau,

Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Turkey, Tuvalu, United Kingdom, United States, Vanuatu.

### Disarmament Commission

In April [A/59/42], the Disarmament Commission, while deliberating on possible agenda items on nuclear disarmament, considered conference room papers on related topics and the Chairman's proposal on guidelines for nuclear disarmament and non-proliferation of nuclear weapons in all its aspects, including, in particular, strategies for dealing with illicit activities that undermined nuclear disarmament and non-proliferation objectives. However, the Commission was not able to reach agreement on its substantive agenda for 2004 and decided to continue deliberations in 2005 on its agenda (see p. 523).

### START and other bilateral agreements and unilateral measures

In an 11 February statement [CD/1728] to the National Defense University (Washington, D.C.), transmitted to the Conference on Disarmament, United States President George W. Bush announced seven proposals for strengthening global efforts to combat the spread of WMDs, including direct action against proliferation networks and measures to strengthen the regime set up by the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (see p. 542) and related activities of the International Atomic Energy Agency (IAEA) (see p. 1481). On 13 February [CD/1732], the Foreign Minister of Malaysia expressed disappointment that Mr. Bush, in that statement, appeared to question the commitment of his Government on nuclear non-proliferation.

The Bilateral Implementation Commission, established by the 2002 Strategic Offensive Reductions Treaty (SORT), or the Moscow Treaty [YUN 2002, p. 493] between the United States and the Russian Federation, which entered into force in 2003 [YUN 2003, p. 535], held its first meeting (Geneva, 8-9 April) to discuss both sides' efforts to implement the Treaty. Senior officials from the two countries held additional meetings during the year for that purpose. Both sides announced that they would continue to consider, within the context of their implementation of the 1991 Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I) [YUN 1991, p. 34] and 1993 START II process [YUN 1993, p. 117], the possible extension of SORT beyond its current expiration date of 31 December 2012.

The United States Secretary of Energy, at a meeting with IAEA officials (Vienna, 26 May),

launched the Global Threat Reduction Initiative (GTRI), designed to secure and remove high-risk nuclear and radiological materials that posed a threat to the United States and the international community. Later in the year, the United States and the Russian Federation, with IAEA support, convened a GTRI Partners Conference in Vienna to discuss the collection and security of proliferation-attractive materials and to review GTRI. The Conference recommended that IAEA member States work with the Agency to coordinate a mechanism to address opportunities for implementing related projects.

The heads of State and Government of member countries of the North Atlantic Treaty Organization (NATO), at their summit meeting (Istanbul, Turkey, 28-29 June), welcomed seven new members (Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia) and issued the Istanbul Declaration on "our security in a new era", by which they renewed commitment to addressing threats facing NATO, including terrorism (see p. 576) and the proliferation of WMDs (see p. 543). In the Istanbul Summit Communiqué, they reaffirmed that NATO policy of support for arms control, disarmament and non-proliferation would continue to play a major role in the achievement of security objectives.

**Report of Secretary-General.** In response to General Assembly resolutions 58/46 [YUN 2003, p. 552], 58/47 [ibid., p. 536], 58/51 [ibid., p. 538] and 58/56 [ibid., p. 541], the Secretary-General, in a September report [A/59/136], assessed progress made in addressing nuclear disarmament issues. He observed that nuclear disarmament and non-proliferation remained priority issues for international peace and security and that the international community faced continuing dangers from the acquisition, possession and possible use of WMDs, including nuclear weapons. Reducing such threats required efforts at the unilateral, bilateral and multilateral levels. Unilateral measures to reduce existing nuclear arsenals by nuclear-weapon States were essential, and some progress had been made in that regard. Steady implementation of the Moscow Treaty by the Russian Federation and the United States would help strengthen international peace and security. At the same time, it was important for the international community to strengthen arms control and disarmament agreements by achieving universal adherence to them and implementing them. Reflecting on the status of NPT, which remained the cornerstone of the non-proliferation regime, (see p. 542) and on related challenges, particularly regarding preparations for the upcoming Review Conference of States parties in 2005, the Secretary-General noted that a success-

ful outcome at the Conference would be critical in maintaining the validity of the regime. He advocated measures to achieve the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (see p. 538), revitalize the Conference on Disarmament (see p. 523) and explore ways to implement the recommendations contained in the 2001 report of the Advisory Board on Disarmament Matters [YUN 2001, p. 474] on measures that might reduce the risk of nuclear war. Remarking that the threat of proliferation of WMDs, their means of delivery and related materials had increased the challenges to multilateral disarmament efforts, the Secretary-General declared the Organization's commitment to assist Member States in tackling the problems.

**Communications.** The Ministers attending the Fourteenth Ministerial Conference of the Non-Aligned Movement (Durban, South Africa, 17-19 August) expressed concern at strategic defence doctrines that set out rationales for the use of nuclear weapons, and at the slow pace of progress with nuclear disarmament, which they described as their highest priority. They underscored the need for nuclear-weapon States to implement the commitments made at the 2000 NPT Review Conference [YUN 2000, p. 487], so as to accomplish the total elimination of nuclear weapons.

The Foreign Ministers of States members of the Organization of the Islamic Conference (New York, 28 September) [A/59/425-S/2004/808] reaffirmed the need to promote multilateral diplomacy in resolving disarmament and non-proliferation concerns and underlined that multilateral institutions established under UN auspices were the sole legitimate bodies to ensure compliance with relevant international agreements.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted five resolutions and one decision related to nuclear disarmament. The Assembly adopted **resolution 59/75** by recorded vote (151-6-24) [agenda item 65 (i)].

#### Accelerating the implementation of nuclear disarmament commitments

*The General Assembly,*

*Recalling* its resolution 58/51 of 8 December 2003, and mindful of the upcoming 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Expressing its grave concern* at the danger to humanity posed by the possibility that nuclear weapons could be used and at the lack of implementation of binding obligations and agreed steps towards nuclear disarmament, and reaffirming that nuclear disarmament and nuclear non-proliferation are mutually reinforcing

processes requiring urgent irreversible progress on both fronts,

*Recalling* the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, in accordance with commitments made under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, and noting that the ultimate objective of the disarmament process is general and complete disarmament under strict and effective international control,

1. *Calls upon* all States to comply fully with commitments made regarding nuclear disarmament and nuclear non-proliferation and not to act in any way that may be detrimental to nuclear disarmament and non-proliferation or that may lead to a new nuclear arms race;

2. *Also calls upon* all States to spare no efforts to achieve universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons and the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

3. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to accelerate the implementation of the practical steps for systematic and progressive efforts to achieve nuclear disarmament that were agreed upon at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;

4. *Calls upon* the nuclear-weapon States to take further steps to reduce their non-strategic nuclear arsenals and not to develop new types of nuclear weapons, in accordance with their commitment to diminish the role of nuclear weapons in their security policies;

5. *Agrees* urgently to strengthen efforts towards both nuclear disarmament and nuclear non-proliferation through the resumption in the Conference on Disarmament of negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into account both nuclear disarmament and nuclear non-proliferation objectives, as well as the completion and implementation of arrangements by all nuclear-weapon States to place fissile material no longer required for military purposes under international verification;

6. *Calls for* the establishment of an appropriate subsidiary body in the Conference on Disarmament to deal with nuclear disarmament;

7. *Underlines* the imperative of the principles of irreversibility and transparency for all nuclear disarmament measures and the need to develop further adequate and efficient verification capabilities;

8. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments", and to review the implementation of the present resolution at that session.

#### RECORDED VOTE ON RESOLUTION 59/75:

*In favour:* Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China,

Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Finland, Gabon, Gambia, Germany, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Republic of Moldova, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* France, Israel, Latvia, Palau, United Kingdom, United States.

*Abstaining:* Albania, Australia, Belarus, Bosnia and Herzegovina, Bulgaria, Czech Republic, Denmark, Estonia, Georgia, Greece, Hungary, Iceland, India, Italy, Poland, Portugal, Romania, Russian Federation, Serbia and Montenegro, Slovakia, Slovenia, Spain, The former Yugoslav Republic of Macedonia, Uzbekistan.

The First Committee adopted paragraph 2 by a separate recorded vote of 153 to 4, with 5 abstentions. The Assembly retained the paragraph by a recorded vote of 169 to 4, with 4 abstentions.

The Assembly adopted **resolution 59/76** by recorded vote (165-3-16) [agenda item 65].

#### **A path to the total elimination of nuclear weapons**

*The General Assembly,*

*Recalling* its resolutions 49/75 H of 15 December 1994, 50/70 C of 12 December 1995, 51/45 G of 10 December 1996, 52/38 K of 9 December 1997, 53/77 U of 4 December 1998, 54/54 D of 1 December 1999, 55/33 R of 20 November 2000, 56/24 N of 29 November 2001, 57/78 of 22 November 2002 and 58/59 of 8 December 2003,

*Recognizing* that the enhancement of international peace and security and the promotion of nuclear disarmament mutually complement and strengthen each other,

*Expressing deep concern* regarding the growing dangers posed by the proliferation of weapons of mass destruction, including that caused by proliferation networks,

*Welcoming* the decision of the Libyan Arab Jamahiriya, announced on 19 December 2003, to renounce all its weapons of mass destruction programmes,

*Welcoming also* the adoption of Security Council resolution 1540(2004) of 28 April 2004 as an important step for global efforts to prevent the proliferation of weapons of mass destruction,

*Convinced* that every effort should be made to avoid nuclear war and nuclear terrorism,

*Reaffirming* the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons as the cornerstone of the international regime for nuclear non-proliferation and as an essential foundation for the pursuit of nuclear disarmament,

*Bearing in mind* that challenges to the Treaty and to the nuclear non-proliferation regime have further increased the necessity of full compliance and that the Treaty can fulfil its role only if there is confidence in compliance by all States parties,

*Recognizing* the progress made by the nuclear-weapon States in the reduction of their nuclear weapons unilaterally or through their negotiations, including the entry into force of the Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions, which should serve as a step for further nuclear disarmament, and the efforts for nuclear disarmament and non-proliferation by the international community,

*Welcoming* the ongoing efforts aimed at the reduction of nuclear-weapons-related materials deployed within the framework of international cooperation, such as the Cooperative Threat Reduction programme,

*Reaffirming* the conviction that further advancement in nuclear disarmament will contribute to consolidating the international regime for nuclear non-proliferation, ensuring international peace and security,

*Welcoming* the continuation of a moratorium on nuclear-weapon-test explosions or any other nuclear explosions since the last nuclear tests, in 1998,

*Welcoming also* the successful adoption of the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and stressing the importance of implementing its conclusions,

*Recognizing* the active discussions at the third session, held from 26 April to 7 May 2004, of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and emphasizing the importance of a successful Review Conference in 2005, the year of the sixtieth anniversary of the atomic bombings,

*Welcoming* the steady increase in the number of States that have signed and/or concluded additional protocols to their International Atomic Energy Agency safeguards agreements in recent years, and sharing the hope that the Agency's safeguards system will be further strengthened through the universalization of safeguards agreements and the additional protocols,

*Encouraging* the Russian Federation and the United States of America to implement fully the Treaty on Strategic Offensive Reductions and to continue their intensive consultations in accordance with the Joint Declaration on the New Strategic Relationship between the two States,

*Welcoming* the Final Declaration of the third Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, convened in Vienna from 3 to 5 September 2003 in accordance with article XIV of the Treaty, and the Joint Ministerial Statement of the second meeting of Friends of the Comprehensive Nuclear-Test-Ban Treaty in September 2004,

*Encouraging* all States to make maximum efforts to bring about the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, progress on which would contribute to a positive outcome of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Recognizing* the importance of preventing terrorists from acquiring or developing nuclear weapons or related materials, radioactive materials, equipment and technology, and underlining the role of the International Atomic Energy Agency in this regard,

*Stressing* the importance of education on disarmament and non-proliferation for future generations and of efforts to tackle the current non-proliferation and disarmament problems,

1. *Reaffirms* the importance of achieving the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, and calls upon States not parties to the Treaty to accede to it as non-nuclear-weapon States without delay and without conditions;

2. *Also reaffirms* the importance for all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to fulfil their obligations under the Treaty;

3. *Stresses* the central importance of the following practical steps for the systematic and progressive efforts to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, and paragraphs 3 and 4 (c) of the decision on principles and objectives for nuclear non-proliferation and disarmament of the 1995 Review and Extension Conference of the Parties to the Treaty:

(a) The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty as well as a moratorium on nuclear-weapon-test explosions or any other nuclear explosions pending the entry into force of that Treaty;

(b) The establishment of an ad hoc committee in the Conference on Disarmament as early as possible during its 2005 session to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, in accordance with the report of the Special Coordinator of 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and non-proliferation objectives, with a view to its conclusion within five years and, pending its entry into force, a moratorium on the production of fissile material for nuclear weapons;

(c) The establishment of an appropriate subsidiary body with a mandate to deal with nuclear disarmament in the Conference on Disarmament as early as possible during its 2005 session in the context of establishing a programme of work;

(d) The inclusion of the principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures;

(e) An unequivocal undertaking by the nuclear-weapon States, as agreed at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, to accomplish the total elimination of their nuclear arsenals, leading to nuclear disarmament, to which all States parties to the Treaty are committed under article VI of the Treaty;

(f) Deep reductions by the Russian Federation and the United States of America in their strategic offensive arsenals, while placing great importance on the existing multilateral treaties, with a view to maintaining and strengthening strategic stability and international security;

(g) Steps by all the nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

(i) Further efforts by all the nuclear-weapon States to continue to reduce their nuclear arsenals unilaterally;

(ii) Increased transparency by the nuclear-weapon States with regard to their nuclear weapons capabilities and the implementation of agreements pursuant to article VI of the Treaty and as voluntary confidence-building measures to support further progress on nuclear disarmament;

(iii) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(iv) Concrete agreed measures to reduce further the operational status of nuclear weapons systems;

(v) A diminishing role for nuclear weapons in security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

(vi) The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons;

(h) Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control;

4. *Recognizes* that the realization of a world free of nuclear weapons will require further steps, including deeper reductions in all types of nuclear weapons by all the nuclear-weapon States in the process of working towards achieving their elimination;

5. *Invites* the nuclear-weapon States to keep the Members of the United Nations duly informed of the progress or efforts made towards nuclear disarmament;

6. *Encourages* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to make maximum efforts for a successful Review Conference in 2005;

7. *Welcomes* the ongoing efforts in the dismantlement of nuclear weapons, notes the importance of the safe and effective management of the resultant fissile materials, and calls for arrangements by all the nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under International Atomic Energy Agency or other relevant international verification and arrangements for the disposition of such material for peaceful purposes to ensure that such material remains permanently outside of military programmes;

8. *Stresses* the importance of further development of the verification capabilities, including International Atomic Energy Agency safeguards and Comprehensive Nuclear-Test-Ban Treaty verification regimes, that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world;

9. *Calls upon* all States to redouble their efforts to prevent and curb the proliferation of nuclear and other weapons of mass destruction, confirming and strengthening, if necessary, their policies not to transfer equipment, materials or technology that could contribute to the proliferation of those weapons, while ensuring that such policies are consistent with the

obligations of States under the Treaty on the Non-Proliferation of Nuclear Weapons;

10. *Also calls upon* all States to maintain the highest possible standards of security, safe custody, effective control and physical protection of all materials that could contribute to the proliferation of nuclear and other weapons of mass destruction in order, inter alia, to prevent those materials from falling into the hands of terrorists;

11. *Welcomes* the adoption of resolution GC(48)/RES/14 on 24 September 2004 by the General Conference of the International Atomic Energy Agency, in which it is recommended that States members of the Agency continue to consider implementing the elements of the plan of action outlined in resolution GC(44)/RES/19, adopted on 22 September 2000 by the General Conference of the Agency, and in the Agency's updated plan of action of February 2004, with the aim of facilitating the entry into force of comprehensive safeguards agreements and additional protocols, and calls for the early and full implementation of that resolution;

12. *Encourages* all States to implement, as appropriate, the recommendations in the report of the Secretary-General on the United Nations study on disarmament and non-proliferation education, submitted to the General Assembly at its fifty-seventh session, and voluntarily to share information on efforts they have been undertaking to that end;

13. *Encourages* the constructive role played by civil society in promoting nuclear non-proliferation and nuclear disarmament.

RECORDED VOTE ON RESOLUTION 59/76:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nauru, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* India, Palau, United States.

*Abstaining:* Bhutan, Brazil, China, Cuba, Democratic People's Republic of Korea, Egypt, Iran, Ireland, Israel, Malta, Mexico, Myanmar, New Zealand, Pakistan, South Africa, Sweden.

The Assembly adopted **resolution 59/77** by recorded vote (117-43-21) [agenda item 65].

**Nuclear disarmament**

*The General Assembly,*

*Recalling* its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and

its resolutions 50/70 P of 12 December 1995, 51/45 O of 10 December 1996, 52/38 L of 9 December 1997, 53/77 X of 4 December 1998, 54/54 P of 1 December 1999, 55/33 T of 20 November 2000, 56/24 R of 29 November 2001, 57/79 of 22 November 2002 and 58/56 of 8 December 2003 on nuclear disarmament,

*Reaffirming* the commitment of the international community to the goal of the total elimination of nuclear weapons and the establishment of a nuclear-weapon-free world,

*Bearing in mind* that 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 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993 have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to achieve a nuclear weapons convention on the prohibition of the development, testing, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

*Recognizing* that there now exist conditions for the establishment of a world free of nuclear weapons, and stressing the need to take concrete practical steps towards achieving this goal,

*Bearing in mind* paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

*Reaffirming* the conviction of the States parties to the Treaty on the Non-Proliferation of Nuclear Weapons that the Treaty is a cornerstone of nuclear non-proliferation and nuclear disarmament and the importance of the decision on strengthening the review process for the Treaty, the decision on principles and objectives for nuclear non-proliferation and disarmament, the decision on the extension of the Treaty and the resolution on the Middle East, adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Stressing* the importance of the thirteen steps for the systematic and progressive efforts to achieve the objective of nuclear disarmament leading to the total elimination of nuclear weapons, as agreed to by the States parties in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Reiterating* the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

*Reiterating its call for* an early entry into force of the Comprehensive Nuclear-Test-Ban Treaty,

*Stressing* the importance of the forthcoming 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the need

for a positive and substantive outcome of the Conference in a manner that will preserve the integrity of the three pillars of the Treaty regime, that is, nuclear disarmament, nuclear non-proliferation and peaceful uses of nuclear energy,

*Noting with appreciation* the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I), to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are States parties,

*Noting with appreciation also* the entry into force of the Treaty between the United States of America and the Russian Federation on Strategic Offensive Reductions ("the Moscow Treaty") as a significant step towards reducing their deployed strategic nuclear weapons, while calling for further irreversible deep cuts in their nuclear arsenals,

*Noting with appreciation further* the unilateral measures taken by the nuclear-weapon States for nuclear arms limitation, and encouraging them to take further such measures,

*Recognizing* the complementarity of bilateral, plurilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

*Noting* the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

*Recalling* the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996, and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

*Mindful* of paragraph 74 and other relevant recommendations in the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held at Kuala Lumpur from 20 to 25 February 2003, calling upon the Conference on Disarmament to establish, as soon as possible and as the highest priority, an ad hoc committee on nuclear disarmament and to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

*Recalling* paragraph 61 of the Final Document of the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Durban, South Africa, from 17 to 19 August 2004,

*Reaffirming* the specific mandate conferred by the General Assembly in its decision 52/492 of 8 September 1998 upon the Disarmament Commission to discuss the subject of nuclear disarmament as one of its main substantive agenda items,

*Recalling* the United Nations Millennium Declaration, in which Heads of State and Government resolve to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

*Reaffirming* that, in accordance with the Charter of the United Nations, States should refrain from the use or the threat of use of nuclear weapons in settling their disputes in international relations,

*Seized* of the danger of the use of weapons of mass destruction, particularly nuclear weapons, in terrorist acts and the urgent need for concerted international efforts to control and overcome it,

1. *Recognizes* that, in view of recent political developments, the time is now opportune for all the nuclear-weapon States to take effective disarmament measures with a view to achieving the elimination of these weapons;

2. *Reaffirms* that nuclear disarmament and nuclear non-proliferation are substantively interrelated and mutually reinforcing, that the two processes must go hand in hand and that there is a genuine need for a systematic and progressive process of nuclear disarmament;

3. *Welcomes and encourages* the efforts to establish new nuclear-weapon-free zones in different parts of the world on the basis of agreements or arrangements freely arrived at among the States of the regions concerned, which is an effective measure for limiting the further spread of nuclear weapons geographically and contributes to the cause of nuclear disarmament;

4. *Recognizes* that there is a genuine need to diminish the role of nuclear weapons in strategic doctrines and security policies to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

5. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

6. *Also urges* the nuclear-weapon States, as an interim measure, to de-alert and deactivate immediately their nuclear weapons and to take other concrete measures to reduce further the operational status of their nuclear-weapon systems;

7. *Reiterates its call upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and to carry out effective nuclear disarmament measures with a view to achieving the total elimination of these weapons;

8. *Calls upon* the nuclear-weapon States, pending the achievement of the total elimination of nuclear weapons, to agree on an internationally and legally binding instrument on a joint undertaking not to be the first to use nuclear weapons, and calls upon all States to conclude an internationally and legally binding instrument on security assurances of non-use and non-threat of use of nuclear weapons against non-nuclear-weapon States;

9. *Urges* the nuclear-weapon States to commence plurilateral negotiations among themselves at an appropriate stage on further deep reductions of nuclear weapons as an effective measure of nuclear disarmament;

10. *Undertlines* the importance of applying the principle of irreversibility to the process of nuclear disarmament, nuclear and other related arms control and reduction measures;

11. *Underscores* the importance of the unequivocal undertaking by the nuclear-weapon States, in the Final Document of the Review Conference of the Parties

to the Treaty on the Non-Proliferation of Nuclear Weapons, held in New York from 24 April to 19 May 2000, to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI of the Treaty, and the reaffirmation by the States parties that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons;

12. *Calls for* the full and effective implementation of the thirteen steps for nuclear disarmament contained in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;

13. *Urges* the nuclear-weapon States to carry out further reductions of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

14. *Calls for* the immediate commencement of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices on the basis of the report of the Special Coordinator and the mandate contained therein;

15. *Urges* the Conference on Disarmament to agree on a programme of work which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years;

16. *Calls for* the conclusion of an international legal instrument or instruments on adequate security assurances to non-nuclear-weapon States;

17. *Also calls for* the early entry into force and strict observance of the Comprehensive Nuclear-Test-Ban Treaty;

18. *Expresses its regret* that the Conference on Disarmament was unable to establish an ad hoc committee on nuclear disarmament at its 2004 session, as called for in General Assembly resolution 58/56;

19. *Reiterates its call upon* the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to deal with nuclear disarmament early in 2005 and to commence negotiations on a phased programme of nuclear disarmament leading to the eventual total elimination of nuclear weapons;

20. *Calls for* the convening of an international conference on nuclear disarmament in all its aspects at an early date to identify and deal with concrete measures of nuclear disarmament;

21. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Nuclear disarmament".

RECORDED VOTE ON RESOLUTION 59/77:

*In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia,

Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Micronesia, Monaco, Netherlands, Norway, Palau, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom, United States.

*Abstaining:* Argentina, Armenia, Azerbaijan, Belarus, Georgia, Haiti, India, Ireland, Japan, Kazakhstan, Kyrgyzstan, Malta, Mauritius, Pakistan, Republic of Korea, Republic of Moldova, Russian Federation, Sweden, Tajikistan, Ukraine, Uzbekistan.

The Assembly adopted **resolution 59/79** by recorded vote (116-46-18) [agenda item 65].

**Reducing nuclear danger**

*The General Assembly,*

*Bearing in mind* that the use of nuclear weapons poses the most serious threat to mankind and to the survival of civilization,

*Reaffirming* that any use or threat of use of nuclear weapons would constitute a violation of the Charter of the United Nations,

*Convinced* that the proliferation of nuclear weapons in all its aspects would seriously enhance the danger of nuclear war,

*Convinced also* that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

*Considering* that, until nuclear weapons cease to exist, it is imperative on the part of the nuclear-weapon States to adopt measures that assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

*Considering also* that the hair-trigger alert of nuclear weapons carries unacceptable risks of unintentional or accidental use of nuclear weapons, which would have catastrophic consequences for all mankind,

*Emphasizing* the imperative need to adopt measures to avoid accidental, unauthorized or unexplained incidents arising from computer anomaly or other technical malfunctions,

*Conscious* that limited steps relating to detargeting have been taken by the nuclear-weapon States and that further practical, realistic and mutually reinforcing steps are necessary to contribute to the improvement in the international climate for negotiations leading to the elimination of nuclear weapons,

*Mindful* that reduction of tensions brought about by a change in nuclear doctrines would positively impact on international peace and security and improve the conditions for the further reduction and the elimination of nuclear weapons,

*Reiterating* the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

*Recalling* that in the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons* it is stated that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear

disarmament in all its aspects under strict and effective international control,

*Recalling also* the call in the United Nations Millennium Declaration to seek to eliminate the dangers posed by weapons of mass destruction and the resolve to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

1. *Calls for* a review of nuclear doctrines and, in this context, immediate and urgent steps to reduce the risks of unintentional and accidental use of nuclear weapons;

2. *Requests* the five nuclear-weapon States to take measures towards the implementation of paragraph 1 above;

3. *Calls upon* Member States to take the necessary measures to prevent the proliferation of nuclear weapons in all its aspects and to promote nuclear disarmament, with the objective of eliminating nuclear weapons;

4. *Takes note* of the report of the Secretary-General submitted pursuant to paragraph 5 of General Assembly resolution 58/47 of 8 December 2003;

5. *Requests* the Secretary-General to intensify efforts and support initiatives that would contribute towards the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war, and also to continue to encourage Member States to endeavour to create conditions that would allow the emergence of an international consensus to hold an international conference as proposed in the United Nations Millennium Declaration, to identify ways of eliminating nuclear dangers, and to report thereon to the General Assembly at its sixtieth session;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Reducing nuclear danger".

RECORDED VOTE ON RESOLUTION 59/79:

*In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia, Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom, United States.

*Abstaining:* Argentina, Armenia, Azerbaijan, Belarus, China, Ecuador, Georgia, Israel, Japan, Kazakhstan, Kyrgyzstan, Paraguay, Republic of Korea, Republic of Moldova, Russian Federation, Tajikistan, Ukraine, Uzbekistan.

The Assembly adopted **resolution 59/94** without vote [agenda item 65].

**Bilateral strategic nuclear arms reductions and the new strategic framework**

*The General Assembly,*

*Recalling* its resolution 57/68 of 22 November 2002,

*Noting with satisfaction* the new strategic relationship between the United States of America and the Russian Federation, built on the principles of mutual security, trust, openness, cooperation and predictability, as affirmed in their Joint Declaration of 24 May 2002,

*Noting* the increasing cooperation between the United States of America and the Russian Federation in addressing significant challenges to international security, as illustrated by their joint efforts regarding Security Council resolution 1540(2004) of 28 April 2004,

*Welcoming* the determination of the two countries to work together, and with other nations and international organizations, to meet their respective obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons which was opened for signature on 1 July 1968,

*Mindful* of the obligation of all parties to the Treaty to abide by all of their commitments under the Treaty,

1. *Welcomes* the entry into force of the Treaty on Strategic Offensive Reductions ("the Moscow Treaty") on 1 June 2003, under which the United States of America and the Russian Federation are committed to reducing and limiting their strategic nuclear warheads so that by 31 December 2012, the aggregate number of such warheads does not exceed 1,700 to 2,200 for each party;

2. *Supports* the continued commitment of the United States of America and the Russian Federation to cooperative efforts in strategic offensive reductions, inter alia, through meetings of the Bilateral Implementation Commission for the Moscow Treaty, as well as increased strategic stability through discussions in the working groups established under the Consultative Group for Strategic Security;

3. *Recognizes* that the Moscow Treaty is an important result of the new bilateral strategic relationship, which will help in establishing more favourable conditions for actively promoting security and cooperation, and enhancing international stability;

4. *Acknowledges* the contribution that the United States of America and the Russian Federation have made to nuclear disarmament by reducing their deployed strategic warheads by about half since the end of the cold war;

5. *Recognizes* the importance of the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START), which is still in force, and of its provisions, which will lay the foundation for ensuring confidence, transparency and predictability in further strategic offensive reductions;

6. *Also recognizes* that, since the end of the cold war, the United States of America has reduced the number of its START-accountable deployed strategic warheads from over 10,000 to less than 6,000, and has also eliminated 1,032 launchers for intercontinental ballistic missiles and submarine-launched ballistic missiles, 350 heavy bombers and 28 ballistic missile submarines, and removed 4 additional ballistic missile submarines from strategic service;

7. *Further recognizes* that, in the same time period, the Russian Federation has reduced the number of its START-accountable deployed strategic warheads to less than 5,000, and has also eliminated 1,250 launchers for intercontinental ballistic missiles and submarine-launched ballistic missiles, 43 ballistic missile submarines and 65 heavy bombers;

8. *Recognizes* the importance of the 1991 and 1992 initiatives put forward by the Presidents of the United States of America and the Union of Soviet Socialist Republics/Russian Federation, which represent a major step forward in the meeting by the Russian Federation and the United States of America of their obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons;

9. *Notes with approval* that, since the end of the cold war, the United States of America and the Russian Federation have halted the production of fissile material for nuclear weapons and have committed themselves to eliminating excess fissile material resulting from the dismantlement of weapons no longer needed for national security;

10. *Welcomes*, in this context, the implementation of the 1993 Agreement concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, signed by the Governments of the Russian Federation and the United States of America, under which more than 216 metric tons of excess Russian highly enriched uranium have been down-blended for use as power reactor fuel, and the fact that, under the Agreement, 30 metric tons of highly enriched uranium from dismantled nuclear weapons will be down-blended per year until a total of 500 metric tons has been processed;

11. *Also welcomes* the independent action taken by the United States of America to dispose of 174 metric tons of excess highly enriched uranium from its nuclear weapons programme, of which 50 metric tons have already been down-blended for use as reactor fuel;

12. *Supports* continued efforts by the United States of America and the Russian Federation to implement the 1997 Agreement concerning Cooperation regarding Plutonium Production Reactors and the 2000 Agreement concerning the Management and Disposition of Plutonium Designated as No Longer Required for Defence Purposes and Related Cooperation;

13. *Invites* the United States of America and the Russian Federation to keep other States Members of the United Nations duly informed of their nuclear reduction activities;

14. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Bilateral strategic nuclear arms reductions and the new strategic framework".

The Assembly adopted **decision 59/514** by recorded vote (138-5-38) [agenda item 65 (aa)].

**United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament**

At its 66th plenary meeting, on 3 December 2004, the General Assembly, by a recorded vote of 138 to 5, with 38 abstentions, and on the recommendation of the First Committee, decided to include in the provisional agenda of its sixtieth session the item entitled

"United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament".

RECORDED VOTE ON DECISION 59/514:

*In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* France, Palau, Poland, United Kingdom, United States.

*Abstaining:* Albania, Andorra, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Norway, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Switzerland, The former Yugoslav Republic of Macedonia, Turkey.

**ABM Treaty and other missile issues**

In 2004, missile defence issues, particularly the proliferation of long-range ballistic missiles and United States efforts to build a missile defence system [YUN 1999, p. 469], remained an area of international concern. During the year, the United States installed six interceptor missiles at its missile defence complex at Fort Greely, Alaska, designed to destroy an incoming warhead before it reached its target anywhere in the country, thus completing the first phase of its planned missile defence system. Despite the system's failure during a test on 15 December, United States officials reaffirmed the Government's intention to pursue development of the system. By year's end, 18 countries were either actively involved in the project or were exploring missile defence cooperation with the United States. The North Atlantic Treaty Organization (NATO) was also involved in the project.

On 2 December, the Russian Federation decided to expand its role in a joint project with India to build a sophisticated cruise missile, and it assured India of steady supplies of military spare parts.

On 28 December, India and Pakistan issued a joint statement indicating that they were working towards an early finalization of an agreement for mutual pre-launch notification before testing ballistic missiles.

The subscribing States to the non-legally binding international code of conduct against ballistic missile proliferation, also known as the Hague Code of Conduct, adopted in 2002 [YUN 2002, p. 504], held their third regular meeting (New York, 17-18 November), at which they discussed, among other things, further implementation of confidence-building measures, future outreach activities and methods of communication. The meeting agreed that annual declarations were to cover the period from 1 January to 31 December, with 31 March of the following year as the deadline for submission. The fourth regular meeting was scheduled to take place in Vienna in June 2005, when confidence-building measures and universalization of the Code would be discussed. At year's end, subscribing States numbered 117.

**Report of Secretary-General.** In response to General Assembly resolution 58/37 [YUN 2003, p. 546], the Secretary-General, in a July report with a later addendum [A/59/137 & Add.1], presented the replies of seven Member States to his request for their views on the issue of missiles in all its aspects.

**Expert panel.** In August [A/59/278 & Corr.1], the Secretary-General reported on the activities of the Panel of Governmental Experts he had established to explore the issue of missiles in all its aspects pursuant to Assembly resolution 58/37. The Panel met (New York, 23-27 February, 17-21 May and 19-23 July) and held an in-depth discussion, taking into account Member States' views (see above) and papers put forward by its members. However, given the complexity of the issues at hand, the Panel was not able to reach consensus on the preparation of a final report. The first panel of governmental experts completed its work in 2002 [YUN 2002, p. 504].

**Communications.** In April, the Libyan Arab Jamahiriya announced plans to reduce the range of its Scud B missiles below their current range of 185 miles, and to reduce the missiles' maximum payload from 2,200 pounds to less than 1,100 pounds. It agreed to allow monitors from the United States and the United Kingdom to observe the conversions and ensure that they were irreversible.

On 9 August [CD/1742], the Russian Federation pointed out a potential threat to its deterrent forces, following a 6 August agreement between Denmark and the United States on the modernization of the United States radar station in Thule, Greenland. Despite United States assurances that its anti-missile defence would not be directed against Russia, the location of the radar station suggested otherwise and Russia reserved the right to maintain its security at the appropriate level.

Ministers of the Non-Aligned Movement, at their Fourteenth Ministerial Conference (Durban, South Africa, 17-19 August), reaffirmed the need for a multilaterally negotiated, universal, comprehensive, transparent and non-discriminatory approach towards the issue of missiles in all its aspects.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/67** by recorded vote (119-4-60) [agenda item 65 (g)].

#### Missiles

*The General Assembly,*

*Recalling* its resolutions 54/54 F of 1 December 1999, 55/33 A of 20 November 2000, 56/24 B of 29 November 2001, 57/71 of 22 November 2002 and 58/37 of 8 December 2003,

*Reaffirming* the role of the United Nations in the field of arms regulation and disarmament and the commitment of Member States to take concrete steps to strengthen that role,

*Realizing* the need to promote regional and international peace and security in a world free from the scourge of war and the burden of armaments,

*Convinced* of the need for a comprehensive approach towards missiles, in a balanced and non-discriminatory manner, as a contribution to international peace and security,

*Bearing in mind* that the security concerns of Member States at the international and regional levels should be taken into consideration in addressing the issue of missiles,

*Underlining* the complexities involved in considering the issue of missiles in the conventional context,

*Expressing its support* for the international efforts against the development and proliferation of all weapons of mass destruction,

*Considering* that the Secretary-General, in response to resolution 58/37, established in 2004 a Panel of Governmental Experts, which had a comprehensive, in-depth exchange of views on the issue of missiles in all its aspects,

*Taking note* of the report of the Secretary-General on the issue of missiles in all its aspects, in which he stated that given the complexity of the issues at hand, no consensus had been reached on the preparation of a final report by the Panel,

1. *Takes note* of the report of the Secretary-General containing the replies from Member States on the report on the issue of missiles in all its aspects, submitted pursuant to resolution 58/37;

2. *Requests* the Secretary-General to prepare a report, with the support of qualified consultants and the United Nations Institute for Disarmament Research, as appropriate, taking into account the views expressed by Member States, to contribute to the United Nations endeavour to address the issue of missiles in all its aspects, by identifying areas where consensus can be reached, and to submit it to the General Assembly at its sixty-first session;

3. *Also requests* the Secretary-General, with the assistance of a Panel of Governmental Experts, to be es-

established in 2007 on the basis of equitable geographical distribution, to further explore further ways and means to address within the United Nations the issue of missiles in all its aspects, including identifying areas where consensus can be reached, and to submit a report for consideration by the General Assembly at its sixty-third session;

4. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Missiles".

RECORDED VOTE ON RESOLUTION 59/67:

*In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, India, Indonesia, Iran, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Israel, Micronesia, Palau, United States.

*Abstaining:* Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Tuvalu, United Kingdom, Uruguay, Uzbekistan.

Also on 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/91** by recorded vote (161-2-15) [agenda item 65].

#### The Hague Code of Conduct against Ballistic Missile Proliferation

*The General Assembly,*

*Concerned* about the increasing regional and global security challenges caused, inter alia, by the ongoing proliferation of ballistic missiles capable of delivering weapons of mass destruction,

*Bearing in mind* the purposes and principles of the United Nations and its role and responsibility in the field of international peace and security in accordance with the Charter of the United Nations,

*Emphasizing* the significance of regional and international efforts to prevent and curb comprehensively the proliferation of ballistic missile systems capable of delivering weapons of mass destruction, as a contribution to international peace and security,

*Convinced* that the Hague Code of Conduct against Ballistic Missile Proliferation will contribute to enhancing transparency and confidence among States,

*Confirming its commitment* to the Declaration on International Cooperation in the Exploration and Use of Outer Space for the Benefit and in the Interest of All States, Taking into Particular Account the Needs of Developing Countries, as contained in the annex to its resolution 51/122 of 13 December 1996,

*Recognizing* that States should not be excluded from utilizing the benefits of space for peaceful purposes, but that in reaping such benefits and in conducting related cooperation they must not contribute to the proliferation of ballistic missiles capable of carrying weapons of mass destruction,

*Mindful* of the need to combat the proliferation of weapons of mass destruction and their means of delivery,

1. *Welcomes* the adoption of the Hague Code of Conduct against Ballistic Missile Proliferation on 25 November 2002 at The Hague as a practical step against the proliferation of weapons of mass destruction and their means of delivery;

2. *Notes with satisfaction* that one hundred and seventeen States already have subscribed to the Code of Conduct;

3. *Invites* all States that have not yet subscribed to the Code of Conduct to do so;

4. *Encourages* the exploration of further ways and means to deal effectively with the problem of the proliferation of ballistic missiles capable of delivering weapons of mass destruction;

5. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "The Hague Code of Conduct against Ballistic Missile Proliferation".

RECORDED VOTE ON RESOLUTION 59/91:

*In favour:* Afghanistan, Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Marshall Islands, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Zambia, Zimbabwe.

*Against:* Egypt, Iran.

*Abstaining:* Algeria, Bahrain, Bangladesh, Brazil, Cuba, Djibouti, India, Indonesia, Malaysia, Mauritius, Mexico, Pakistan, Syrian Arab Republic, United Arab Emirates, Yemen.

## Comprehensive Nuclear-Test-Ban Treaty

### Status

As at 31 December, 174 States had signed the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT) adopted by General Assembly resolution 50/245 [YUN 1996, p. 454], and 120 had ratified it. During the year, instruments of ratification were deposited by Bahrain, Belize, the Democratic Republic of the Congo, the Libyan Arab Jamahiriya, Liechtenstein, Rwanda, Serbia and Montenegro,

Seychelles, the Sudan, Togo, Tunisia and the United Republic of Tanzania. In accordance with article XIV, CTBT would enter into force 180 days after the 44 States possessing nuclear reactors, listed in annex 2 of the Treaty, had deposited their instruments of ratification. By year's end, 33 of those States had ratified the Treaty.

On 1 November [A/59/550], Australia, Finland, Japan and the Netherlands transmitted a Joint Ministerial Statement (New York, 23 September), signed by a total of 66 Foreign Ministers, reaffirming their support for CTBT, which was intended to rid the world of nuclear-weapons test explosions and to contribute to the progressive reduction of nuclear weapons and the prevention of nuclear proliferation. They called on States that had not done so to ratify CTBT, in particular those whose ratification was needed for its entry into force. States were urged to maintain a moratorium on nuclear-weapon test explosions or any other nuclear explosions.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/465], adopted **resolution 59/109** by recorded vote (177-2-4) [agenda item 71].

#### Comprehensive Nuclear-Test-Ban Treaty

##### *The General Assembly,*

*Reiterating* that the cessation of nuclear-weapon test explosions or any other nuclear explosions constitutes an effective nuclear disarmament and non-proliferation measure,

*Recalling* that the Comprehensive Nuclear-Test-Ban Treaty, adopted by its resolution 50/245 of 10 September 1996, was opened for signature on 24 September 1996,

*Stressing* that a universal and effectively verifiable Comprehensive Nuclear-Test-Ban Treaty constitutes a fundamental instrument in the field of nuclear disarmament and non-proliferation,

*Encouraged* by the signing of the Treaty by one hundred and seventy-three States, including forty-one of the forty-four needed for its entry into force, and welcoming the ratification of one hundred and nineteen States, including thirty-three of the forty-four needed for its entry into force, among which there are three nuclear-weapon States,

*Recalling* its resolution 58/71 of 8 December 2003,

*Welcoming* the Joint Ministerial Statement reaffirming support for the Comprehensive Nuclear-Test-Ban Treaty, signed in New York on 23 September 2004,

1. *Stresses* the importance and urgency of signature and ratification, without delay and without conditions, to achieve the earliest entry into force of the Comprehensive Nuclear-Test-Ban Treaty;

2. *Welcomes* the contributions by the States signatories to the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, in particular its efforts to ensure that the Treaty's verification regime will be capable of meeting

the verification requirements of the Treaty upon its entry into force, in accordance with article IV of the Treaty;

3. *Underlines* the need to maintain momentum towards completion of the verification regime;

4. *Calls upon* all States to maintain their moratoriums on nuclear-weapons test explosions or any other nuclear explosions and to refrain from acts that would defeat the object and purpose of the Treaty;

5. *Calls upon* all States that have not yet signed the Treaty to sign and ratify it as soon as possible;

6. *Calls upon* all States that have signed but not yet ratified the Treaty, in particular those whose ratification is needed for its entry into force, to accelerate their ratification processes with a view to their earliest successful conclusion;

7. *Urges* all States to remain seized of the issue at the highest political level;

8. *Requests* the Secretary-General, in consultation with the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, to prepare a report on the efforts of States that have ratified the Treaty towards its universalization and possibilities for providing assistance on ratification procedures to States that so request it, and to submit such a report to the General Assembly at its sixtieth session;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Comprehensive Nuclear-Test-Ban Treaty".

#### RECORDED VOTE ON RESOLUTION 59/109:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Palau, United States.

*Abstaining:* Colombia, India, Mauritius, Syrian Arab Republic.

#### Preparatory Commission for the CTBT Organization

The Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO), established in 1996 [YUN 1996, p. 452], continued to develop the Treaty's verification regime. Significant progress was made in establishing the International Monitoring System (IMS) [YUN 1999, p. 472], the global network of 337 facili-

ties in 90 countries designed to track and detect nuclear explosions prohibited by CTBT via a global satellite communication system, and to transmit relevant information to the International Data Centre (IDC) in Vienna. At year's end, 204 stations (64 per cent) were either certified as meeting the technical requirements of the Preparatory Commission or were installed and substantially met specifications. Over 55 per cent of all the stations were operational and the entire IMS network was scheduled to be completed within three to four years. The current phase of testing and evaluation of the system had good results and it was providing global coverage by transmitting raw data to IDC, which was connected to 82 national data centres through a satellite-based global communications infrastructure. Other activities of the Commission included training courses for IMS station operators and international workshops to enhance participation in the Commission's work.

The Preparatory Commission held its twenty-second (22-24 June) [CTBT/PC-22/1] and twenty-third (15-19 November) [CTBT/PC-23/1] sessions, both in Vienna, to consider the reports of its working groups and to discuss organizational, budgetary and other matters. The Commission adopted its 2005 programme budget in the combined amounts of \$51,047,250 and 42,540,900 euros, of which approximately \$30 million and 12 million euros were earmarked for the IMS network.

#### GENERAL ASSEMBLY ACTION

On 22 October [meeting 40], the General Assembly adopted **resolution 59/6** [draft A/59/L.7 & Add.1] by recorded vote (104-1) [agenda item 56 (r)].

#### Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

*The General Assembly,*

*Taking note of the note by the Secretary-General on cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,*

*Taking note also of the report of the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization,*

*Decides to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization".*

#### RECORDED VOTE ON RESOLUTION 59/6:

*In favour:* Afghanistan, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Central African Republic, Chile, China, Colombia, Congo, Croatia, Cuba, Cyprus, Czech Republic, Denmark, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Finland, Georgia, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya,

Liechtenstein, Lithuania, Madagascar, Malaysia, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

*Against:* United States.

#### Prohibition of the use of nuclear weapons

In 2004, as in previous years, the Conference on Disarmament was not able to undertake negotiations on a convention on the prohibition of the use of nuclear weapons, as called for in General Assembly resolution 58/64 [YUN 2003, p. 55].

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/460], adopted **resolution 59/102** by recorded vote (125-48-12) [agenda item 66].

#### Convention on the Prohibition of the Use of Nuclear Weapons

*The General Assembly,*

*Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,*

*Bearing in mind the advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*,*

*Convinced that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would contribute to the elimination of the nuclear threat and to the climate for negotiations leading to the ultimate elimination of nuclear weapons, thereby strengthening international peace and security,*

*Conscious that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of the complete elimination of nuclear weapons,*

*Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly, it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,*

*Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653(XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,*

*Determined to achieve an international convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,*

*Stressing* that an international convention on the prohibition of the use of nuclear weapons would be an important step in a phased programme towards the complete elimination of nuclear weapons, with a specified framework of time,

*Noting with regret* that the Conference on Disarmament, during its 2004 session, was unable to undertake negotiations on this subject as called for in General Assembly resolution 58/64 of 8 December 2003,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

RECORDED VOTE ON RESOLUTION 59/102:

*In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia, Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom, United States.

*Abstaining:* Argentina, Armenia, Azerbaijan, Japan, Kazakhstan, Kyrgyzstan, Republic of Korea, Republic of Moldova, Russian Federation, Tajikistan, Ukraine, Uzbekistan.

### Advisory opinion of the International Court of Justice

Pursuant to General Assembly resolution 58/46 [YUN 2003, p. 552] on the advisory opinion of the International Court of Justice that the threat or use of nuclear weapons was contrary to the UN Charter [YUN 1996, p. 461], the Secretary-General presented information received from six States (China, Cuba, Guatemala, Mexico, Syrian Arab Republic, Venezuela) on measures they had taken to implement the resolution and towards nuclear disarmament [A/59/136].

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/83** by recorded vote (132-29-24) [agenda item 65].

### Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons

*The General Assembly,*

*Recalling* its resolutions 49/75 K of 15 December 1994, 51/45 M of 10 December 1996, 52/38 O of 9 December 1997, 53/77 W of 4 December 1998, 54/54 Q of 1 December 1999, 55/33 X of 20 November 2000, 56/24 S of 29 November 2001, 57/85 of 22 November 2002 and 58/46 of 8 December 2003,

*Convinced* that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

*Reaffirming* the commitment of the international community to the goal of the total elimination of nuclear weapons and the creation of a nuclear-weapon-free world,

*Mindful* of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament,

*Recalling* the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Emphasizing* the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, adopted at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Recalling* the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996, and expressing its satisfaction at the increasing number of States that have signed and ratified the Treaty,

*Recognizing with satisfaction* that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

*Stressing* the importance of strengthening all existing nuclear-related disarmament and arms control and reduction measures,

*Recognizing* the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

*Reaffirming* the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum, and regretting the lack of progress in disarmament negotiations, particularly nuclear disarmament, in the Conference during its 2004 session,

*Emphasizing* the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

*Expressing its deep concern* at the lack of progress in the implementation of the thirteen steps to implement

article VI of the Treaty on the Non-Proliferation of Nuclear Weapons agreed to at the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Desiring* to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

*Recalling* the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,

*Taking note* of the relevant portions of the report of the Secretary-General relating to the implementation of resolution 58/46,

1. *Underlines once again* the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

2. *Calls once again upon* all States immediately to fulfil that obligation by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

3. *Requests* all States to inform the Secretary-General of the efforts and measures they have taken on the implementation of the present resolution and nuclear disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its sixtieth session;

4. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

RECORDED VOTE ON RESOLUTION 59/83:

*In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Albania, Belgium, Bulgaria, Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Palau, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Turkey, United Kingdom, United States.

*Abstaining:* Andorra, Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Estonia, Finland, Georgia, Japan, Kazakhstan, Liechtenstein, Micronesia, Republic of Korea, Republic of Moldova, Serbia and Montenegro, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Uzbekistan.

## Radioactive waste

In response to a 2003 request of the IAEA General Conference [YUN 2003, p. 553], the Agency's Board of Governors approved in March the Action Plan for the Safety of Transport of Radioactive Material, which provided direction for the Agency's transport safety activities over the next five years. The Action Plan was based on the outcome of the 2003 International Conference on the Safety of Transport of Radioactive Material [ibid.]. In September [GC(48)/RES/10], the General Conference, welcoming the Board's approval of the Action Plan, encouraged member States to cooperate in implementing it. Recognizing the potential for damage in the event of an accident while transporting radioactive materials by sea, the General Conference urged member States that did not have national regulatory documents governing the transport of those materials to adopt them.

## Non-proliferation issues

### Non-Proliferation Treaty

#### Status

In 2004, the number of States party to the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT), adopted by the General Assembly in resolution 2373(XXII) [YUN 1968, p. 17], remained at 189. NPT entered into force on 5 March 1970.

#### 2005 review conference

Quinquennial review conferences, as called for under article VIII, paragraph 3, of the Treaty, were held in 1975 [YUN 1975, p. 27], 1980 [YUN 1980, p. 51], 1985 [YUN 1985, p. 56], 1990 [YUN 1990, p. 50], 1995 [YUN 1995, p. 189] and 2000 [YUN 2000, p. 487].

In accordance with the decision of the NPT parties in 2002 [YUN 2002, p. 507], the Preparatory Committee for the 2005 Review Conference held its third session (New York, 26 April–7 May) [NPT/CONF.2005/1], at which it considered the implementation of the Treaty's provisions relating to the non-proliferation of nuclear weapons, disarmament and international peace and security; safeguards and nuclear-weapon-free zones; and the right of States parties to research, produce and use nuclear energy for peaceful purposes. The Committee also considered its decision on principles and objectives for nuclear non-proliferation and disarmament, and its resolution on the Middle East, both adopted at the 1995

Review Conference, as well as related aspects of the Final Document of the 2000 Review Conference, and the safety and security of peaceful nuclear programmes. On 7 May, the Committee adopted its final report, reaffirming that the 2005 Review Conference of the NPT parties would be held in New York from 2 to 27 May 2005. The Committee considered questions relating to the organization and work of the Conference, but was not able to reach agreement on its provisional agenda and decided to defer consideration of the final outcome document to the Conference.

Documents considered by the Committee included reports by 27 States on implementation of NPT and of the 1995 decision [NPT/CONF.2005/PC.III/1, 5, 7, 9, 10, 12, 13, 14, 16, 18, 20, 22, 23, 24, 25, 28, 29, 31, 33, 34, 36, 37, 38, 39, 41, 44, 45]; reports by 12 States on steps or measures taken to promote the establishment of the Middle East as a zone free of nuclear weapons, particularly within the context of the 1995 resolution [NPT/CONF.2005/PC.III/2, 3, 6, 8, 15, 19, 21, 26, 32, 35, 40, 47, 48]; a report by CTBTO updating the report of its Preparatory Commission [NPT/CONF.2005/PC.III/4]; recommendations submitted by the New Agenda Coalition [NPT/CONF.2005/PC.III/11] and by Iran [NPT/CONF.2005/PC.III/42]; the Havana Declaration relating to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (see p. 552), submitted by Cuba [NPT/CONF.2005/PC.III/17]; a report on NPT by New Zealand [NPT/CONF.2005/PC.III/27]; a position paper on the final outcome of the session by the Non-Aligned States and other States parties of NPT [NPT/CONF.2005/PC.III/43]; a document on the contemporary crisis of compliance submitted by the United States [NPT/CONF.2005/PC.III/46]; and numerous working papers.

**Communication.** The Ministers of the Non-Aligned Movement, at their Fourteenth Ministerial Conference (Durban, 17-19 August), called for firm commitment by all States parties to the implementation of NPT. Reaffirming the right of developing countries to use nuclear energy for peaceful purposes, the Ministers expressed concern that undue restrictions on exports to developing countries of material, equipment and technology for peaceful purposes persisted.

### **Non-proliferation of weapons of mass destruction**

The High-level Panel on Threats, Challenges and Change, a group of eminent persons established by the Secretary-General to assess threats to international peace and security and to recommend ways of strengthening the collective security capacity of the United Nations (see

p. 54), in its December report [A/59/565 & Corr.1], described the threat posed by the proliferation of nuclear, radiological, chemical and biological weapons and made recommendations for stopping it. The Panel determined that the threat posed by nuclear proliferation arose from countries, even NPT signatories, covertly and illegally developing full-scale weapons programmes or acquiring the materials and expertise needed for weapons programmes. The Panel remarked on the erosion and possible collapse of the NPT regime. Chemical and biological materials also posed a growing threat, as they were capable of inflicting mass casualties and were relatively easy to acquire and weaponize.

Among its proposals to restart disarmament, the Panel suggested that the nuclear-weapon States honour their NPT commitments and reaffirm commitments not to use nuclear weapons against non-nuclear-weapon States. The United States and the Russian Federation, other nuclear-weapon States and States not party to NPT should adopt practical measures to reduce the risk of accidental nuclear war, including a schedule for de-alerting their strategic nuclear weapons. The Security Council should pledge to take collective action in response to a nuclear attack or the threat of such attack on a non-nuclear-weapon State, and should act in cases of serious non-compliance with IAEA non-proliferation and safeguards standards. States not party to NPT should pledge commitment to non-proliferation and disarmament, ratify the Comprehensive Nuclear-Test-Ban Treaty and support negotiations for a fissile material cut-off treaty. Negotiations should begin on enabling IAEA to act as guarantor for the supply of fissile material to civilian nuclear users. All States were encouraged to join the voluntary Proliferation Security Initiative to interdict the illicit trade in components for nuclear programmes. The Panel called for efforts in the Middle East and South Asia to launch nuclear disarmament talks that could lead to the establishment of nuclear-weapon-free zones similar to those established in other parts of the world. It proposed a scheduled destruction of all chemical weapons stockpiles by 2012. Urging the resumption of negotiations by the States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction on a verification protocol, the Panel also called on those States to negotiate a new bio-security protocol to classify dangerous biological agents and establish binding international standards for their export.

### **Establishment of Security Council Committee**

The Security Council, in resolution 1540 (2004) (see below), affirming that the prolifera-

tion of nuclear, chemical and biological weapons and their means of delivery constituted a threat to international peace and security, established a Committee consisting of all Council members to monitor Member States' efforts to combat the problem.

#### SECURITY COUNCIL ACTION

On 28 April [meeting 4956], the Security Council unanimously adopted **resolution 1540(2004)**. The draft [S/2004/326] was prepared in consultations among Council members.

*The Security Council,*

*Affirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery<sup>1</sup>, constitutes a threat to international peace and security,

*Reaffirming*, in this context, the statement by its President adopted at the Council's meeting at the level of heads of State and Government on 31 January 1992, including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction,

*Recalling* that the statement underlined the need for all Member States to resolve peacefully, in accordance with the Charter of the United Nations, any problems in that context threatening or disrupting the maintenance of regional and global stability,

*Affirming its resolve* to take appropriate and effective action against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the Charter,

*Affirming also its support* for the multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons and the importance for all States parties to those treaties to implement them fully in order to promote international stability,

*Welcoming* efforts in this context by multilateral arrangements which contribute to non-proliferation,

*Affirming* that prevention of the proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while goals of peaceful utilization should not be used as a cover for proliferation,

*Gravely concerned* by the threat of terrorism and the risk that non-State actors<sup>1</sup> such as those identified in the United Nations list established and maintained by the Committee established under Security Council resolution 1267(1999) of 15 October 1999 and those to whom resolution 1373(2001) of 28 September 2001 applies, may acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery,

*Gravely concerned also* by the threat of illicit trafficking in nuclear, chemical, or biological weapons and their means of delivery, and related materials,<sup>1</sup> which adds a new dimension to the issue of proliferation of such weapons and also poses a threat to international peace and security,

*Recognizing* the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response

to this serious challenge and threat to international security,

*Recognizing also* that most States have undertaken binding legal obligations under treaties to which they are parties, or have made other commitments aimed at preventing the proliferation of nuclear, chemical or biological weapons, and have taken effective measures to account for, secure and physically protect sensitive materials, such as those required by the Convention on the Physical Protection of Nuclear Materials and those recommended by the Code of Conduct on the Safety and Security of Radioactive Sources of the International Atomic Energy Agency,

*Recognizing further* the urgent need for all States to take additional effective measures to prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery,

*Encouraging* all Member States to implement fully the disarmament treaties and agreements to which they are party,

*Reaffirming* the need to combat by all means, in accordance with the Charter, threats to international peace and security caused by terrorist acts,

*Determined* to facilitate henceforth an effective response to global threats in the area of non-proliferation, *Acting* under Chapter VII of the Charter,

1. *Decides* that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery;

2. *Decides also* that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

3. *Decides further* that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials, and to this end shall:

(a) Develop and maintain appropriate effective measures to account for and secure such items in production, use, storage or transport;

(b) Develop and maintain appropriate effective physical protection measures;

(c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat, including through international cooperation when necessary, the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;

(d) Establish, develop, review and maintain appropriate effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export, and controls on providing funds and services related to such export and trans-shipment, such as financing, and transporting, that would contribute to proliferation, as well as establishing end-user

controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations;

4. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, for a period of no longer than two years, a Committee of the Security Council, consisting of all members of the Council, which will, calling as appropriate on other expertise, report to the Council for its examination, on the implementation of the present resolution, and to this end calls upon States to present a first report to the Committee, no later than six months from the adoption of the present resolution, on steps they have taken or intend to take to implement the present resolution;

5. *Decides also* that none of the obligations set forth in the present resolution shall be interpreted so as to conflict with or alter the rights and obligations of State parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons;

6. *Recognizes* the utility, in implementing the present resolution, of effective national control lists, and calls upon all Member States, when necessary, to pursue at the earliest opportunity the development of such lists;

7. *Recognizes also* that some States may require assistance in implementing the provisions of the present resolution within their territories, and invites States in a position to do so to offer assistance as appropriate, in response to specific requests, to the States lacking the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the above provisions;

8. *Calls upon* all States:

(a) To promote the universal adoption and full implementation and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

(d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;

9. *Also calls upon* all States to promote dialogue and cooperation on non-proliferation so as to address the

threat posed by the proliferation of nuclear, chemical, or biological weapons and their means of delivery;

10. *Further calls upon* all States, as a means to further counter that threat, to take cooperative action, in accordance with their national legal authorities and legislation and consistent with international law, to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials;

11. *Expresses its intention* to monitor closely the implementation of the present resolution and, at the appropriate level, to take further decisions which may be required to this end;

12. *Decides* to remain seized of the matter.

<sup>1</sup>Definitions for the purpose of the present resolution only:

Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

Non-State actor: individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of the present resolution.

Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

**Committee activities.** On 8 December [S/2004/958 & Corr.1], the Chairman of the Security Council Committee established pursuant to resolution 1540(2004) (above) reported on the Committee's activities since its establishment. Efforts had focused on making the Committee fully operational in preparation for its consideration of reports from Member States, as requested by the Council. The Committee adopted guidelines for the conduct of its work, for the preparation of national reports and for hiring experts who would facilitate consideration of those reports, and established three subcommittees to review national reports. On 1 December, the Committee approved the recruitment of four experts, which enabled it to enter the substantive stage of its work and invited further nominations of experts in the necessary areas of expertise, particularly from Asia and Africa. As at 7 December, 87 States and one organization (the EU) had submitted reports. Annexed to the Committee's report were a list of those States and another of the 104 countries which had not submitted reports.

On 20 December [S/2004/985], the Secretary-General informed the Council of the four experts he intended to appoint to assist the Committee in its work.

### Multilateralism in disarmament and non-proliferation

Pursuant to General Assembly resolution 58/44 [YUN 2003, p. 581], the Secretary-General, in a July report with a later addendum [A/59/128 & Add.1], presented replies received from eight Governments regarding the promotion of multilater-

alism in the area of disarmament and non-proliferation.

In a press release of 14 May [A/58/807-S/2004/407], Cuba expressed objections to the United States Proliferation Security Initiative (see below), a May 2003 proposal by President George W. Bush, which built on existing treaties, agreements and export controls to prevent proliferation of weapons of mass destruction (WMDs) [YUN 2003, p. 536]. Cuba stated that the Initiative weakened the disarmament and arms control efforts of the United Nations and of related international treaties, and it was not in line with principles of the UN Charter and of international law. Cuba said that Security Council resolution 1540(2004) (see p. 544) was ambiguous, as it made it possible for States to claim that actions promoted by the Initiative were legitimized by the Council. Furthermore, the establishment of the Council Committee seemed to imply the foundation of a separate non-proliferation regime that would erode or replace the current regimes established by existing international treaties, including IAEA and the Organization (OPCW) for the Prohibition of Chemical Weapons (see p. 558).

A meeting marking the first anniversary of the launching of the Initiative (Krakow, Poland, 31 May–1 June) [CD/1737], which was designed as a network for intercepting shipments of WMDs and related materials worldwide, considered ways to promote cooperation and identify the tools and assets needed to combat proliferation.

The G-8 (major industrialized countries) (Sea Island, Georgia, United States, 8-10 June), adopted an action plan on non-proliferation to reinforce the global regime and reaffirmed commitment to fulfilling their arms control, disarmament and non-proliferation obligations. They expressed support for Council resolution 1540 (2004) and recommitted themselves to the Proliferation Security Initiative and their 2002 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction [YUN 2002, p. 494]. A number of other related challenges were also addressed by the G-8 leaders.

The United States and the EU, following a summit meeting (Shannon, Ireland, 26 June), issued a declaration on the non-proliferation of WMDs in which they emphasized the threat to international peace and security posed by the spread of those weapons and listed joint actions aimed at preventing, containing and reversing proliferation. They agreed on the need to tackle the problem individually and collectively, working with other partners, especially UN institutions. While expressing concern about the nuclear programmes of Iran and the Democratic People's Republic of Korea (DPRK), they ap-

plauded the resolve of the Libyan Arab Jamahiriya to abandon its pursuit of WMDs and promised to assist it to implement its non-proliferation commitments.

In a communiqué issued after a meeting in New York on 28 September [A/59/425-S/2004/808], the Foreign Ministers of member States of the Organization of the Islamic Conference noted that the scope of resolution 1540(2004) was limited to preventing the acquisition of WMDs by non-State actors. The meeting underscored that the resolution was a temporary arrangement to fill a gap in international rules. The Council could not assume responsibility for non-proliferation since the States seeking to perpetuate the monopoly of nuclear weapons also wielded veto power in the Council. The meeting called for a non-discriminatory and universally negotiated treaty on the threat of WMD proliferation by non-State actors to replace the temporary arrangements assumed by the Council under resolution 1540(2004).

During the year, an independent commission on WMDs, launched in 2003 by Sweden and tasked with developing proposals for reducing dangers posed by those weapons, received a variety of expert studies and held three international meetings. Its final report was expected to be presented to the Secretary-General in 2006.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/69** by recorded vote (125-9-49) [agenda item 65 (n)].

##### **Promotion of multilateralism in the area of disarmament and non-proliferation**

*The General Assembly,*

*Determined* to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

*Recalling* its resolution 56/24 T of 29 November 2001 on multilateral cooperation in the area of disarmament and non-proliferation and global efforts against terrorism and other relevant resolutions, as well as its resolutions 57/63 of 22 November 2002 and 58/44 of 8 December 2003 on promotion of multilateralism in the area of disarmament and non-proliferation,

*Recalling also* the purpose of the United Nations to maintain international peace and security and, to that end, to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace, as enshrined in the Charter,

*Recalling further* the United Nations Millennium Declaration, which states, inter alia, that the responsibility for managing worldwide economic and social de-

velopment, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally and that, as the most universal and most representative organization in the world, the United Nations must play the central role,

*Convinced* that, in the globalization era and with the information revolution, arms regulation, non-proliferation and disarmament problems are more than ever the concern of all countries in the world, which are affected in one way or another by these problems and, therefore, should have the possibility to participate in the negotiations that arise to tackle them,

*Bearing in mind* the existence of a broad structure of disarmament and arms regulation agreements resulting from non-discriminatory and transparent multilateral negotiations with the participation of a large number of countries, regardless of their size and power,

*Aware* of the need to advance further in the field of arms regulation, non-proliferation and disarmament on the basis of universal, multilateral, non-discriminatory and transparent negotiations with the goal of reaching general and complete disarmament under strict international control,

*Recognizing* the complementarity of bilateral, plurilateral and multilateral negotiations on disarmament,

*Recognizing also* that the proliferation and development of weapons of mass destruction, including nuclear weapons, are among the most immediate threats to international peace and security which need to be dealt with, with the highest priority,

*Considering* that the multilateral disarmament agreements provide the mechanism for States parties to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of, the provisions of the agreements and that such consultations and cooperation may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with the Charter,

*Stressing* that international cooperation, the peaceful settlement of disputes, dialogue and confidence-building measures would contribute essentially to the creation of multilateral and bilateral friendly relations among peoples and nations,

*Being concerned* at the continuous erosion of multilateralism in the field of arms regulation, non-proliferation and disarmament, and recognizing that a resort to unilateral actions by Member States in resolving their security concerns would jeopardize international peace and security and undermine confidence in the international security system as well as the foundations of the United Nations itself,

*Reaffirming* the absolute validity of multilateral diplomacy in the field of disarmament and non-proliferation, and determined to promote multilateralism as an essential way to develop arms regulation and disarmament negotiations,

1. *Reaffirms* multilateralism as the core principle in negotiations in the area of disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope;

2. *Also reaffirms* multilateralism as the core principle in resolving disarmament and non-proliferation concerns;

3. *Urges* the participation of all interested States in multilateral negotiations on arms regulation, non-proliferation and disarmament in a non-discriminatory and transparent manner;

4. *Underlines* the importance of preserving the existing agreements on arms regulation and disarmament, which constitute an expression of the results of international cooperation and multilateral negotiations in response to the challenges facing mankind;

5. *Calls once again upon* all Member States to renew and fulfil their individual and collective commitments to multilateral cooperation as an important means of pursuing and achieving their common objectives in the area of disarmament and non-proliferation;

6. *Requests* the States parties to the relevant instruments on weapons of mass destruction to consult and cooperate among themselves in resolving their concerns with regard to cases of non-compliance as well as on implementation, in accordance with the procedures defined in those instruments, and to refrain from resorting or threatening to resort to unilateral actions or directing unverified non-compliance accusations against one another to resolve their concerns;

7. *Takes note* of the report of the Secretary-General containing the replies of Member States on the promotion of multilateralism in the area of disarmament and non-proliferation, submitted pursuant to resolution 58/44;

8. *Requests* the Secretary-General to seek the views of Member States on the issue of the promotion of multilateralism in the area of disarmament and non-proliferation and to submit a report thereon to the General Assembly at its sixtieth session;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Promotion of multilateralism in the area of disarmament and non-proliferation".

RECORDED VOTE ON RESOLUTION 59/69:

*In favour:* Afghanistan, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Albania, Israel, Latvia, Marshall Islands, Micronesia, Palau, Poland, United Kingdom, United States.

*Abstaining:* Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Norway, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, Uzbekistan.

**SECURITY COUNCIL ACTION**

On 22 April [meeting 4949], the Security Council considered the decision of the Libyan Arab Jamahiriya to abandon its WMD programmes. At the meeting, following consultations among Council members, the President made statement **S/PRST/2004/10** on behalf of the Council:

The Security Council takes note of resolution 2004/18 of 10 March 2004 of the Board of Governors of the International Atomic Energy Agency regarding the implementation of the safeguards agreement of the Socialist People's Libyan Arab Jamahiriya, a State party to the Treaty on the Non-proliferation of Nuclear Weapons, by which the Board requested the Director General of the International Atomic Energy Agency to report a case of non-compliance to the Security Council for information purposes only, while commending the Socialist People's Libyan Arab Jamahiriya for the actions it has taken to date and those it has proposed to take to remedy it.

The Council welcomes the decision by the Socialist People's Libyan Arab Jamahiriya to abandon its programmes for developing weapons of mass destruction and their means of delivery and the positive steps taken to fulfil its commitments and obligations, including its active cooperation with the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons.

The Council takes note that in its resolution 2004/18 the Board of Governors of the International Atomic Energy Agency recognized the decision of the Socialist People's Libyan Arab Jamahiriya as a step towards the realization of the goal of an Africa and a Middle East free of weapons of mass destruction and at peace.

The Council reaffirms the need to seek to resolve proliferation problems by peaceful means through political and diplomatic channels.

The Council welcomes existing and future efforts to assist the Socialist People's Libyan Arab Jamahiriya in this task, and expresses the hope that the steps taken by the Socialist People's Libyan Arab Jamahiriya would facilitate and improve international cooperation with and enhance the security of that country.

The Council encourages the Socialist People's Libyan Arab Jamahiriya to ensure the verified elimination of all of its weapons of mass destruction programmes. It welcomes the roles played in that regard by the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons in facilitating the fulfilment of the commitments of the Socialist People's Libyan Arab Jamahiriya, demonstrating the importance and usefulness of existing international treaty regimes.

The Council expresses the hope that resolution 2004/18 will be implemented in the spirit of continued cooperation.

**IAEA safeguards**

As at 31 December, the Model Protocol Additional to Safeguards Agreements strengthening the safeguards regime of the International Atomic Energy Agency (IAEA), approved by the

Agency's Board of Governors in 1997 [YUN 1997, p. 486], had been signed by 100 States, including the five nuclear-weapon States, and was in force or being provisionally applied in 62 States.

The IAEA General Conference [GC(48)/RES/14], as in previous years, requested concerned States and other parties to safeguards agreements, including nuclear-weapon States, that had not done so to sign the additional protocols promptly and to bring them into force as soon as possible, in conformity with their national legislation. The Conference called for cooperation among member States to facilitate the exchange of equipment, material and scientific and technological information for implementing those protocols. It commended member States, notably Japan, that had implemented elements of the plan of action outlined in a 2000 resolution of the Conference [YUN 2000, p. 504] and recommended that other member States consider such action to facilitate the entry into force of comprehensive safeguards agreements and additional protocols.

In 2004, IAEA continued to be unable to verify that the DPRK was following Agency safeguards; therefore it could not provide assurance that nuclear material was not being diverted, owing to the DPRK's refusal to permit IAEA inspectors to carry out verification activities in the country. On 24 September [GC(48)/RES/15], the General Conference, deploring the DPRK's non-compliance with its NPT safeguards agreement and its unwillingness to discuss the issue with IAEA, urged it to reconsider its actions, to dismantle completely any nuclear weapons programme and to accept comprehensive IAEA safeguards.

IAEA made progress in gaining a comprehensive understanding of Iran's nuclear programme, but a number of issues remained outstanding [GOV/2004/34]. Iran provided access to locations requested by the Agency, which was able to verify that Iran had suspended enrichment and reprocessing activities. However, some discrepancies subsequently emerged in information concerning centrifuge components provided by Iran. The IAEA Board of Governors urged Iran to cooperate fully in the verification process.

The IAEA mandate under various Security Council resolutions on inspections of Iraq's nuclear programme remained in effect, although the Agency was not able to carry out that mandate during the year. At the time IAEA was asked to cease its activities in Iraq in March 2003 [YUN 2003, p. 549], it had found no evidence of nuclear activities prohibited by the Council, a finding that had since been validated. The Council, in **resolution 1546(2004)** (see p. 348), reaffirmed its intention to revisit the mandate, which the Agency expected to guide its future work. IAEA

remained concerned about the dismantlement of sites previously used in Iraq's nuclear programme that had been subject to IAEA safeguards. In June, the United States informed IAEA that it had removed most of the nuclear material in Iraq under those safeguards and, in August, the Agency verified the removal of the material and carried out an annual physical inventory verification of the remaining nuclear material under the NPT safeguards agreement between Iraq and IAEA.

On 10 March, Libya signed the IAEA Additional Protocol to the NPT safeguards agreement, which gave IAEA inspectors greater authority in verifying Libya's nuclear programme. On the same date [GOV/2004/18], the IAEA Board of Governors, welcoming Libya's decision to sign the Protocol and to dismantle weapons-related programmes, called for its continuing cooperation and full disclosure in order to facilitate the Agency's completion of its mandated tasks. In September [GOV/2004/59], the IAEA Director General, acknowledging Libya's cooperation, reported that the Agency's assessment of Libya's declarations on its uranium conversion and enrichment programmes and other nuclear-related activities appeared consistent with information available to the Agency. However, further investigation was needed to fully verify the completeness and correctness of Libya's declarations.

During the year, IAEA considered undeclared activities and/or material in the Republic of Korea and in Egypt. At year's end, the Agency was still in the process of determining whether declarations made by both countries were correct and complete.

**Note by Secretary-General.** In August [A/59/295], the Secretary-General informed the General Assembly of the availability of the forty-eighth report of IAEA [GC(48)/3] covering 2003.

**Communication.** In May [A/58/816], Cuba announced that it had ratified the comprehensive safeguards agreement with IAEA and the Additional Protocol thereto, in demonstration of its commitment to fulfil its obligations as a State party to NPT and the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (see p. 552).

### Middle East

In 2004, the General Assembly (see below) and the IAEA General Conference [GC(48)/RES/16] took action regarding the risk of nuclear proliferation in the Middle East. While the Assembly continued to call on the non-party in the region to place all its nuclear facilities under IAEA safeguards, IAEA reaffirmed the need for States in

the region to accept the full application of Agency safeguards to all their nuclear activities.

Pursuant to Assembly resolution 58/68 [YUN 2003, p. 550], the Secretary-General reported in October [A/59/165 (Part II)] that, apart from the IAEA resolution on the application of IAEA safeguards in the Middle East, which was annexed to his report, he had not received any additional information since his 2003 report.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/462], adopted **resolution 59/106** by recorded vote (170-5-9) [agenda item 68].

#### The risk of nuclear proliferation in the Middle East

*The General Assembly,*

*Bearing in mind* its relevant resolutions,

*Taking note* of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is resolution GC(48)/RES/16, adopted on 24 September 2004,

*Cognizant* that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

*Mindful* of the immediate need for placing all nuclear facilities in the region of the Middle East under full-scope safeguards of the International Atomic Energy Agency,

*Recalling* the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet parties to the Treaty to accede to it at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

*Recognizing with satisfaction* that, in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference undertook to make determined efforts towards the achievement of the goal of universality of the Treaty on the Non-Proliferation of Nuclear Weapons, called upon those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities, and underlined the necessity of universal adherence to the Treaty and of strict compliance by all parties with their obligations under the Treaty,

*Recalling* the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all

States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope International Atomic Energy Agency safeguards,

*Noting* that Israel remains the only State in the Middle East that has not yet become party to the Treaty on the Non-Proliferation of Nuclear Weapons,

*Concerned* about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region,

*Stressing* the importance of taking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle East, in order to enhance peace and security in the region and to consolidate the global non-proliferation regime,

*Emphasizing* the need for all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, inviting the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons and, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards,

*Noting* that one hundred and seventy-three States have signed the Comprehensive Nuclear-Test-Ban Treaty, including a number of States in the region,

1. *Welcomes* the conclusions on the Middle East of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Reaffirms* the importance of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons and placement of all its nuclear facilities under comprehensive International Atomic Energy Agency safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East;

3. *Calls upon* that State to accede to the Treaty on the Non-Proliferation of Nuclear Weapons without further delay and not to develop, produce, test or otherwise acquire nuclear weapons, and to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

4. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "The risk of nuclear proliferation in the Middle East".

RECORDED VOTE ON RESOLUTION 59/106:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hun-

gary, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Israel, Marshall Islands, Micronesia, Palau, United States.

*Abstaining:* Australia, Cameroon, Ethiopia, India, Nauru, Papua New Guinea, Tonga, Trinidad and Tobago, Vanuatu.

The First Committee adopted the sixth preambular paragraph by a separate recorded vote (154-3-4). The Assembly retained the paragraph by recorded vote (169-6-4).

## Nuclear-weapon-free zones

### Africa

As at 31 December, 22 States had ratified the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) [YUN 1995, p. 203], which was opened for signature in 1996 [YUN 1996, p. 486]. China, France and the United Kingdom had ratified Protocols I and II thereto, and France had also ratified Protocol III. The Russian Federation and the United States had signed Protocols I and II. The Treaty had 55 signatories. By the terms of the Treaty, ratification by 28 States was required for its entry into force.

The General Assembly, in **resolution 59/85** (see p. 553), welcomed efforts towards completion of the ratification process and called on States that had not done so to ratify the Treaty so as to facilitate its entry into force.

### Asia

#### Central Asia

With assistance from the Department for Disarmament Affairs, in particular its Regional Centre for Peace and Disarmament in Asia and the Pacific (see p. 587), the five Central Asian States (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan) continued efforts to conclude a Central Asian nuclear-weapon-free zone treaty. During the year, the Regional Centre organized several consultation sessions in New York for regional States to help them reach agreement on a text.

On 3 December, the General Assembly decided to include in the provisional agenda of its sixtieth (2005) session the item entitled "Estab-

lishment of a nuclear-weapon-free zone in Central Asia” (**decision 59/513**).

### Mongolia

**Report of Secretary-General.** The Secretary-General, in response to General Assembly resolution 57/67 [YUN 2002, p. 513], reviewed in a September report [A/59/364] new developments and UN assistance to Mongolia to strengthen its nuclear-weapon-free status. The report also covered non-nuclear aspects of Mongolia’s international security. The Secretary-General remarked that the UN system would continue to assist that country in coping with economic and ecological vulnerabilities, in particular those identified in recent UN studies. He hoped that UN assistance would contribute to sustainable development and balanced growth in Mongolia, reinforcing its efforts at achieving the Millennium Development Goals [YUN 2000, p. 51]. He welcomed the international community’s support in strengthening the non-nuclear aspects of international security in Mongolia.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/73** without vote [agenda item 65 (f)].

#### Mongolia’s international security and nuclear-weapon-free status

*The General Assembly,*

*Recalling* its resolutions 53/77 D of 4 December 1998, 55/33 S of 20 November 2000 and 57/67 of 22 November 2002,

*Recalling also* the purposes and principles of the Charter of the United Nations, as well as the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

*Bearing in mind* its resolution 49/31 of 9 December 1994 on the protection and security of small States,

*Proceeding* from the fact that nuclear-weapon-free status is one of the means of ensuring the national security of States,

*Convinced* that the internationally recognized status of Mongolia will contribute to enhancing stability and confidence-building in the region as well as promote Mongolia’s security by strengthening its independence, sovereignty and territorial integrity, the inviolability of its borders and the preservation of its ecological balance,

*Taking note* of the adoption by the Mongolian parliament of legislation defining and regulating its nuclear-weapon-free status as a concrete step towards promoting the aims of nuclear non-proliferation,

*Bearing in mind* the joint statement of the five nuclear-weapon States on security assurances to Mongolia in connection with its nuclear-weapon-free status as a contribution to implementing resolution 53/77 D as well as their commitment to Mongolia to cooperate

in the implementation of the resolution, in accordance with the principles of the Charter,

*Noting* that the joint statement has been transmitted to the Security Council by the five nuclear-weapon States,

*Mindful* that at the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, held in Kuala Lumpur, from 20 to 25 February 2003, the Heads of State or Government reiterated their support for Mongolia’s nuclear-weapon-free status and considered that the institutionalization of that status would be an important measure towards strengthening the non-proliferation regime in the region,

*Noting* other measures taken to implement resolution 57/67 at the national and international levels,

*Welcoming* Mongolia’s active and positive role in developing peaceful, friendly and mutually beneficial relations with the States of the region and other States,

*Having considered* the report of the Secretary-General on Mongolia’s international security and nuclear-weapon-free status,

1. *Takes note* of the report of the Secretary-General on the implementation of resolution 57/67;

2. *Expresses its appreciation* to the Secretary-General for the efforts to implement resolution 57/67, in particular the completion of the two studies on the non-nuclear aspects of Mongolia’s international security;

3. *Endorses and supports* Mongolia’s good-neighbourly and balanced relationship with its neighbours as an important element of strengthening regional peace, security and stability;

4. *Welcomes* the efforts made by Member States to cooperate with Mongolia in implementing resolution 57/67, as well as the progress made in consolidating Mongolia’s international security;

5. *Invites* Member States to continue to cooperate with Mongolia in taking the necessary measures to consolidate and strengthen Mongolia’s independence, sovereignty and territorial integrity, the inviolability of its borders, its independent foreign policy, its economic security, and its ecological balance, as well as its nuclear-weapon-free status;

6. *Appeals* to the Member States of the Asia and Pacific region to support Mongolia’s efforts to join the relevant regional security and economic arrangements;

7. *Requests* the Secretary-General and relevant United Nations bodies to continue to provide assistance to Mongolia in taking the necessary measures mentioned in paragraph 5 above;

8. *Requests* the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its sixty-first session the item entitled “Mongolia’s international security and nuclear-weapon-free status”.

### South-East Asia

In 2004, the States parties to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty), which opened for signature in 1995 [YUN 1995, p. 207] and entered into force in 1997 [YUN 1997, p. 495], continued to focus on establishing an institutional framework to implement the Treaty. At the tenth summit of the Associa-

tion of Southeast Asian Nations (Vientiane, Lao People's Democratic Republic, 29-30 November), leaders adopted the Vientiane Action Programme, in which they expressed determination to resolve outstanding issues, thereby ensuring that the nuclear-weapon States would sign the protocols to the Treaty.

### Latin America and the Caribbean

During the year, States parties to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) [YUN 1967, p. 13] continued efforts to consolidate the treaty regime. The General Assembly of the Organization of American States (OAS), at its thirty-fourth regular session (Quito, Ecuador, 6-8 June) [AG/RES.2009(XXXIV-O/04)], urged regional States that had not done so to sign or ratify the amendments to the Treaty. It called on the OAS Permanent Council to hold, within the framework of the Committee on Hemispheric Security, a meeting on the consolidation of the treaty regime, with the support of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean and the participation of the United Nations and other relevant international organizations.

### Middle East

In response to General Assembly resolution 58/34 on the establishment of a nuclear-weapon-free zone in the Middle East [YUN 2003, p. 556], the Secretary-General, in a July report with a later addendum [A/59/165 (Part I) & Corr.1, Add.1], provided information on the resolution's implementation. He stated that he continued to consult with concerned parties within and outside the region on ways to establish such a zone, and he urged them to resume dialogue, with a view to creating stable security conditions and an eventual settlement that would facilitate the establishment of a nuclear-weapon-free zone in the Middle East. The report included the replies of China, Egypt, Guatemala, Ireland (on behalf of the EU), Israel, Lebanon, Mexico, Oman, the Syrian Arab Republic and Venezuela to his request for the views of concerned States.

In September, the IAEA General Conference, in a resolution on the Middle East [GC(48)/RES/16], called on all parties directly concerned to take the steps required for implementing the proposal to establish a mutually and effectively verifiable nuclear-weapon-free zone in the region.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Com-

mittee [A/59/456], adopted **resolution 59/63** without vote [agenda item 62].

#### Establishment of a nuclear-weapon-free zone in the region of the Middle East

*The General Assembly,*

*Recalling* its resolutions 3263(XXIX) of 9 December 1974, 3474(XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995, 51/41 of 10 December 1996, 52/34 of 9 December 1997, 53/74 of 4 December 1998, 54/51 of 1 December 1999, 55/30 of 20 November 2000, 56/21 of 29 November 2001, 57/55 of 22 November 2002 and 58/34 of 8 December 2003 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

*Recalling also* the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (d), of the Final Document of the Tenth Special Session of the General Assembly,

*Emphasizing* the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

*Reaffirming* the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

*Emphasizing* the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

*Bearing in mind* the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

*Desirous* of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

*Welcoming* all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

*Noting* the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

*Recognizing* the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

*Emphasizing* the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

*Having examined* the report of the Secretary-General on the implementation of resolution 58/34,

1. *Urges* all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Calls upon* all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of resolution GC(48)/RES/16, adopted on 24 September 2004 by the General Conference of the International Atomic Energy Agency at its forty-eighth regular session, concerning the application of Agency safeguards in the Middle East;

4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

8. *Takes note* of the report of the Secretary-General;

9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report

of 10 October 1990 or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;

11. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

### South Pacific

In 2004, the number of States that had ratified the 1985 South Pacific Nuclear-Free Zone Treaty (Treaty of Rarotonga) [YUN 1985, p. 58] remained at 17. China and the Russian Federation had ratified Protocols 2 and 3, and France and the United Kingdom had ratified all three Protocols. The heads of State and Government of countries of the Pacific Islands Forum, in a communiqué issued after their thirty-fifth session (Apia, Samoa, 5-7 August), called on the United States, as the remaining nuclear-weapon State to ratify the Treaty's protocols, to do so as a means of enhancing global and regional peace and security, including global nuclear non-proliferation.

Under Protocol 1, the States internationally responsible for territories situated within the zone would undertake to apply the relevant prohibitions of the Treaty to those territories; under Protocol 2, the five nuclear-weapon States would provide security assurances to parties or territories within the same zone; and under Protocol 3, the five would not carry out nuclear tests in the zone.

### Southern hemisphere and adjacent areas

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/85** by recorded vote (171-4-8) [agenda item 65 (s)].

#### Nuclear-weapon-free southern hemisphere and adjacent areas

*The General Assembly,*

*Recalling* its resolutions 51/45 B of 10 December 1996, 52/38 N of 9 December 1997, 53/77 Q of 4 December 1998, 54/54 L of 1 December 1999, 55/33 I of 20 November 2000, 56/24 G of 29 November 2001, 57/73 of 22 November 2002 and 58/49 of 8 December 2003,

*Recalling also* the adoption by the Disarmament Commission at its 1999 substantive session of a text entitled "Establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned",

*Determined* to pursue the total elimination of nuclear weapons,

*Determined also* to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons

and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

*Recalling* the provisions on nuclear-weapon-free zones of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament,

*Stressing* the importance of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba establishing nuclear-weapon-free zones, as well as the Antarctic Treaty, to, inter alia, achieve a world entirely free of nuclear weapons,

*Underlining* the value of enhancing cooperation among the nuclear-weapon-free-zone treaty members by means of mechanisms such as joint meetings of States parties, signatories and observers to those treaties,

*Welcoming* the announcement of the organization of an international conference of States parties signatories to the nuclear-weapon-free-zone treaties in Mexico, in 2005, to support the common goals envisaged in those treaties,

*Recalling* the applicable principles and rules of international law relating to the freedom of the high seas and the rights of passage through maritime space, including those of the United Nations Convention on the Law of the Sea,

1. *Welcomes* the continued contribution that the Antarctic Treaty and the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba are making towards freeing the southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;

2. *Also welcomes* the ratification by all original parties of the Treaty of Rarotonga, and calls upon eligible States to adhere to the treaty and the protocols thereto;

3. *Further welcomes* the efforts towards the completion of the ratification process of the Treaty of Pelindaba, and calls upon the States of the region that have not yet done so to sign and ratify the treaty, with the aim of its early entry into force;

4. *Calls upon* all concerned States to continue to work together in order to facilitate adherence to the protocols to nuclear-weapon-free-zone treaties by all relevant States that have not yet done so;

5. *Welcomes* the steps taken to conclude further nuclear-weapon-free-zone treaties on the basis of arrangements freely arrived at among the States of the region concerned, and calls upon all States to consider all relevant proposals, including those reflected in its resolutions on the establishment of nuclear-weapon-free zones in the Middle East and South Asia;

6. *Affirms its conviction* of the important role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calls upon all States to support the process of nuclear disarmament and to work for the total elimination of all nuclear weapons;

7. *Calls upon* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, in order to pursue the common goals envisaged in those treaties and to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas, to explore and implement further ways

and means of cooperation among themselves and their treaty agencies;

8. *Welcomes* the vigorous efforts being made among States parties and signatories to those treaties to promote their common objectives, and encourages the competent authorities of the nuclear-weapon-free-zone treaties to provide assistance to the States parties and signatories to those treaties so as to facilitate the accomplishment of these goals;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

RECORDED VOTE ON RESOLUTION 59/85:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* France, Palau, United Kingdom, United States.

*Abstaining:* Bhutan, India, Israel, Marshall Islands, Micronesia, Pakistan, Russian Federation, Spain.

The First Committee adopted the last three words of operative paragraph 5 "and South Asia", then paragraph 5 as a whole, by two separate recorded votes (139-2-9 and 144-1-8, respectively). The Assembly followed the same procedure, adopting them by recorded votes (158-4-7 and 166-3-7, respectively).

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## Bacteriological (biological) and chemical weapons

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### Bacteriological (biological) weapons

In 2004, increasing concern about the potential acquisition by terrorists of chemical and biological weapons and related materials and technology continued to motivate calls for further strengthening of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) and the

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and for States parties to implement measures that would respond to those calls. The need for action in that regard was underscored by the Security Council in **resolution 1540(2004)** (see p. 544).

### Meeting of States parties

As decided by the BWC States parties in 2003 [YUN 2003, p. 559], the second annual meeting of those States was convened (Geneva, 6-10 December) [BWC/MSP/2004/3]. Participants considered strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants, as well as enhancing international capabilities for responding to alleged use of biological or toxin weapons or suspicious outbreaks of disease. The States parties agreed on the value of: supporting existing networks of international organizations dealing with aspects of infectious diseases; enhancing national and regional disease surveillance capabilities and communication on the issue among international organizations and States; and developing national capacities for response, investigation and mitigation, in cooperation with international and regional organizations. They also agreed that the Sixth Review Conference, scheduled for 2006, should consider, among other things, the further development of procedures for assisting States parties in cases of alleged use of biological weapons or suspicious outbreaks of disease. Participants were encouraged to inform the Sixth Review Conference of any steps they had taken on the basis of discussions at the 2004 meetings of States parties or experts (see below). The States parties considered a number of working papers, presentations and statements, a list of which was annexed to the meeting's report, as was a synthesis of the issues considered, perspectives, recommendations, conclusions and proposals drawn from statements and working papers presented to the meeting, and prepared by the Chairman. The States parties decided that their next meeting would be held in Geneva from 5 to 9 December 2005.

**Expert meeting.** In accordance with a decision of the Fifth Review Conference of the BWC States parties [YUN 2002, p. 516], the 2004 meeting of States parties (see above) was preceded by a preparatory meeting of experts (Geneva, 19-30 July) [BWC/MSP/2004/MX/3], which discussed issues relevant to the topics taken up by the States parties' meeting. The expert meeting reviewed a number of working papers and heard statements and the-

matic presentations from delegates. On 30 July, the meeting adopted its report, which listed background papers prepared by the secretariat and other working papers, presentations and contributions considered.

### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/466], adopted **resolution 59/110** without vote [agenda item 72].

### Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

*The General Assembly,*

*Recalling* its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

*Noting with satisfaction* that there are one hundred and fifty-two States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, including all of the permanent members of the Security Council,

*Bearing in mind* its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Review Conferences, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

*Welcoming* the reaffirmation made in the Final Declaration of the Fourth Review Conference that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

*Recalling* the decision reached at the Fifth Review Conference to hold three annual meetings of the States parties of one week's duration each year commencing in 2003 until the Sixth Review Conference and to hold a two-week meeting of experts to prepare for each meeting of the States parties,

1. *Notes with satisfaction* the increase in the number of States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, reaffirms the call upon all signatory States that have not yet ratified the Convention to do so without delay, and calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

2. *Welcomes* the information and data provided to date, and reiterates its call upon all States parties to the Convention to participate in the exchange of informa-

tion and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention;

3. *Recalls* the decision reached at the Fifth Review Conference to discuss and promote common understanding and effective action in 2003 on the two topics of the adoption of necessary national measures to implement the prohibitions set forth in the Convention, including the enactment of penal legislation, and national mechanisms to establish and maintain the security and oversight of pathogenic micro-organisms and toxins; in 2004 on the two topics of enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease, and strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants; and in 2005 on the topic of the content, promulgation and adoption of codes of conduct for scientists; and calls upon the States parties to the Convention to participate in its implementation;

4. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, including all necessary assistance to the annual meetings of the States parties and the meetings of experts;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

### 1925 Geneva Protocol

In response to General Assembly resolution 57/62 [YUN 2002, p. 517], the Secretary-General reported in July [A/59/179] that France, as the depositary of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (the 1925 Geneva Protocol), had received notice of three withdrawals of reservations (Portugal, Republic of Korea, United Kingdom) since the Assembly's adoption of the resolution.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/70** by recorded vote (179-0-5) [agenda item 65 (d)].

#### Measures to uphold the authority of the 1925 Geneva Protocol

*The General Assembly,*

*Recalling* its previous resolutions on the subject, in particular resolution 57/62 of 22 November 2002,

*Determined* to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control,

*Recalling* the long-standing determination of the international community to achieve the effective prohibition of the development, production, stockpiling and use of chemical and biological weapons as well as the continuing support for measures to uphold the authority of 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 expressed by consensus in many previous resolutions,

*Emphasizing* the necessity of easing international tension and strengthening trust and confidence between States,

*Welcoming* the recent initiatives by three more States Parties to withdraw their reservations to the 1925 Geneva Protocol,

1. *Takes note* of the note by the Secretary-General;

2. *Renews its previous call* to all States to observe strictly the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and reaffirms the vital necessity of upholding its provisions;

3. *Calls upon* those States that continue to maintain reservations to the 1925 Geneva Protocol to withdraw them;

4. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution.

#### RECORDED VOTE ON RESOLUTION 59/70:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* None.

*Abstaining:* Israel, Marshall Islands, Micronesia, Palau, United States.

### Chemical weapons

#### Chemical weapons convention

In 2004, Chad, Madagascar, the Marshall Islands, Rwanda, Saint Kitts and Nevis and Sierra Leone ratified the Convention on the Prohibition of the Development, Production, Stockpiling and

Use of Chemical Weapons and on Their Destruction (CWC), and the Libyan Arab Jamahiriya, Solomon Islands and Tuvalu acceded to it, bringing the total number of States parties to 167. The number of signatories stood at 165. The Convention was adopted by the Conference on Disarmament in 1992 [YUN 1992, p. 65] and entered into force in 1997 [YUN 1997, p. 499].

The ninth session of the Conference of the States Parties (The Hague, Netherlands, 29 November–2 December) [C-9/6] considered the status of CWC implementation, fostering international cooperation for peaceful purposes in the field of chemical activities, ensuring the Convention's universality, and administrative and budgetary matters. The Conference adopted decisions on action needed for further implementation of the obligations in article VII of the Convention on national implementation measures; the inclusion of an additional item on the list of approved equipment; an understanding of the concept of "captive use" in connection with declarations of production and/or consumption under the Convention's verification annex; extension of deadlines for the destruction of Category 1 chemical weapons stockpiles; a request for conversion of chemical weapons production facilities for purposes not prohibited under the Convention; submission of information regarding national programmes related to protective purposes; and administrative, financial and oversight matters, including the programme and budget of the Organization for the Prohibition of Chemical Weapons (OPCW) for 2005. The Conference approved requests by Albania and Libya for extensions of the intermediate deadlines for the destruction of their Category 1 chemical weapons and a further request by Libya to convert its chemical weapons production facilities into a pharmaceuticals plant for producing low-cost vaccines to be distributed in Africa for treating HIV/AIDS, malaria and tuberculosis. The Conference decided to hold its tenth session in November 2005.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/72** without vote [agenda item 65 (u)].

#### **Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction**

*The General Assembly,*

*Recalling* its previous resolutions on the subject of chemical weapons, in particular resolution 58/52 of 8 December 2003, adopted without a vote, in which it noted with appreciation the ongoing work to achieve

the objective and purpose of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,

*Determined* to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

*Noting with satisfaction* that, since the adoption of resolution 58/52, nine additional States have ratified the Convention or acceded to it, bringing the total number of States parties to the Convention to one hundred and sixty-seven,

*Reaffirming* the importance of the outcome of the First Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, including the Political Declaration, in which the States parties reaffirmed their commitment to achieving the objective and purpose of the Convention, and the final report, which addressed all aspects of the Convention and made important recommendations on its continued implementation,

1. *Emphasizes* that the universality of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction is fundamental to the achievement of its objective and purpose, and acknowledges progress made in the implementation of the action plan for the universality of the Convention, and calls upon all States that have not yet done so to become parties to the Convention without delay;

2. *Underlines* that the Convention and its implementation contribute to enhancing international peace and security, and emphasizes that its full, universal and effective implementation will contribute further to that purpose by excluding completely, for the sake of all humankind, the possibility of the use of chemical weapons;

3. *Stresses* that the full and effective implementation of all provisions of the Convention is in itself an important contribution to the efforts of the United Nations in the global fight against terrorism in all its forms and manifestations;

4. *Also stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, including previously declared possessor States, should be among the States parties to the Convention, and welcomes progress to that end;

5. *Notes* that the effective application of the verification system builds confidence in compliance with the Convention by States parties;

6. *Stresses* the importance of the Organization for the Prohibition of Chemical Weapons in verifying compliance with the provisions of the Convention as well as in promoting the timely and efficient accomplishment of all its objectives;

7. *Urges* all States parties to the Convention to meet in full and on time their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons in its implementation activities;

8. *Reaffirms* the undertaking of the States parties to foster international cooperation for peaceful purposes in the field of chemical activities of the States parties

and the importance of that cooperation and its contribution to the promotion of the Convention as a whole;

9. *Notes with appreciation* the ongoing work of the Organization for the Prohibition of Chemical Weapons to achieve the objective and purpose of the Convention, to ensure the full implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and cooperation among States parties, and also notes with appreciation progress made in the implementation of the plan of action regarding the implementation of article VII obligations;

10. *Welcomes* the cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons within the framework of the Relationship Agreement between the United Nations and the Organization, in accordance with the provisions of the Convention;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

### Organization for the Prohibition of Chemical Weapons

In 2004, OPCW continued efforts to achieve the objective and purpose of CWC, particularly regarding the complete elimination of chemical weapons. In the seven years since the Convention's entry into force in 1997, OPCW as at year's end had inspected over 750 facilities in 66 States parties. By October, over 71,000 tonnes of chemical agents and approximately 8.7 million munitions and containers were identified by the six declared chemical weapons possessor States, and approximately 10,048 tonnes of chemical warfare agents, accounting for more than 14 per cent of the total stockpiles declared, were destroyed by four of those States under OPCW verification. With the accession of Libya to CWC (see above) and its declaration that it possessed chemical weapons, the total number of declared possessor States rose to six. Out of 64 chemical weapons production facilities (CWPFs) worldwide, 35 were certified as destroyed, and 13 were converted to other uses or were scheduled to be destroyed by April 2007.

Progress was made towards realizing the plan of action on national implementation of the Convention, adopted at the eighth session of the Conference of the States Parties in 2003 [YUN 2003, p. 560]. The States parties set November 2005 as the deadline for evaluating progress made in developing and enacting national legislation mandated by the Convention and in establishing the required internal mechanisms.

The OPCW Executive Council addressed a variety of issues at its thirty-sixth (23-26 March), thirty-seventh (29 June-2 July), thirty-eighth (12-

15 October) and thirty-ninth (14-17 December) sessions. During the year, the Council considered Secretariat reports on the status of the Convention's implementation, including verification activities and the Convention's articles X and XI on protection against chemical weapons and on economic and technological development, respectively. It adopted recommendations on implementation-related action and on changing the Convention regarding conditions for converting CWPFs for purposes not prohibited under the Convention. The Council also adopted decisions on the destruction of chemical weapons and/or conversion of CWPFs, and on issues relating to the chemical industry and financial matters.

By an August note [A/59/297], the Secretary-General submitted to the General Assembly the 2002 report of OPCW, in accordance with the Agreement concerning the Relationship between the United Nations and OPCW, which was signed in 2000 [YUN 2000, p. 516] and entered into force in 2001 [YUN 2001, p. 495].

#### GENERAL ASSEMBLY ACTION

On 22 October [meeting 40], the General Assembly adopted **resolution 59/7** [draft: A/59/L.8 & Add.1] without vote [agenda item 56 (m)].

#### Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons

*The General Assembly,*

*Recalling* its resolution 57/45 of 21 November 2002 on cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons,

*Having received* the annual report for 2002 of the Organization for the Prohibition of Chemical Weapons on the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,

1. *Takes note* of the annual report for 2002 of the Organization for the Prohibition of Chemical Weapons submitted on its behalf by its Director-General;

2. *Decides* to include in the provisional agenda of its sixty-first session the sub-item entitled "Cooperation between the United Nations and the Organization for the Prohibition of Chemical Weapons".

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## Conventional weapons

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### Programme of Action on illicit trade in small arms

In 2004, the international community continued to make progress in efforts to address problems relating to the spread of small arms and light weapons, particularly regarding the imple-

mentation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects [YUN 2001, p. 499]. The open-ended working group established by the General Assembly in resolution 58/241 [YUN 2003, p. 564] to negotiate an international instrument to help identify and trace illicit small arms and light weapons began its work. Other broad-based consultations were undertaken to enhance international cooperation in combating the small arms problem. In January, the Security Council called for international cooperation to prevent the diversion of small arms and light weapons to terrorist groups, particularly Al-Qaida (see below). The General Assembly, in **resolutions 59/74** (see p. 560) and **59/86** (see p. 561), called for strengthening the capacity of civil society to combat the illicit trade in small arms and for regional measures to tackle the problem. In further action, the Assembly, in **resolution 59/90** (see p. 566), urged Member States to support efforts to prevent the illicit transfer and use of man-portable air defence systems. National, regional and subregional initiatives undertaken in regard to small arms and light weapons increased significantly during the year, including the establishment of coordinating bodies in many countries, the adoption and strengthening of national laws, regulations and controls, weapons collection and destruction activities, and the establishment of arrangements for cooperation, networking and exchange of information at the regional and subregional levels.

#### SECURITY COUNCIL ACTION

On 19 January [meeting 4896], following consultations among Security Council members, the President made statement **S/PRST/2004/1** on behalf of the Council:

The Security Council welcomes the report of the Secretary-General of 31 December 2003 on the implementation of his recommendations to the Council on small arms, and reaffirms the statements by its President of 24 September 1999 (S/PRST/1999/28), 31 August 2001 (S/PRST/2001/21) and 31 October 2002 (S/PRST/2002/30).

The Council recalls its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, in view of which its attention is drawn inevitably to the illicit trade of small arms and light weapons, as such weapons are the most frequently used in armed conflicts. The Council reaffirms the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter and, subject to the Charter, the right of each State to import, produce and retain small arms and light weapons for its self-defence and security needs.

The Council welcomes all efforts already undertaken by Member States, and calls upon them to fully

implement at the national, regional and international levels the recommendations contained in the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted on 20 July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The Council welcomes General Assembly resolution 58/241 of 23 December 2003 by which, among other things, it decided to establish an open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons, and calls upon all Member States to support all efforts aimed at this purpose.

The Council encourages the arms-exporting countries to exercise the highest degree of responsibility in small arms and light weapons transactions. It also encourages international and regional cooperation in the consideration of the origin and transfers of small arms and light weapons in order to prevent their diversion to terrorist groups, in particular, Al-Qaida. The Council welcomes the significant steps that have been taken by Member States in this regard. The obligation of Member States to enforce the arms embargo should be coupled with enhanced international and regional cooperation concerning arms exports.

The Council reiterates its call upon all Member States to effectively implement arms embargoes and other sanction measures imposed by the Council in its relevant resolutions, and urges Member States in a position to do so to provide assistance to interested States in strengthening their capacity to fulfil their obligations in this regard. The Council encourages Member States to undertake vigorous actions aimed at restricting the supply of small arms, light weapons and ammunitions to areas of instability. The Council further encourages Member States to provide the Sanctions Committees with available information on alleged violations of arms embargoes, and also calls upon Member States to give due consideration to the recommendations of the related reports.

The Council continues to recognize the need to engage the relevant international organizations, non-governmental organizations, business and financial institutions and other actors at the international, regional and local levels to contribute to the implementation of arms embargoes.

The Council reiterates the importance of carrying out disarmament, demobilization and reintegration programmes, an increasingly essential component of peacekeeping mandates, as comprehensively and effectively as possible in post-conflict situations under its consideration.

The Council takes note of the inclusion of man-portable air defence systems, on an exceptional basis, in the United Nations Register on Conventional Arms.

The Council requests the Secretary-General to update the Council for its next meeting on the subject on the further implementation of the recommendations contained in his report on small arms of 20 September 2002.

**Working Group activities.** The Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, established by General Assembly resolution 58/241 [YUN 2003, p. 564], held an organizational session (3 February) and its first substantive session (14-25 June), both in New York. In June, the Working Group, in addition to holding a general debate, organized thematic discussions of the three main elements of tracing—marking, record-keeping and international cooperation. The Working group used as a basis for its discussions the report of the Group of Governmental Experts that had examined the feasibility of developing the proposed instrument [YUN 2003, p. 562] and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime [YUN 2001, p. 1036]. Divergent views were expressed on several issues, including the scope and nature of the instrument, marking small arms and light weapons at the time of import, the right to initiate a request for tracing, and the role of the United Nations and other international organizations in supporting the operation of the proposed instrument. The Working Group agreed that its Chairman would produce the first draft of an instrument before the convening of the second session in January 2005. The Chairman, on 20 October, held informal consultations with States on elements of a draft instrument.

**Other consultations.** In response to General Assembly resolution 58/241 [YUN 2003, p. 564], which called for further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, the Department for Disarmament Affairs (DDA) organized a number of informal consultations for Member States, international organizations and civil society groups. DDA ensured that the issue of illicit brokering was included in the agenda of the regional meetings it organized during the year. The key issues of concern raised during the consultations were the definition of “brokering” and whether related activities, such as financing, transport and export controls, should be included in the definition. Other matters of concern were the need to strengthen an international regime on brokering and the need for a set of minimum standards and controls to be adopted by Member States. The participants agreed that the consultations had been useful and should be continued, particularly at the regional level.

**Report of Secretary-General.** Pursuant to General Assembly resolutions 58/58 [YUN 2003, p. 563] and 58/241 [ibid., p. 564], the Secretary-General, in a report covering July 2003 to July 2004 [A/59/181], summarized national, sub-regional and regional activities undertaken in Africa in response to States’ requests for UN assistance in curbing the illicit trade in small arms and to collect and dispose of them. He also reviewed action by the UN system and by States to implement the Programme of Action to combat illicit trade. The Secretary-General concluded that the implementation of the Programme of Action gained momentum as States, the United Nations and other organizations had consolidated previous activities and developed new ones, often involving civil society and non-governmental organizations (NGOs). The establishment of the Open-ended Working Group (see above) was a significant step in the development of international norms to fight the scourge of illicit small arms and light weapons. However, the consultations on illicit brokering highlighted the complex nature of the small arms challenge and the need to develop States’ capacity to address its many facets. The initiatives undertaken by UN departments, specialized agencies and funds under the auspices of the Coordinating Action on Small Arms mechanism [YUN 1998, p. 325] illustrated that assistance to States and development of capacity to implement the Programme of Action remained a priority of the United Nations in its efforts to prevent, combat and eradicate the illicit trade in small arms and light weapons.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/74** without vote [agenda item 65 (g)].

#### **Assistance to States for curbing the illicit traffic in small arms and collecting them**

*The General Assembly,*

*Recalling* its resolution 58/58 of 8 December 2003 on assistance to States for curbing the illicit traffic in small arms and collecting them,

*Considering* that the illicit proliferation and circulation of and traffic in small arms impede development, constitute a threat to populations and to national and regional security and are a factor contributing to the destabilization of States,

*Deeply disturbed* by the magnitude of the illicit proliferation and circulation of and traffic in small arms in the States of the Sahelo-Saharan subregion,

*Noting with satisfaction* the conclusions of the United Nations advisory missions dispatched by the Secretary-General to the affected countries of the subregion to study the most appropriate way of halting the illicit circulation of small arms and collecting them,

*Welcoming* the designation of the Department for Disarmament Affairs of the Secretariat as a centre for the coordination of all activities of United Nations bodies concerned with small arms,

*Congratulating* the Secretary-General for his report on the causes of conflict and the promotion of durable peace and sustainable development in Africa, and bearing in mind the statement on small arms made by the President of the Security Council on 24 September 1999,

*Welcoming* the recommendations resulting from the meetings of the States of the subregion held at Banjul, Algiers, Bamako, Yamoussoukro and Niamey to establish close regional cooperation with a view to strengthening security,

*Welcoming also* the decision taken by the Economic Community of West African States to renew the Declaration of a Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, adopted by the Heads of State and Government of the Economic Community at Abuja on 31 October 1998,

*Recalling* the Algiers Declaration adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999,

*Emphasizing* the need to advance efforts towards wider cooperation and better coordination in the struggle against the illicit proliferation of small arms through the common understanding reached at the meeting on small arms held at Oslo on 13 and 14 July 1998 and the Brussels Call for Action adopted by the International Conference on Sustainable Disarmament for Sustainable Development, held at Brussels on 12 and 13 October 1998,

*Bearing in mind* the Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons, adopted at Bamako on 1 December 2000,

*Recalling* the millennium report of the Secretary-General,

*Welcoming* the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and calling for its expeditious implementation,

*Recognizing* the important role that the organizations of civil society play in detection, prevention and raising public awareness, in efforts to curb the illicit traffic in small arms,

*Welcoming* the convening of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, which held its first session in New York from 14 to 25 June 2004,

1. *Notes with satisfaction* the Declaration of the Ministerial Conference on Security, Stability, Development and Cooperation in Africa, held at Abuja on 8 and 9 May 2000, and encourages the Secretary-General to pursue his efforts in the context of the implementation of General Assembly resolution 49/75 G of 15 December 1994 and the recommendations of the United Nations advisory missions, aimed at curbing the illicit circulation of small arms and collecting such arms in the affected States that so request, with the support of the United

Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the African Union;

2. *Encourages* the international community to support the implementation of the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa;

3. *Encourages* the establishment in the countries of the Sahelo-Saharan subregion of national commissions to combat the illicit proliferation of small arms, and invites the international community to lend its support wherever possible to ensure the smooth functioning of the commissions;

4. *Also encourages* the involvement of organizations and associations of civil society in the efforts of the national commissions to combat the illicit traffic in small arms and their participation in the implementation of the moratorium on the importation, exportation and manufacture of small arms and light weapons in West Africa as well as in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

5. *Further encourages* cooperation among State organs, international organizations and civil society in combating the illicit traffic in small arms and supporting operations to collect the said arms in the subregions;

6. *Calls upon* the international community to provide technical and financial support to strengthen the capacity of civil organizations to take action to combat the illicit trade in small arms;

7. *Takes note* of the conclusions of the meeting of Ministers for Foreign Affairs of the Economic Community of West African States, held at Bamako on 24 and 25 March 1999, on the modalities for the implementation of the Programme for Coordination and Assistance for Security and Development, and welcomes the adoption by the meeting of a plan of action;

8. *Takes note also* of the conclusions of the African Conference on the Implementation of the United Nations Programme of Action on Small Arms: Needs and Partnerships, held at Pretoria from 18 to 21 March 2002;

9. *Invites* the Secretary-General and those States and organizations that are in a position to do so to provide assistance to States for curbing the illicit traffic in small arms and collecting them;

10. *Requests* the Secretary-General to continue to consider the matter and to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them".

Also on 3 December [meeting 66], the Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/86** without vote [agenda item 65 (z)].

#### **The illicit trade in small arms and light weapons in all its aspects**

*The General Assembly,*

*Recalling* its resolutions 56/24 V of 24 December 2001, 57/72 of 22 November 2002 and 58/241 of 23 December 2003,

*Emphasizing* the importance of early and full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,

*Welcoming* the efforts by Member States to submit, on a voluntary basis, national reports on their implementation of the Programme of Action,

*Noting with satisfaction* regional and subregional efforts being undertaken in support of the implementation of the Programme of Action, and commending the progress that has already been made in this regard,

*Taking note* of the report of the Secretary-General on the implementation of resolution 58/241,

*Welcoming* the convening of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, which held its first two-week substantive session in New York from 14 to 25 June 2004,

*Welcoming also* the broad-based consultations held by the Secretary-General with all Member States, interested regional and subregional organizations, international agencies and experts in the field on further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, and noting the report of the Secretary-General in this regard,

1. *Decides* that the United Nations conference to review progress made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects shall be held in New York for a period of two weeks, from 26 June to 7 July 2006;

2. *Also decides* that the preparatory committee for the conference shall hold a two-week session in New York from 9 to 20 January 2006, and reiterates that, if necessary, a subsequent session of up to two weeks in duration may be held;

3. *Further decides* that the second biennial meeting of States, as stipulated in the Programme of Action, to consider the national, regional and global implementation of the Programme of Action shall be held in New York from 11 to 15 July 2005;

4. *Expresses its appreciation* for the efforts undertaken by the Chair of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, encourages the continued active participation of delegations in the remaining sessions of the Open-ended Working Group, and stresses the importance of making every effort to ensure that a positive outcome is achieved by the Open-ended Working Group;

5. *Requests* the Secretary-General, while seeking the views of States, to continue to hold broad-based consultations, within available financial resources, with all Member States and interested regional and subregional organizations on further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, with a view to establishing, after the 2006 review conference and no later than 2007, and after the conclusion of the work of the Open-ended Working Group, a group of governmental experts, appointed

by him on the basis of equitable geographical representation, to consider further steps to enhance international cooperation in preventing, combating and eradicating illicit brokering in small arms and light weapons, and requests the Secretary-General to report to the General Assembly at its sixtieth session on the outcome of his consultations;

6. *Reaffirms* the importance of ongoing efforts at the regional and subregional levels in support of the implementation of the Programme of Action, and invites all Member States that have not yet done so to examine the possibility of developing and adopting regional and subregional measures, as appropriate, to combat the illicit trade in small arms and light weapons in all its aspects;

7. *Continues to encourage* all initiatives to mobilize resources and expertise to promote the implementation of the Programme of Action and to provide assistance to States in its implementation;

8. *Requests* the Secretary-General to continue to collate and circulate data and information provided by States on a voluntary basis, including national reports, on the implementation by those States of the Programme of Action, and encourages Member States to submit such reports;

9. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution, including any outcome of the work of the Open-ended Working Group;

10. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "The illicit trade in small arms and light weapons in all its aspects".

(For regional initiatives regarding implementation of the Programme of Action, see pp. 570-576).

### **Convention on excessively injurious conventional weapons and Protocols**

As at 31 December, the accessions of Paraguay, Sri Lanka and Turkmenistan and the ratification by Sierra Leone brought to 97 the number of States parties to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects [YUN 1980, p. 76] and its annexed Protocols on Non-Detectable Fragments (Protocol I); on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices, as amended on 3 May 1996 (Protocol II) [YUN 1996, p. 484]; and on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III). The 1995 Additional Protocol on Blinding Laser Weapons (Protocol IV) [YUN 1995, p. 221], which took effect on 30 July 1998 [YUN 1998, p. 530], had 79 parties, after Malta, Poland, Sierra Leone and Sri Lanka gave consent in 2004 to be bound by the Protocol.

The Group of Governmental Experts established by the Second Review Conference of the

States Parties to the Convention [YUN 2001, p. 504] to consider the issues of explosive remnants of war, mines other than anti-personnel mines, small-calibre weapons and ammunition, and promotion of compliance with the Convention and its annexed Protocols, held its seventh (8-12 March) [CCW/GGE/VII/3 & Add.1], eighth (5-16 July) [CCW/GGE/VIII/3] and ninth (8-16 November) [CCW/GGE/IX/2 & Corr.1, 2] sessions in Geneva. The Group discussed issues relating to the weapons under consideration and promoting compliance with the Convention, and in that context, considered working papers and presentations from delegations, international organizations and other participants, including military experts. On 16 November, the Group endorsed the recommendations of its working groups on explosive remnants of war and on mines other than anti-personnel mines, which were annexed to the report on its ninth session. The Group agreed that the intersessional work of up to five weeks would be undertaken in three sessions during 2005, and it recommended that follow-up work arising from the 2004 Meeting of the States Parties (see below) should be overseen by the Chairman-designate of the 2005 Meeting, scheduled to be held in conjunction with the Seventh (2005) Annual Conference of the States Parties to Amended Protocol II.

The Sixth Annual Conference of the States Parties to Amended Protocol II (Geneva, 17 November) [CCW/AP.II/CONF.6/3] reviewed the operation and status of the Protocol, considered related issues and examined national reports received from 50 States parties. The Conference adopted conclusions, recommendations and an appeal to States to accede to Amended Protocol II. It recommended that the Secretary-General, as depositary, and the President of the Conference exercise their authority to achieve the goal of universality of the Protocol and called on the States parties to promote wider adherence in their respective regions.

The Meeting of the States Parties (Geneva, 18-19 November) [CCW/MSP/2004/2 & Corr.1] considered the work of the Group of Governmental Experts and decided that the Group should continue its work in 2005 in three sessions. The working group on explosive remnants of war was mandated to continue its consideration of the implementation of existing principles of international humanitarian law and possible preventive measures, aimed at improving the design of certain types of munitions, with a view to minimizing the risk of their becoming explosive remnants of war. The working group on mines other than anti-personnel mines was asked to consider all proposals put forward. The Meeting decided that

the Seventh Annual Conference of the States Parties to Amended Protocol II would be held in November 2005 in Geneva, and that its Chairperson-designate should undertake consultations on options to promote compliance with the Convention and its annexed Protocols.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/463], adopted **resolution 59/107** without vote [agenda item 69].

#### **Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects**

*The General Assembly,*

*Recalling* its resolution 58/69 of 8 December 2003,

*Recalling with satisfaction* the adoption and the entry into force of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and the Protocol on Non-Detectable Fragments (Protocol I), the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and its amended version, the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III) and the Protocol on Blinding Laser Weapons (Protocol IV),

*Recalling* the decision by the Second Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects to establish an open-ended group of governmental experts with two separate coordinators on explosive remnants of war and on mines other than anti-personnel mines,

*Recalling also* the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto, and welcoming the particular efforts of various international, non-governmental and other organizations in raising awareness of the humanitarian consequences of explosive remnants of war,

1. *Calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and the Protocols thereto, as amended, with a view to achieving the widest possible adherence to these instruments at an early date, and so as to ultimately achieve their universality;

2. *Calls upon* all States parties to the Convention that have not yet done so to express their consent to be bound by the Protocols to the Convention and the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character;

3. *Welcomes with satisfaction* the adoption of the Protocol on Explosive Remnants of War (Protocol V) at the Meeting of the States Parties held at Geneva on 27 and

28 November 2003, and calls upon the States parties to express their consent to be bound by the Protocol and to notify the depositary at an early date of their consent;

4. *Notes* the decision of the Meeting of the States Parties that the Working Group on Explosive Remnants of War would continue its work in 2004 with the mandate to continue to consider the implementation of existing principles of international humanitarian law and to further study, on an open-ended basis, and initially with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimizing the humanitarian risk of these munitions becoming explosive remnants of war;

5. *Also notes* the decision of the Meeting of the States Parties that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in 2004 with the mandate to consider all proposals on mines other than anti-personnel mines put forward since the establishment of the Group of Governmental Experts;

6. *Further notes* the decision of the Meeting of the States Parties that the Chairman-designate should continue to undertake consultations during the inter-sessional period on possible options to promote compliance with the Convention and the Protocols thereto, taking into account proposals put forward;

7. *Expresses support* for the work conducted by the Group of Governmental Experts, and encourages the Chairman-designate and the Group to conduct work, in accordance with the mandate for 2004, with the aim of elaborating appropriate recommendations on mines other than anti-personnel mines, for submission to the Meeting of the States Parties on 18 and 19 November 2004, and to report on the work done on compliance, as well as on the implementation of existing principles of international humanitarian law and on possible preventive technical measures in relation to explosive remnants of war;

8. *Recalls* the decision of the Second Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects to convene a further conference not later than 2006, with preparatory meetings starting as early as 2005, if necessary, and requests the Meeting of the States Parties on 18 and 19 November 2004 to consider this issue;

9. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the Meeting of the States Parties on 18 and 19 November 2004, as well as for any possible continuation of work after the Meeting, should the States parties deem it appropriate;

10. *Also requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention and the Protocols thereto;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Con-

ventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

### Practical disarmament

The Group of Interested States, established in 1998 [YUN 1998, p. 531] to examine and support concrete projects of practical disarmament, met three times during 2004 to assess current and new project proposals and recent requests for assistance by Governments. It provided support for practical disarmament efforts of countries of the League of Arab States and of the Economic Community of West African States, particularly within the context of their fight against the proliferation of small arms and light weapons. The Group also considered other projects to assist Member States in tackling the small arms problem and reviewed related requests from Burundi, Nigeria and Tajikistan.

The General Assembly invited the Group to continue to analyse lessons learned from previous disarmament and peace-building projects, and to promote new practical disarmament measures to consolidate peace, especially as undertaken or designed by affected States themselves, regional and subregional organizations and UN agencies (see below).

**Disarmament Commission action.** In 2004 [A/59/42], the Disarmament Commission, while deliberating on possible agenda items, considered a number of proposals relating to practical disarmament measures. However, owing to disagreements among delegations, the Commission was not able to reach consensus on its substantive agenda and decided to continue deliberations on the issue in 2005.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/82** without vote [agenda item 65].

#### Consolidation of peace through practical disarmament measures

*The General Assembly,*

*Recalling* its resolutions 51/45 N of 10 December 1996, 52/38 G of 9 December 1997, 53/77 M of 4 December 1998, 54/54 H of 1 December 1999, 55/33 G of 20 November 2000, 56/24 P of 29 November 2001 and 57/81 of 22 November 2002 and its decision 58/519 of 8 December 2003, entitled "Consolidation of peace through practical disarmament measures",

*Convinced* that a comprehensive and integrated approach towards certain practical disarmament measures often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective post-conflict peace-building; such measures include: collection and responsible disposal, preferably through destruction, of weapons obtained through

illicit trafficking or illicit manufacture as well as of weapons and ammunition declared by competent national authorities to be surplus to requirements, particularly with regard to small arms and light weapons, unless another form of disposition or use has been officially authorized and provided that such weapons have been duly marked and registered; confidence-building measures; disarmament, demobilization and reintegration of former combatants; demining; and conversion,

*Noting with satisfaction* that the international community is more than ever aware of the importance of such practical disarmament measures, especially with regard to the growing problems arising from the excessive accumulation and uncontrolled spread of small arms and light weapons, which pose a threat to peace and security and reduce the prospects for economic development in many regions, particularly in post-conflict situations,

*Stressing* that further efforts are needed in order to develop and effectively implement programmes of practical disarmament in affected areas as part of disarmament, demobilization and reintegration measures so as to complement, on a case-by-case basis, peacekeeping and peace-building efforts,

*Taking note with appreciation* of the report of the Secretary-General on prevention of armed conflict, which, inter alia, refers to the role which the proliferation and the illicit transfer of small arms and light weapons play in the context of the build-up and sustaining of conflicts,

*Taking note* of the statement by the President of the Security Council of 31 August 2001 underlining the importance of practical disarmament measures in the context of armed conflicts, and, with regard to disarmament, demobilization and reintegration programmes, emphasizing the importance of measures to contain the security risks stemming from the use of illicit small arms and light weapons,

*Also taking note* of the report of the Secretary-General prepared with the assistance of the Group of Governmental Experts on Small Arms and, in particular, the recommendations contained therein, as an important contribution to the consolidation of the peace process through practical disarmament measures,

*Welcoming* the work of the Coordinating Action on Small Arms, which was established by the Secretary-General to bring about a holistic and multidisciplinary approach to this complex and multifaceted global problem and to cooperate with non-governmental organizations in the implementation of practical disarmament measures,

*Welcoming also* the report of the First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held in New York from 7 to 11 July 2003, as well as the convening of the open-ended working group to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons,

1. *Stresses* the particular relevance of the "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution

51/45 N", adopted by the Disarmament Commission by consensus at its 1999 substantive session;

2. *Takes note* of the report of the Secretary-General on the consolidation of peace through practical disarmament measures, submitted pursuant to resolution 51/45 N, and once again encourages Member States as well as regional arrangements and agencies to lend their support to the implementation of recommendations contained therein;

3. *Emphasizes* the importance of including in United Nations-mandated peacekeeping missions, as appropriate and with the consent of the host State, practical disarmament measures aimed at addressing the problem of the illicit trade in small arms and light weapons in conjunction with disarmament, demobilization and reintegration programmes aimed at former combatants, with a view to promoting an integrated comprehensive and effective weapons management strategy that would contribute to a sustainable peace-building process;

4. *Welcomes* the activities undertaken by the Group of Interested States, and invites the Group to continue to analyse lessons learned from previous disarmament and peace-building projects, as well as to promote new practical disarmament measures to consolidate peace, especially as undertaken or designed by affected States themselves, regional and subregional organizations as well as United Nations agencies;

5. *Encourages* Member States, including the Group of Interested States, to lend their support to the Secretary-General, relevant international, regional and subregional organizations, in accordance with Chapter VIII of the Charter of the United Nations, and non-governmental organizations in responding to requests by Member States to collect and destroy small arms and light weapons in post-conflict situations;

6. *Welcomes* the synergies within the multi-stakeholder process, including Governments, the United Nations system, regional and subregional organizations and institutions as well as non-governmental organizations in support of practical disarmament measures and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, in particular, inter alia through the Coordinating Action on Small Arms;

7. *Thanks* the Secretary-General for his report on the implementation of resolution 57/81, taking into consideration the activities of the Group of Interested States in this regard;

8. *Welcomes* the report of the Secretary-General on disarmament and non-proliferation education, as well as his report on the United Nations Disarmament Information Programme;

9. *Requests* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of practical disarmament measures, taking into consideration the activities of the Group of Interested States in this regard;

10. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Consolidation of peace through practical disarmament measures".

### Transparency

**Conference on Disarmament.** In 2004, the Conference on Disarmament [A/59/27] was not

able to establish or re-establish any mechanism to deal with seven issues on its agenda, including transparency in armaments, owing to the deadlock over a substantive programme of work. Consequently, the item was considered at plenary meetings, during which delegates reaffirmed or further elaborated their respective positions on the issue.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted three resolutions and a decision relating to transparency in conventional arms transfers. The Assembly adopted **resolution 59/66** without vote [agenda item 65 (l)].

#### **National legislation on transfer of arms, military equipment and dual-use goods and technology**

*The General Assembly,*

*Recognizing* that disarmament, arms control and non-proliferation are essential for the maintenance of international peace and security,

*Recalling* that effective national control of the transfer of arms, military equipment and dual-use goods and technology, including those transfers that could contribute to proliferation activities, is an important tool for achieving those objectives,

*Recalling also* that the States parties to the international disarmament and non-proliferation treaties have undertaken to facilitate the fullest possible exchange of materials, equipment and technological information for peaceful purposes, in accordance with the provisions of those treaties,

*Considering* that the exchange of national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology contributes to mutual understanding and confidence among Member States,

*Convinced* that such an exchange would be beneficial to Member States that are in the process of developing such legislation,

*Reaffirming* the inherent right of individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations,

1. *Invites* Member States that are in a position to do so, without prejudice to the provisions contained in Security Council resolution 1540(2004) of 28 April 2004, to enact or improve national legislation, regulations and procedures to exercise effective control over the transfer of arms, military equipment and dual-use goods and technology, while ensuring that such legislation, regulations and procedures are consistent with the obligations of States parties under international treaties;

2. *Encourages* Member States to provide, on a voluntary basis, information to the Secretary-General on their national legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods and technology, as well as the changes therein, and requests the Secretary-General to make this information accessible to Member States;

3. *Decides* to remain attentive to the matter.

The Assembly adopted **resolution 59/90** without vote [agenda item 65].

#### **Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems**

*The General Assembly,*

*Recalling* its resolutions 58/42 and 58/54 of 8 December 2003 and 58/241 of 23 December 2003,

*Recognizing* that disarmament, arms control and non-proliferation are essential for the maintenance of international peace and security,

*Acknowledging* the authorized trade in man-portable air defence systems between Governments and the legitimate right of Governments to possess such weapons in the interests of their national security,

*Recognizing* the threat posed to civil aviation, peacekeeping, crisis management and security by the illicit transfer and unauthorized access to and use of man-portable air defence systems,

*Taking into account* that man-portable air defence systems are easily carried, concealed, fired and, in certain circumstances, obtained,

*Recognizing* that effective control over man-portable air defence systems acquires special importance in the context of the intensified international fight against global terrorism,

*Convinced* of the importance of effective national control of transfers of man-portable air defence systems and the safe and effective management of stockpiles of such weapons,

*Welcoming* the ongoing efforts of various international and regional forums to enhance transport security and to strengthen management of man-portable air defence systems stockpiles in order to prevent the illicit transfer and unauthorized access to and use of such weapons,

*Noting* the importance of information exchange and transparency in the trade in man-portable air defence systems to build confidence and security among States and to prevent the illicit trade in and unauthorized access to such weapons,

1. *Emphasizes* the importance of the full implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

2. *Urges* Member States to support current international, regional and national efforts to combat and prevent the illicit transfer of man-portable air defence systems and unauthorized access to and use of such weapons;

3. *Stresses* the importance of effective and comprehensive national controls on the production, stockpiling, transfer and brokering of man-portable air defence systems to prevent the illicit trade in and unauthorized access to and use of such weapons;

4. *Encourages* Member States to enact or improve legislation, regulations, procedures and stockpile management practices to exercise effective control over access to and transfer of man-portable air defence systems so as to prevent the illicit transfer and unauthorized access to and use of such weapons;

5. *Also encourages* Member States to enact or improve legislation, regulations and procedures to ban the transfer of man-portable air defence systems to

non-State end-users and to ensure that such weapons are exported only to Governments or agents authorized by a Government;

6. *Encourages* initiatives to exchange information and to mobilize resources and technical expertise to assist States, at their request, in enhancing national controls and stockpile management practices to prevent unauthorized access to and use and transfer of man-portable air defence systems and to destroy excess or obsolete stockpiles of such weapons, as appropriate;

7. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems".

The Assembly adopted **resolution 59/92** without vote [agenda item 65].

#### **Information on confidence-building measures in the field of conventional arms**

*The General Assembly,*

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

*Bearing in mind* the contribution of confidence-building measures in the field of conventional arms, adopted on the initiative and with the agreement of the States concerned, to the improvement of the overall international peace and security situation,

*Convinced* that the relationship between the development of confidence-building measures in the field of conventional arms and the international security environment can also be mutually reinforcing,

*Considering* the important role that confidence-building measures in the field of conventional arms can also play in creating favourable conditions for progress in the field of disarmament,

*Recognizing* that the exchange of information on confidence-building measures in the field of conventional arms contributes to mutual understanding and confidence among Member States,

1. *Welcomes* all confidence-building measures in the field of conventional arms already undertaken by Member States as well as the information on such measures voluntarily provided;

2. *Encourages* Member States to continue to adopt confidence-building measures in the field of conventional arms and to provide information in that regard;

3. *Also encourages* Member States to engage in a dialogue on confidence-building measures in the field of conventional arms;

4. *Requests* the Secretary-General to establish, with the financial support of States in a position to do so, an electronic database containing information provided by Member States and to assist them, at their request, in the organization of seminars, courses and workshops aimed at enhancing the knowledge of new developments in this field;

5. *Decides* to include in the provisional agenda of its sixtieth session an item entitled "Information on confidence-building measures in the field of conventional arms".

Also on 3 December, the Assembly decided to include in the provisional agenda of its sixtieth (2005) session an item entitled "Problems arising

from the accumulation of conventional ammunition stockpiles in surplus" (**decision 59/515**).

#### **UN Register of Conventional Arms**

In response to General Assembly resolution 58/54 [YUN 2003, p. 568], the Secretary-General submitted the twelfth annual report on the United Nations Register of Conventional Arms [A/59/193 & Corr.1, Add.1], established in 1992 [YUN 1992, p. 75] to promote enhanced transparency on arms transfers.

The report presented information provided by 114 Governments on imports and exports in 2003 in the seven categories of conventional arms (battle tanks, armoured combat vehicles, large-calibre artillery systems, attack helicopters, combat aircraft, warships and missiles and missile launchers). Governments also provided information on procurement from national production and military holdings, on the continuing operation of the Register and its further development and on transparency measures related to WMDs. The report indicated a reduction in the number of submissions from 119 in 2002.

Regarding the recommendations contained in the 2003 report of the Group of Governmental Experts on the operation and development of the Register [YUN 2003, p. 568], the Secretary-General's report stated that the scope of the Register had been adapted in conformity with those recommendations and described the adjustments made to reporting requirements. His report also highlighted the variety of activities undertaken by the Secretariat during the year, through DDA, in collaboration with Governments and regional organizations, to enhance awareness of the Register and to encourage greater participation in it.

#### **Transparency of military expenditures**

In response to General Assembly resolution 58/28 [YUN 2003, p. 570], the Secretary-General, in a July report and later addendum, presented reports from 79 Member States on military expenditures for the latest fiscal year for which data were available [A/59/192 & Add.1]. The reporting instrument was that recommended by the Assembly in resolution 35/142 B [YUN 1980, p. 88].

The report also described activities undertaken by the Secretariat, through DDA, to promote the standardized instrument for reporting military expenditures, which included DDA's participation in a meeting of the OAS Committee on Hemispheric Security (Washington, D.C., 23 March); progress of reporting through that instrument and the UN Register of Conventional Arms was addressed. DDA, with the financial assistance of Sweden and the United Kingdom, or-

ganized a subregional workshop (Nairobi, Kenya, 18-20 May) covering the Horn of Africa and the Great Lakes region, which discussed the technical operation and procedures of both instruments.

The Assembly, in **decision 59/512** of 3 December, took note of the First Committee's report [A/59/451] on the reduction of military budgets.

### Verification

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/453], adopted **resolution 59/60** without vote [agenda item 59].

#### Verification in all its aspects, including the role of the United Nations in the field of verification

*The General Assembly,*

*Noting* the critical importance of and the vital contribution that has been made by effective verification measures in non-proliferation, arms limitation and disarmament agreements and other similar obligations,

*Reaffirming its support* for the sixteen principles of verification drawn up by the Disarmament Commission,

*Recalling* its resolutions 40/152 O of 16 December 1985, 41/86 Q of 4 December 1986, 42/42 F of 30 November 1987, 43/81 B of 7 December 1988, 45/65 of 4 December 1990, 47/45 of 9 December 1992, 48/68 of 16 December 1993, 50/61 of 12 December 1995, 52/31 of 9 December 1997, 54/46 of 1 December 1999 and 56/15 of 29 November 2001, as well as its decision 58/515 of 8 December 2003,

*Recalling also* the reports of the Secretary-General of 11 July 1986, 28 August 1990, 16 September 1992, 26 July 1993, 22 September 1995, 6 August 1997, 9 July 1999, 10 September 2001 and 10 July 2003, and the addenda thereto,

1. *Reaffirms* the critical importance of and the vital contribution that has been made by effective verification measures in non-proliferation, arms limitation and disarmament agreements and other similar obligations;

2. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on further views received from Member States;

3. *Also requests* the Secretary-General, with the assistance of a panel of government experts to be established in 2006 on the basis of equitable geographic distribution, to explore the question of verification in all its aspects, including the role of the United Nations in the field of verification, and to transmit the report of the panel of experts to the General Assembly for consideration at its sixty-first session;

4. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Verification in all its aspects, including the role of the United Nations in the field of verification".

## Anti-personnel mines

### 1997 Convention

The number of States parties to the Convention on the Prohibition of the Use, Stockpiling,

Production and Transfer of Anti-personnel Mines and on Their Destruction (Mine-Ban Convention or Ottawa Convention), which was adopted in 1997 [YUN 1997, p. 503] and entered into force in 1999 [YUN 1999, p. 498], totalled 144 as at 31 December. During the year, three States adhered to the Convention.

### Review Conference

In accordance with article 12 of the Mine-Ban Convention, which provided for a Review Conference five years after the Convention's entry into force, and as decided by the Fifth Meeting of the States Parties [YUN 2003, p. 571], the Convention's First Review Conference was convened (Nairobi, 29 November-3 December) [APLC/CONF/2004/5]. Participants reviewed the operation and status of the Convention and a plan of action to overcome challenges that remained in ending suffering caused by anti-personnel mines, among other issues.

The Conference's final report comprised five main parts, the first of which addressed organizational matters. The other parts contained the following outcome documents: "Review of the operation and status of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction: 1999-2004", which emphasized that although great progress had been made in ending the suffering caused by anti-personnel mines, much more needed to be done; "Ending the suffering caused by anti-personnel mines: Nairobi Action Plan 2005-2009", which urged States parties and all others who shared the States parties' aims to take steps to implement the action plan; "Towards a mine-free world: the 2004 Nairobi Declaration", which renewed the States parties' commitment to achieving a world free of anti-personnel mines, in which there were no more new victims; and a "Programme of meetings and related matters to facilitate implementation 2005-2009", which contained the Conference's decision to hold annually, until the Second Review Conference, a Meeting of the States parties. The Conference also decided to convene annually, until 2009, informal intersessional meetings of the Standing Committees in the first half of the year in Geneva; to convene the Second Review Conference in 2009; and to review, as warranted, decisions regarding their 2005-2009 programme of meetings. The Conference decided to hold the next Meeting of the States Parties in Croatia from 28 November to 2 December 2005, and meetings of the Standing Committees in June 2005. Documents before the Conference included information from Governments on the implementation of the Convention [APLC/CONF/

2004/MISC.3, 4, 8, 9] and national and regional perspectives on how to address the problems posed by anti-personnel mines [APLC/CONF/2004/MISC.5/Rev.1, 6, 7].

The Review Conference was preceded by two preparatory meetings, on 13 February [APLC/CONF/2004/PM.1/2] and on 28-29 June [APLC/CONF/2004/PM.2/2], which made and revised recommendations on the provisional agenda, programme of work, cost estimates and draft rules of procedure of the Conference, among other organizational matters.

**Communications.** The United States, on 17 March [CD/1730], announced a new policy of commitment to eliminate persistent landmines of all types from its arsenal. It would continue to develop non-persistent anti-personnel and anti-tank mines with self-destruct or self-deactivate capabilities. Reaffirming its position that it would not join the Mine-Ban Convention because it would require that needed military capability be given up, the United States said that the new policy markedly reduced the danger posed to civilians from unexploded landmines left behind after military conflicts.

On 6 February [CD/1727], Romania transmitted the report of a workshop it hosted (Bucharest, 2-3 February), which assessed progress and challenges in South-Eastern Europe to clear mined areas, assist victims, destroy stockpiled mines, establish national implementation measures, exchange information and generate resources in complying with the Mine-Ban Convention.

Other relevant conferences or workshops during the year took place in Dushanbe, Tajikistan (15-16 April) [A/58/773], on progress towards the Convention's aims in Central Asia, and in Kunming City, China (26-28 April) [A/58/812], on humanitarian mine/unexploded ordnance clearance technology and cooperation. In Vilnius, Lithuania (8-9 June) [A/58/861], a seminar was held on advancing the Convention in Northern and Eastern Europe, which took stock of the progress made and the challenges that remained in the pursuit of the Convention's aims.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459&Corr.1], adopted **resolution 59/84** by recorded vote (157-0-22) [agenda item 65 (v)].

#### **Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction**

*The General Assembly,*

*Recalling* its resolutions 54/54 B of 1 December 1999, 55/33 V of 20 November 2000, 56/24 M of

29 November 2001, 57/74 of 22 November 2002 and 58/53 of 8 December 2003,

*Reaffirming its determination* to put an end to the suffering and casualties caused by anti-personnel mines, which kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons and have other severe consequences for years after emplacement,

*Believing it necessary* to do the utmost to contribute in an efficient and coordinated manner to facing the challenge of removing anti-personnel mines placed throughout the world and to assure their destruction,

*Wishing* to do the utmost in ensuring assistance for the care and rehabilitation, including the social and economic reintegration, of mine victims,

*Welcoming* the entry into force, on 1 March 1999, of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, and noting with satisfaction the work undertaken to implement the Convention and the substantial progress made towards addressing the global landmine problem,

*Recalling* the first to fifth meetings of the States parties to the Convention held in Maputo (1999), Geneva (2000), Managua (2001), Geneva (2002) and Bangkok (2003), and the reaffirmation of a commitment to the total elimination of anti-personnel mines and to pursue, with renewed vigour, efforts to clear mined areas, assist victims, destroy stockpiled anti-personnel mines and promote universal adherence to the Convention,

*Recalling also* the preparatory process for the First Review Conference of the Convention, to be held in Nairobi from 29 November to 3 December 2004, and the two preparatory meetings held in Geneva on 13 February and on 28 and 29 June 2004 pursuant to the decisions of the Fifth Meeting of the States Parties,

*Welcoming* the regional seminars that have been held in different parts of the world during 2003 and 2004, which contributed to the exchange of information, experiences and best practices in mine action as well as to preparations for the First Review Conference, and recalling the efforts to enhance cooperation in the regional context and promote synergies between different regions,

*Noting with interest* the increased recognition of the need to integrate mine action into international and national development programmes and strategies, and, in this respect, welcoming the developments since the Fifth Meeting of the States Parties, including the meeting between the President of the Fifth Meeting of the States Parties and the President of the World Bank on 20 September 2004, which contributed to possible partnership between the mine action community and the World Bank,

*Noting with satisfaction* that additional States have ratified or acceded to the Convention, bringing the total number of States that have formally accepted the obligations of the Convention to one hundred and forty-three,

*Emphasizing* the desirability of attracting the adherence of all States to the Convention, and determined to work strenuously towards the promotion of its universalization,

*Noting with regret* that anti-personnel mines continue to be used in conflicts around the world, causing hu-

man suffering and impeding post-conflict development,

1. *Invites* all States that have not signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction to accede to it without delay;

2. *Urges* all States that have signed but not ratified the Convention to ratify it without delay;

3. *Stresses* the importance of the full and effective implementation of and compliance with the Convention;

4. *Urges* all States parties to provide the Secretary-General with complete and timely information as required under article 7 of the Convention in order to promote transparency and compliance with the Convention;

5. *Invites* all States that have not ratified the Convention or acceded to it to provide, on a voluntary basis, information to make global mine action efforts more effective;

6. *Renews its call upon* all States and other relevant parties to work together to promote, support and advance the care, rehabilitation and social and economic reintegration of mine victims, mine risk education programmes and the removal of anti-personnel mines and stockpiles throughout the world and the assurance of their destruction;

7. *Invites and encourages* all interested States, the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to attend the First Review Conference at the highest possible level and, pending a decision to be taken at the First Review Conference, to maintain the high level of participation in the subsequent meetings of the States parties, including their intersessional work programme;

8. *Requests* the Secretary-General to undertake the preparations necessary to convene the next meeting of the States parties, pending a decision to be taken at the First Review Conference, and to invite States not parties to the Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations to attend the meeting as observers;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

RECORDED VOTE ON RESOLUTION 59/84:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome

and Principe, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe.

*Against:* None.

*Abstaining:* Azerbaijan, China, Cuba, Egypt, India, Iran, Israel, Kazakhstan, Kyrgyzstan, Lebanon, Libyan Arab Jamahiriya, Marshall Islands, Micronesia, Myanmar, Pakistan, Palau, Republic of Korea, Russian Federation, Syrian Arab Republic, United States, Uzbekistan, Viet Nam.

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## Regional and other approaches to disarmament

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**Reports of Secretary-General.** Pursuant to General Assembly resolution 58/39 [YUN 2003, p. 578], the Secretary-General, in June [A/59/118], presented the views of 11 Member States (Argentina, El Salvador, Honduras, Lebanon, Mexico, New Zealand, Panama, Philippines, Qatar, Russian Federation, Venezuela) and the Holy See regarding conventional arms control at the regional and subregional levels.

The Secretary-General, in response to Assembly resolution 58/43 [YUN 2003, p. 578], submitted a July report with a later addendum [A/59/127 & Corr.1. & Add.1] containing the views of 11 Member States (China, India, Israel, Lebanon, Mexico, Nicaragua, Panama, Philippines, Poland, Qatar, Venezuela) and the Holy See on the possibilities of furthering efforts towards confidence-building measures in the regional and subregional context, particularly in regions of tension.

### Africa

In 2004, African States, through the African Union (AU) and subregional organizations, continued efforts to combat small arms proliferation on the continent, particularly within the framework of implementing the 2001 Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects [YUN 2001, p. 499]. The Second Extraordinary Session of the AU Assembly (Sirte, Libyan Arab Jamahiriya, 28 February) adopted the Common African Defence and Security Policy, which identified the illicit proliferation, circulation and trafficking in small arms and light weapons as one of the factors threatening continental security and called for coordinated action in addressing it. Efforts were made during the year to operationalize the AU Peace and Security Council, designed to foster coordinated continental cooperation in responding to threats to security, including the small arms scourge.

On the subregional level, member States of the Economic Community of West African States (ECOWAS) maintained efforts to implement their 1998 Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa [YUN 1998, p. 537], which was renewed in 2001 [YUN 2001, p. 511]. They began the process of transforming the Moratorium into a convention and circulated a draft text entitled "Protocol Regarding the Fight against the Proliferation of Small Arms and Light Weapons, Their Munitions and Other Related Material". An ECOWAS conference on combating illicit small arms brokering and trafficking (Abuja, Nigeria, 22-24 March) reinforced the call for a convention to stem the flow of those weapons in West Africa and to address loopholes in the ECOWAS Moratorium, particularly regarding brokering controls. At the Second Ministerial Review Conference (Nairobi, 20-21 April) of the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa [YUN 2000, p. 518], Ministers signed the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa. The Protocol was designed to prevent, combat and eradicate the illicit manufacture, possession and use of those weapons in the subregion, among other objectives, and participating States pledged to ratify it by year's end. A seminar on developing West African and international arms control (Dakar, Senegal, 19-23 July), organized by Oxfam and supported by the UN Regional Centre for Peace and Disarmament in Africa (see p. 585), considered ways of raising awareness of initiatives to advance recommendations contained in the 2001 Programme of Action. ECOWAS member States adopted a successor project document to the Programme for Coordination and Assistance on Security and Development in Africa, a mechanism charged with assisting in the Moratorium's implementation. In Southern Africa, a joint ministerial meeting of the Southern African Development Community (SADC) and the EU (Netherlands, 20 October) agreed to strengthen bilateral collaboration in subregional security, including peace support, peacekeeping training, post-conflict reconstruction, demining and small arms and light weapons. On 8 November, the Protocol on the Control of Firearms, Ammunition and Other Related Materials, which SADC adopted in 2001, entered into force, enhancing subregional efforts to address the influx of small arms and light weapons into the region.

### Standing Advisory Committee

In response to General Assembly resolution 58/65 [YUN 2003, p. 574], the Secretary-General, in July [A/59/182], described the activities of the Standing Advisory Committee on Security Questions in Central Africa, which remained the only forum for States members of the Economic Community of Central African States (ECCAS) to meet regularly to examine political and security developments in the subregion. However, despite the establishment of the Council for Peace and Security in Central Africa (COPAX) [YUN 1999, p. 500], the Council, designed to prevent, manage and settle subregional conflicts, had yet to meet on relevant developments. As the Central African region was facing new security challenges requiring a collective and robust involvement of the regional States, the Secretary-General said it was imperative for COPAX to become operational, particularly its early warning mechanism. That demanded the commitment of ECCAS member States and international cooperation and support. The United Nations remained determined to assist the subregion's efforts in promoting confidence- and security-building measures.

At its twenty-first ministerial meeting (Malabo, Equatorial Guinea, 21-25 June) [A/59/154-S/2004/576], the Standing Advisory Committee reviewed the geopolitical and security situation in some of its member States and cooperation between the United Nations and ECCAS. It assessed its own work, with a view to becoming more responsive to the needs of the Central African region. The Committee condemned attempts to forcibly overthrow the democratically elected Governments of Chad and Equatorial Guinea, and, reflecting on the magnitude of mercenary activities in that context, decided to consider the issue of mercenaries at its twenty-second (2005) ministerial meeting.

### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/460], adopted **resolution 59/96** without vote [agenda item 66 (*h*)].

### Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa

*The General Assembly,*

*Bearing in mind* the purposes and principles of the United Nations and its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations,

*Recalling* its resolutions 43/78 H and 43/85 of 7 December 1988, 44/21 of 15 November 1989, 45/58 M of 4 December 1990, 46/37 B of 6 December 1991, 47/53 F of 15 December 1992, 48/76 A of 16 December 1993, 49/76 C of 15 December 1994, 50/71 B of 12 De-

ember 1995, 51/46 C of 10 December 1996, 52/39 B of 9 December 1997, 53/78 A of 4 December 1998, 54/55 A of 1 December 1999, 55/34 B of 20 November 2000, 56/25 A of 29 November 2001, 57/88 of 22 November 2002 and 58/65 of 8 December 2003,

*Considering* the importance and effectiveness of confidence-building measures taken at the initiative and with the participation of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability and to international peace and security,

*Convinced* that the resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

*Recalling* the guidelines for general and complete disarmament adopted at its tenth special session, the first special session devoted to disarmament,

*Convinced* that development can be achieved only in a climate of peace, security and mutual confidence both within and among States,

*Bearing in mind* the establishment by the Secretary-General on 28 May 1992 of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the purpose of which is to encourage arms limitation, disarmament, non-proliferation and development in the subregion,

*Recalling* the Brazzaville Declaration on Cooperation for Peace and Security in Central Africa, the Bata Declaration for the Promotion of Lasting Democracy, Peace and Development in Central Africa and the Yaoundé Declaration on Peace, Security and Stability in Central Africa,

*Bearing in mind* resolutions 1196(1998) and 1197(1998), adopted by the Security Council on 16 and 18 September 1998 respectively, following its consideration of the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa,

*Emphasizing* the need to strengthen the capacity for conflict prevention and peacekeeping in Africa,

*Recalling* the decision of the fourth ministerial meeting of the Standing Advisory Committee in favour of establishing, under the auspices of the Office of the United Nations High Commissioner for Human Rights, a subregional centre for human rights and democracy in Central Africa at Yaoundé,

1. *Takes note* of the report of the Secretary-General on regional confidence-building measures, which deals with the activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa in the period since the adoption by the General Assembly of resolution 58/65;

2. *Reaffirms its support* for efforts aimed at promoting confidence-building measures at the regional and subregional levels in order to ease tensions and conflicts in Central Africa and to further peace, stability and sustainable development in the subregion;

3. *Also reaffirms its support* for the programme of work of the Standing Advisory Committee adopted at the organizational meeting of the Committee, held at Yaoundé from 27 to 31 July 1992;

4. *Notes with satisfaction* the progress made by the States members of the Standing Advisory Committee in implementing the programme of activities for the

period 2003-2004, in particular by holding the twenty-first ministerial meeting of the Standing Advisory Committee in Malabo from 21 to 25 June 2004;

5. *Emphasizes* the importance of providing the States members of the Standing Advisory Committee with the essential support they need to carry out the full programme of activities which they adopted at their ministerial meetings;

6. *Welcomes* the creation of a mechanism for the promotion, maintenance and consolidation of peace and security in Central Africa, known as the Council for Peace and Security in Central Africa, by the Conference of Heads of State and Government of the member countries of the Economic Community of Central African States, held at Yaoundé on 25 February 1999, and requests the Secretary-General to give his full support to the effective realization of that important mechanism;

7. *Emphasizes* the need to make the early warning mechanism in Central Africa operational so that it will serve, on the one hand, as an instrument for analysing and monitoring political situations in the States members of the Standing Advisory Committee with a view to preventing the outbreak of future armed conflicts and, on the other hand, as a technical body through which the member States will carry out the programme of work of the Committee, adopted at its organizational meeting held at Yaoundé in 1992, and requests the Secretary-General to provide it with the assistance necessary for it to function properly;

8. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide their full assistance for the proper functioning of the Subregional Centre for Human Rights and Democracy in Central Africa;

9. *Requests* the Secretary-General, pursuant to Security Council resolution 1197(1998), to provide the States members of the Standing Advisory Committee with the necessary support for the implementation and smooth functioning of the Council for Peace and Security in Central Africa and the early warning mechanism;

10. *Also requests* the Secretary-General to support the establishment of a network of parliamentarians with a view to the creation of a subregional parliament in Central Africa;

11. *Requests* the Secretary-General and the United Nations High Commissioner for Refugees to continue to provide increased assistance to the countries of Central Africa for coping with the problems of refugees and displaced persons in their territories;

12. *Thanks* the Secretary-General for having established the Trust Fund for the United Nations Standing Advisory Committee on Security Questions in Central Africa;

13. *Appeals* to Member States and to governmental and non-governmental organizations to make additional voluntary contributions to the Trust Fund for the implementation of the programme of work of the Standing Advisory Committee;

14. *Thanks* the Secretary-General for sending a multidisciplinary mission from 8 to 22 June 2003 for the purpose of undertaking an assessment of the priority needs of the region and challenges confronting it in the areas of peace, security, economic development, human rights, HIV/AIDS and humanitarian questions;

15. *Requests* the Secretary-General to continue to provide the States members of the Standing Advisory Committee with assistance to ensure that they are able to carry on their efforts;

16. *Also requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

17. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa".

### Asia and the Pacific

In 2004, disarmament and non-proliferation issues in Asia and the Pacific were addressed by the regional States through national initiatives and the frameworks of subregional organizations, notably the Association of Southeast Asian Nations, its Regional Forum (ARF) and the Shanghai Cooperation Organization (SCO) (China, Kazakhstan, Kyrgyzstan, Russian Federation, Tajikistan, Uzbekistan). SCO, founded in 2001 to address mutual concerns, including regional security, at its fourth summit (Tashkent, Uzbekistan, 17 June), adopted the Tashkent Declaration, in which the member States, expressing concern over rising terrorism and extremism, affirmed their readiness to construct a new security architecture to counter global and regional security threats through cooperation with other States and international mechanisms, primarily the United Nations. The eleventh ARF Ministerial Meeting (Jakarta, Indonesia, 2 July) underlined the importance of close collaboration among member States in efforts to prevent the proliferation of WMDs and the need to eliminate small arms trafficking, particularly to non-State actors.

### Europe

During the year, security and disarmament issues were addressed within several European institutional frameworks. The Organization for Security and Cooperation in Europe adopted decisions to enhance the control of small arms, light weapons and other conventional arms exports. It helped members combat trafficking of small arms and light weapons through border management assistance and began projects to assist countries in destroying excess weapons and improving stockpile security. The EU pursued conventional disarmament and arms control through the implementation of its 1998 Code of Conduct on Arms Exports [YUN 1998, p. 540], which was expanded by the admission of 10 additional States to EU membership. The South-Eastern Europe

Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), established in 2002 [YUN 2002, p. 534], provided regional States with operational and technical assistance for control and reduction of those weapons. A conference on countering trafficking in those weapons in the Black Sea subregion (Chisinau, Moldova, 4-5 March), organized jointly by SEESAC, Moldova, the Netherlands and Switzerland, discussed measures for small arms control in the region and explored cross-border cooperation to curb related threats. In April, SEESAC, in collaboration with the Regional Arms Control Verification and Implementation Assistance Centre, held a training course for civil society on the monitoring, collection and destruction of small arms and light weapons. A similar SEESAC initiative during the year trained journalists in the subregion on small arms and light weapons reporting, and at the second Regional Arms Law Roundtable (Belgrade, Serbia and Montenegro, 25-26 May), Ministers from eight States discussed legislative developments on small arms and light weapons. The heads of State and Government of member States of the NATO (Istanbul, Turkey, 28-29 June) adopted the "Istanbul Declaration: Our security in a new era" and a summit communiqué, by which they renewed commitment to collective defence in addressing security challenges, particularly terrorism (see p. 576) and the proliferation of WMDs. They launched a Partnership Action Plan on Defence Institution Building to support partners in building democratically responsible defence institutions. The NATO Verification Coordinating Committee, at its annual seminar on the implementation of conventional arms control agreements (Brussels, Belgium, 6-8 October), discussed the practical aspects of the ongoing implementation of the 1990 Treaty on Conventional Armed Forces in Europe [YUN 1990, p. 79], considered the cornerstone of European security.

### Latin America

The Organization of American States (OAS) maintained its involvement in regional disarmament and non-proliferation initiatives. At the Special Summit of the Americas (Monterrey, Mexico, 12-13 January), 34 heads of State and Government adopted the Declaration of Nuevo León, by which they resolved to work together to address common needs and challenges, including new security threats, such as terrorism, organized crime and trafficking in arms. The thirty-fourth regular session of the OAS General Assembly (Quito, Ecuador, 6-8 June) adopted resolutions relating to disarmament and non-proliferation. The First Conference of the States

Parties (Bogotá, Colombia, 8-9 March) to the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials [YUN 1997, p. 519] adopted the Declaration of Bogotá on the Convention's functioning and application, in which they agreed to exchange relevant information and experiences. A seminar organized by the OAS General Secretariat, the Inter-American Defense College and Nicaragua (Managua, Nicaragua, 12-13 May) considered the identification, collection, stockpile management and destruction of small arms and light weapons. Also during the year, the Sixth Conference of Ministers of Defense of the Americas (Quito, 16-21 November) issued a declaration reaffirming commitment to disarmament agreements and expressing support for the establishment of national controls for exporting and importing materials that could contribute to the production of WMDs.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/89** without vote [agenda item 65 (i)].

#### Regional disarmament

*The General Assembly,*

*Recalling* its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992, 48/75 I of 16 December 1993, 49/75 N of 15 December 1994, 50/70 K of 12 December 1995, 51/45 K of 10 December 1996, 52/38 P of 9 December 1997, 53/77 O of 4 December 1998, 54/54 N of 1 December 1999, 55/33 O of 20 November 2000, 56/24 H of 29 November 2001, 57/76 of 22 November 2002 and 58/38 of 8 December 2003 on regional disarmament,

*Believing* that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

*Affirming* the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

*Noting* that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,

*Taking note* of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session,

*Welcoming* the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two superpowers,

*Taking note* of the recent proposals for disarmament at the regional and subregional levels,

*Recognizing* the importance of confidence-building measures for regional and international peace and security,

*Convinced* that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of all States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at the regional and subregional levels;

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at the regional and subregional levels to ease regional tensions and to further disarmament and nuclear non-proliferation measures at the regional and subregional levels;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Regional disarmament".

Also on 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/88** by recorded vote (178-1-1) [agenda item 65 (j)].

#### Conventional arms control at the regional and subregional levels

*The General Assembly,*

*Recalling* its resolutions 48/75 J of 16 December 1993, 49/75 O of 15 December 1994, 50/70 L of 12 December 1995, 51/45 Q of 10 December 1996, 52/38 Q of 9 December 1997, 53/77 P of 4 December 1998, 54/54 M of 1 December 1999, 55/33 P of 20 November 2000, 56/24 I of 29 November 2001, 57/77 of 22 November 2002 and 58/39 of 8 December 2003,

*Recognizing* the crucial role of conventional arms control in promoting regional and international peace and security,

*Convinced* that conventional arms control needs to be pursued primarily in the regional and subregional contexts, since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

*Aware* that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

*Desirous* of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

*Noting with particular interest* the initiatives taken in this regard in different regions of the world, in particular the commencement of consultations among a number of Latin American countries and the proposals for conventional arms control made in the context of South Asia, and recognizing, in the context of this subject, the relevance and value of the Treaty on Conventional Armed Forces in Europe, which is a cornerstone of European security,

*Believing* that militarily significant States and States with larger military capabilities have a special responsibility in promoting such agreements for regional security,

*Believing also* that an important objective of conventional arms control in regions of tension should be to prevent the possibility of military attack launched by surprise and to avoid aggression,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Requests* the Secretary-General, in the meantime, to seek the views of Member States on the subject and to submit a report to the General Assembly at its sixtieth session;

4. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Conventional arms control at the regional and subregional levels".

RECORDED VOTE ON RESOLUTION 59/88:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia, Zimbabwe.

*Against:* India

*Abstaining:* Bhutan.

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/87** without vote [agenda item 65 (m)].

### Confidence-building measures in the regional and subregional context

*The General Assembly,*

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

*Recalling* its resolution 58/43 of 8 December 2003,

*Recalling also* its resolution 57/337 of 3 July 2003, entitled "Prevention of armed conflict", in which it called upon Member States to settle their disputes by peaceful means, as set out in Chapter VI of the Charter, inter alia, by any procedures adopted by the parties,

*Recalling further* the resolutions and guidelines adopted by consensus by the General Assembly and the Disarmament Commission relating to confidence-building measures and their implementation at the global, regional and subregional levels,

*Considering* the importance and effectiveness of confidence-building measures taken at the initiative and with the agreement of all States concerned and taking into account the specific characteristics of each region, since such measures can contribute to regional stability,

*Convinced* that resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

*Recognizing* the need for meaningful dialogue among States concerned to avert conflict,

*Welcoming* the peace processes already initiated by States concerned to resolve their disputes through peaceful means bilaterally or through mediation, inter alia, by third parties, regional organizations or the United Nations,

*Recognizing* that States in some regions have already taken steps towards confidence-building measures at the bilateral, subregional and regional levels in the political and military fields, including arms control and disarmament, and noting that such confidence-building measures have improved peace and security in those regions and contributed to progress in the socio-economic conditions of their people,

*Concerned* that the continuation of disputes among States, particularly in the absence of an effective mechanism to resolve them through peaceful means, may contribute to the arms race and endanger the maintenance of international peace and security and the efforts of the international community to promote arms control and disarmament,

1. *Calls upon* Member States to refrain from the use or threat of use of force, in accordance with the purposes and principles of the Charter of the United Nations;

2. *Reaffirms its commitment* to the peaceful settlement of disputes under Chapter VI of the Charter, in particular Article 33, which provides for a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means chosen by the parties;

3. *Reaffirms* the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session;

4. *Calls upon* Member States to pursue those ways and means through sustained consultations and dia-

logue, while at the same time avoiding actions which may hinder or impair such a dialogue;

5. *Urges* States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements, to which they are party;

6. *Emphasizes* that the objective of confidence-building measures should be to help to strengthen international peace and security and be consistent with the principle of undiminished security at the lowest level of armament;

7. *Encourages* the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities;

8. *Requests* the Secretary-General to submit a report to the General Assembly at its sixtieth session containing the views of Member States on confidence-building measures in the regional and subregional context;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Confidence-building measures in the regional and subregional context".

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## Other disarmament issues

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### Terrorism

In 2004, the United Nations continued to develop and promote global action to combat international terrorism in collaboration with Member States and international, regional and subregional organizations. In a January report [S/2004/70], the Counter-Terrorism Committee, established by Security Council resolution 1373 (2001) [YUN 2001, p. 61], described States' difficulties in implementing that resolution, which dealt with threats to international peace and security through terrorist acts. In particular, the report covered the financing of terrorism, the competence of courts to deal with those threats, ratification of related international conventions without enforcement measures, links between terrorism and organized crime, and links between terrorism and the illegal movement of nuclear, chemical, biological and other potentially deadly materials. In general, the Committee found that implementation of resolution 1373(2001) was facing serious difficulties. In April, the Council, in resolution 1540(2004) on the non-proliferation of WMDs (see p. 544), expressed grave concern about the risk that non-State actors might acquire, develop, traffic in or use WMDs. In October, by resolution 1566(2004) (see p. 74), the Council called for strengthened international cooperation in the fight against terrorism and established a working group to recommend practical measures against those involved with terrorist activities. The General Assembly, in resolution

59/80 (see p. 577), urged Member States to strengthen national measures to prevent terrorists from acquiring WMDs. Progress was maintained during the year in the work of the Ad Hoc Committee established by Assembly resolution 51/210 [YUN 1996, p. 1208] to elaborate international conventions for the suppression of terrorist bombings and nuclear terrorism (see p. 1310). The Advisory Board on Disarmament Matters (see p. 583) recommended that State action to combat terrorism by WMDs, including preventive action, be embedded in a multilateral legal framework within the ambit of the United Nations [A/59/361].

IAEA continued work on its action plan for nuclear security to enhance its capacity and that of Member States to respond to terrorist acts involving nuclear and other radiological materials. In September [GC(48)/RES/11], the IAEA General Conference, in a resolution on protection measures against such acts, appealed to States that had not done so to accede to the Convention on the Physical Protection of Nuclear Material [YUN 1980, p. 161], and to apply the related protection objectives endorsed by the IAEA Board of Governors. The Conference had before it a report of the Director General on nuclear security: measures to protect against nuclear terrorism [GOV/2004/50-GC(48)/6], which described IAEA action on protection against nuclear and radiological terrorism.

**Report of Secretary-General.** Pursuant to General Assembly resolution 58/48 [YUN 2003, p. 580], the Secretary-General, in a July report with a later addendum [A/59/156 & Add.1], presented the views of eight Member States and 10 international organizations, including UN agencies, on measures they had taken to prevent terrorists from acquiring WMDs.

**Report of High-level Panel.** In a December report [A/59/565 & Corr.1], the High-level Panel on Threats, Challenges and Change, a group of eminent persons established to assess threats to international peace and security and to recommend ways of strengthening the UN collective security capacity, described the threats that terrorism posed (see p. 71). In the Panel's view, meeting the prevention challenge called for a comprehensive strategy that incorporated more than coercive measures, better counter-terrorism instruments, assistance to States in confronting the terrorist threat and a consensus definition of terrorism within the General Assembly so that it could complete a comprehensive convention on terrorism.

**Communications.** The Ministers of States members of the Non-Aligned Movement, at its Fourteenth Ministerial Conference (Durban, 17-19 August), emphasized that terrorism could not be attributed to religion, race, nationality or civi-

lization, and condemned international terrorism in all its forms as a criminal act. At the same time, they rejected attempts to equate terrorism with the legitimate struggle of peoples under colonial or alien domination and foreign occupation for self-determination and national liberation.

Similar beliefs were expressed by the Foreign Ministers of States members of the Organization of the Islamic Conference (New York, 28 September) [A/59/425-S/2004/808].

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/80** without vote [agenda item 65].

#### **Measures to prevent terrorists from acquiring weapons of mass destruction**

*The General Assembly,*

*Recalling* its resolution 58/48 of 8 December 2003,

*Recognizing* the determination of the international community to combat terrorism, as evident in relevant General Assembly and Security Council resolutions,

*Deeply concerned* by the growing risk of linkages between terrorism and weapons of mass destruction, and in particular by the fact that terrorists may seek to acquire weapons of mass destruction,

*Taking note* of Security Council resolution 1540 (2004) on the non-proliferation of weapons of mass destruction, adopted on 28 April 2004,

*Noting* the support expressed in the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, which was held in Kuala Lumpur from 20 to 25 February 2003, and in the Final Document of the Fourteenth Ministerial Conference of the Movement of Non-Aligned Countries, which was held in Durban, South Africa, from 17 to 19 August 2004, for measures to prevent terrorists from acquiring weapons of mass destruction,

*Noting also* that the Group of Eight, the European Union, the Regional Forum of the Association of Southeast Asian Nations and others have taken into account in their deliberations the dangers posed by the acquisition by terrorists of weapons of mass destruction, and the need for international cooperation in combating it,

*Acknowledging* the consideration of issues relating to terrorism and weapons of mass destruction by the Advisory Board on Disarmament Matters,

*Taking note* of resolution GC(48)/RES/11, adopted on 24 September 2004 by the General Conference of the International Atomic Energy Agency at its forty-eighth regular session, and the setting up of an Advisory Group on Security in the Agency to advise the Director General on the Agency's activities relating to nuclear security,

*Taking note also* of the report of the Policy Working Group on the United Nations and Terrorism,

*Taking note further* of the report of the Secretary-General, submitted pursuant to paragraphs 2 and 4 of resolution 58/48,

*Mindful* of the urgent need for addressing, within the United Nations framework and through international cooperation, this threat to humanity,

*Emphasizing* that progress is urgently needed in the area of disarmament and non-proliferation in order to help to maintain international peace and security and to contribute to global efforts against terrorism,

1. *Calls upon* all Member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery;

2. *Urges* all Member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture, and invites them to inform the Secretary-General, on a voluntary basis, of the measures taken in this regard;

3. *Encourages* cooperation among and between Member States and relevant regional and international organizations for strengthening national capacities in this regard;

4. *Requests* the Secretary-General to compile a report on measures already taken by international organizations on issues relating to the linkage between the fight against terrorism and the proliferation of weapons of mass destruction, to seek the views of Member States on additional relevant measures for tackling the global threat posed by the acquisition by terrorists of weapons of mass destruction, and to report to the General Assembly at its sixtieth session;

5. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Measures to prevent terrorists from acquiring weapons of mass destruction".

#### **New types of weapons of mass destruction**

In 2004, the persisting lack of consensus over an overall programme of work again prevented the Conference on Disarmament [A/59/27] from establishing an ad hoc committee to address the agenda item "New types of weapons of mass destruction and new systems of such weapons; radiological weapons".

#### **Prevention of an arms race in outer space**

During the year, the Conference on Disarmament was unable to establish a subsidiary body to deal with the issue of the prevention of an arms race in outer space, owing to the continuing deadlock on a programme of work. Delegates, nonetheless, devoted a plenary meeting to discussion of the item. China and the Russian Federation, as they had done in 2002 [YUN 2002, p. 540] and 2003 [YUN 2003, p. 582], collaborated on working papers on the issue, and, in 2004, circulated two informal papers, one on the verification aspects of the prevention of an arms race in outer

space, and the other on existing international legal instruments and prevention of the weaponization of outer space. While the majority of delegations supported the re-establishment of an ad hoc committee to address the item, others countered that there was first a need to avoid an arms race on the ground. Delegates remained deadlocked on how to deal with the issue.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/458], adopted **resolution 59/65** by recorded vote (178-0-4) [agenda item 64].

#### Prevention of an arms race in outer space

*The General Assembly,*

*Recognizing* the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

*Reaffirming* the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development,

*Reaffirming also* the provisions of articles III and IV 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,

*Recalling* the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

*Reaffirming* paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly, in which it is stated that in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

*Recalling* its previous resolutions on this issue, and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

*Recognizing* that prevention of an arms race in outer space would avert a grave danger for international peace and security,

*Emphasizing* the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

*Considering* that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

*Noting* that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an

arms race in outer space, and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

*Noting also* that there were no objections in principle in the Conference on Disarmament to the re-establishment of the Ad Hoc Committee, subject to re-examination of the mandate contained in the decision of the Conference on Disarmament of 13 February 1992,

*Emphasizing* the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

*Convinced* that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

*Stressing* that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

*Recalling*, in this context, its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, inter alia, it reaffirmed the importance of confidence-building measures as a means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

*Conscious* of the benefits of confidence- and security-building measures in the military field,

*Recognizing* that negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Ad Hoc Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective, in conformity with 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;

2. *Reaffirms its recognition*, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space does not in and of itself guarantee the prevention of an arms race in outer space, that the regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness and that it is important to comply strictly with existing agreements, both bilateral and multilateral;

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Invites* the Conference on Disarmament to complete the examination and updating of the mandate contained in its decision of 13 February 1992 and to establish an ad hoc committee as early as possible during its 2005 session;

7. *Recognizes*, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

8. *Urges* States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral and multilateral negotiations on the matter, if any, so as to facilitate its work;

9. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "Prevention of an arms race in outer space".

RECORDED VOTE ON RESOLUTION 59/65:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* None.

*Abstaining:* Haiti, Israel, Palau, United States.

### Seabed Treaty

Pursuant to General Assembly resolution 44/116 O [YUN 1989, p. 81], the Secretary-General, in a June report with a later addendum [A/59/117 & Add.1], presented the replies of four Governments in response to his request for information on technological developments relevant to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof, adopted by the Assembly in resolution 2660(XXV) [YUN 1970, p. 18],

and to the verification of compliance with the Treaty.

### Disarmament and development

In 2004, disagreement persisted over the question of the relationship between disarmament and development. While the majority of Member States, mostly non-aligned countries, continued to call for the implementation of the action programme adopted by the 1987 International Conference that examined the relationship in all its aspects [YUN 1987, p. 82], a number of other States, including the United States and EU members, maintained the argument that there was no automatic link between the two concepts.

**Expert group.** By a June note [A/59/119], the Secretary-General transmitted the report of the Group of Governmental Experts he had established as requested by the General Assembly in resolution 57/65 [YUN 2002, p. 542], charged to review the relationship between disarmament and development in the current international context. Taking into account major international changes since the 1987 Conference, the report addressed the pivotal role of security, the costs and consequences of military expenditure, the release of resources for development, the importance of multilateralism and the role of the United Nations and other international organizations. The experts determined that disarmament and development were two distinct, yet mutually reinforcing processes that were linked by security in all its aspects. They reaffirmed the finding of the 1987 Conference that progress in one area could create a conducive environment for the other. The Group recommended that the Secretary-General strengthen the high-level Steering Group on Disarmament and Development [YUN 1999, p. 506] in order that relevant departments and agencies could share best practices and increase cooperation. Other recommendations advocated meeting disarmament and development commitments; assessing Member States' security needs; mainstreaming the disarmament and development relationship and increasing awareness of it; facilitating research and dialogue on issues relating to the relationship between disarmament, development and security; promoting security through openness, transparency and confidence; converting and destroying surplus weapons; and preventing conflict and promoting peace.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Com-

mittee [A/59/459 & Corr.1], adopted **resolution 59/78** by recorded vote (180-2-2) [agenda item 65 (e)].

#### **Relationship between disarmament and development**

*The General Assembly,*

Recalling that the Charter of the United Nations envisages the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources,

Recalling also the provisions of the Final Document of the Tenth Special Session of the General Assembly concerning the relationship between disarmament and development, as well as the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,

Recalling further its resolutions 49/75 J of 15 December 1994, 50/70 G of 12 December 1995, 51/45 D of 10 December 1996, 52/38 D of 9 December 1997, 53/77 K of 4 December 1998, 54/54 T of 1 December 1999, 55/33 L of 20 November 2000, 56/24 E of 29 November 2001 and 57/65 of 22 November 2002, and its decision 58/520 of 8 December 2003,

Bearing in mind the Final Document of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held in Durban, South Africa, from 29 August to 3 September 1998, and the Final Document of the Thirteenth Ministerial Conference of the Movement of Non-Aligned Countries, held in Cartagena, Colombia, on 8 and 9 April 2000,

Mindful of the changes in international relations that have taken place since the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development, including the development agenda that has emerged over the past decade,

Bearing in mind the new challenges for the international community in the field of development, poverty eradication and the elimination of the diseases that afflict humanity,

Stressing the importance of the symbiotic relationship between disarmament and development and the important role of security in this connection, and concerned at increasing global military expenditure, which could otherwise be spent on development needs,

1. Welcomes the report of the Group of Governmental Experts on the relationship between disarmament and development and its reappraisal of this significant issue in the current international context;

2. Stresses the central role of the United Nations in the disarmament-development relationship, and requests the Secretary-General to strengthen further the role of the Organization in this field, in particular the high-level Steering Group on Disarmament and Development, in order to assure continued and effective coordination and close cooperation between the relevant United Nations departments, agencies and sub-agencies;

3. Requests the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the 1987 International Conference on the Relationship between Disarmament and Development;

4. Urges the international community to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever widening gap between developed and developing countries;

5. Encourages the international community to achieve the Millennium Development Goals and to make reference to the contribution that disarmament could provide in meeting them when it reviews its progress towards this purpose in 2005, as well as to make greater efforts to integrate disarmament, humanitarian and development activities;

6. Encourages the relevant regional and subregional organizations and institutions, non-governmental organizations and research institutes to incorporate issues related to the relationship between disarmament and development in their agendas and, in this regard, to take into account the report of the Group of Governmental Experts;

7. Requests the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

8. Decides to include in the provisional agenda of its sixtieth session the item entitled "Relationship between disarmament and development".

#### RECORDED VOTE ON RESOLUTION 59/78:

*In favour:* Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:* Palau, United States.

*Abstaining:* France, Israel.

#### **Arms limitation and disarmament agreements**

The Secretary-General, in response to General Assembly resolution 58/45 [YUN 2003, p. 584], submitted a July report with later addendum [A/59/129 & Add.1] containing information from five Member States on measures they had taken to ensure the application of scientific and technological progress in the context of international

security, disarmament and related areas, without detriment to the environment or to its contribution to attaining sustainable development.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/68** by recorded vote (175-2-3) [agenda item 65 (o)].

#### Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

*The General Assembly,*

Recalling its resolutions 50/70 M of 12 December 1995, 51/45 E of 10 December 1996, 52/38 E of 9 December 1997, 53/77 J of 4 December 1998, 54/54 S of 1 December 1999, 55/33 K of 20 November 2000, 56/24 F of 29 November 2001, 57/64 of 22 November 2002 and 58/45 of 8 December 2003,

Emphasizing the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements,

Recognizing that it is necessary to take duly into account the agreements adopted at the United Nations Conference on Environment and Development, as well as prior relevant agreements, in the drafting and implementation of agreements on disarmament and arms limitation,

Taking note of the report of the Secretary-General,

Mindful of the detrimental environmental effects of the use of nuclear weapons,

1. Reaffirms that international disarmament forums should take fully into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation and that all States, through their actions, should contribute fully to ensuring compliance with the aforementioned norms in the implementation of treaties and conventions to which they are parties;

2. Calls upon States to adopt unilateral, bilateral, regional and multilateral measures so as to contribute to ensuring the application of scientific and technological progress within the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development;

3. Welcomes the information provided by Member States on the implementation of the measures they have adopted to promote the objectives envisaged in the present resolution;

4. Invites all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the present resolution, and requests the Secretary-General to submit a report containing this information to the General Assembly at its sixtieth session;

5. Decides to include in the provisional agenda of its sixtieth session the item entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control".

RECORDED VOTE ON RESOLUTION 59/68:

In favour: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas,

Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Palau, United States.

Abstaining: France, Israel, United Kingdom.

## Studies, information and training

### Disarmament studies programme

As requested by the General Assembly in resolution 57/60 [YUN 2002, p. 545], the Secretary-General, in a July report with later addenda [A/59/178 & Add.1,2], provided information on the implementation of the recommendations contained in the 2002 report [YUN 2002, p. 544] of the Group of Governmental Experts established by the Assembly in resolution 55/33 E [YUN 2000, p. 535] to undertake a study on disarmament and non-proliferation education. The 2004 report included information provided by seven Member States, six UN bodies and other international organizations and seven NGOs on their activities to promote disarmament and non-proliferation education related to the 34 recommendations contained in the Group's report. The Secretary-General concluded that in the two years since the study's publication, international developments, relating especially to war and WMDs, had opened up opportunities for discussions and lessons that could enrich the knowledge of those dealing with the issue, and the need for teacher-training and curriculum development in the field was great. The study helped to advance disarmament education and training in non-proliferation among Member States and encouraged partnerships between Governments and NGOs, especially academic institutions. It also enhanced information exchange and project collaboration within the UN system and spurred on partnerships be-

tween the Organization and non-proliferation educators. Unfortunately, the funding environment for education in that area had not been positive.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/459 & Corr.1], adopted **resolution 59/93** without vote [agenda item 65 (c)].

#### United Nations study on disarmament and non-proliferation education

*The General Assembly,*

*Recalling* its resolution 55/33 E of 20 November 2000 and 57/60 of 22 November 2002,

*Welcoming* the report of the Secretary-General on disarmament and non-proliferation education, in which the Secretary-General reported on the implementation of the recommendations contained in the United Nations study on disarmament and non-proliferation education,

*Desirous* of stressing the urgency of promoting concerted international efforts at disarmament and non-proliferation, in particular in the field of nuclear disarmament and non-proliferation, with a view to strengthening international security and enhancing sustainable economic and social development,

*Conscious* of the need to combat the negative effects of cultures of violence and complacency in the face of current dangers in this field through long-term programmes of education and training,

*Remaining convinced* that the need for disarmament and non-proliferation education has never been greater, especially on the subject of weapons of mass destruction, but also in the field of small arms and light weapons, terrorism and other challenges to international security and the process of disarmament, as well as on the relevance of implementing the recommendations contained in the United Nations study,

*Recognizing* the importance of the role of civil society, including non-governmental organizations, in the promotion of disarmament and non-proliferation education,

1. *Expresses its appreciation* to the Member States, the United Nations and other international and regional organizations, civil society and non-governmental organizations, which, within their purview, implemented the recommendations made in the United Nations study, as discussed in the report of the Secretary-General reviewing the implementation of the recommendations;

2. *Conveys once again* those recommendations to Member States, the United Nations and other international and regional organizations, civil society and non-governmental organizations, and encourages them to report to the Secretary-General on steps taken to implement them;

3. *Requests* the Secretary-General to prepare a report reviewing the results of the implementation of the recommendations and possible new opportunities for promoting disarmament and non-proliferation education, and to submit it to the General Assembly at its sixty-first session;

4. *Also requests* the Secretary-General to utilize electronic means to the fullest extent possible in the dissemination, in as many official languages as feasible, of information related to that report and any other information that the Department for Disarmament Affairs gathers on an ongoing basis in regard to the implementation of the recommendations of the United Nations study;

5. *Decides* to include in the provisional agenda of its sixty-first session an item entitled "Disarmament and non-proliferation education".

#### Disarmament Information Programme

In response to General Assembly resolution 57/90 [YUN 2002, p. 545], the Secretary-General, in July [A/59/171], reported on the activities of the Disarmament Information Programme during the previous two years and those planned for the forthcoming two years. The report described efforts by the Department for Disarmament Affairs (DDA) and the Department of Public Information (DPI) to raise awareness and understanding of UN work regarding disarmament and related issues, focusing on WMDs and conventional weapons, particularly small arms and light weapons, and on international terrorism, the UN Register of Conventional Arms and other transparency and confidence-building measures. The programme was carried out through publications, website access (disarmament.un.org), exhibits, information activities, cooperation with civil society, and radio and television broadcasts. Surveys conducted by DPI and DDA indicated that the DDA flagship publication—*The United Nations Disarmament Yearbook*—should continue. DDA, in collaboration with DPI, would continue to facilitate the access of civil society organizations at important disarmament-related events.

Annexed to the report was a financial statement of the Voluntary Trust Fund for the United Nations Disarmament Information Programme, which supported DDA information and outreach activities. At the end of the 2002-2003 biennium, the Fund's available balance was \$472,481.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/460], adopted **resolution 59/103** without vote [agenda item 66 (a)].

#### United Nations Disarmament Information Programme

*The General Assembly,*

*Recalling* its decision taken in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,

*Bearing in mind* its resolution 47/53 D of 9 December 1992, in which it decided, inter alia, that the World Disarmament Campaign should be known thereafter as the "United Nations Disarmament Information Pro-

gramme” and the World Disarmament Campaign Voluntary Trust Fund as the “Voluntary Trust Fund for the United Nations Disarmament Information Programme”.

Recalling its resolutions 51/46 A of 10 December 1996, 53/78 E of 4 December 1998, 55/34 A of 20 November 2000 and 57/90 of 22 November 2002,

Welcoming the report of the Secretary-General on the United Nations Disarmament Information Programme,

1. Takes note with appreciation of the report of the Secretary-General on the United Nations Disarmament Information Programme;

2. Commends the Secretary-General for his efforts to make effective use of the limited resources available to him in disseminating as widely as possible, including by electronic means, information on arms limitation and disarmament to Governments, the media, non-governmental organizations, educational communities and research institutes, and in carrying out a seminar and conference programme;

3. Stresses the importance of the Programme as a significant instrument in enabling all Member States to participate fully in the deliberations and negotiations on disarmament in the various United Nations bodies, in assisting them in complying with treaties, as required, and in contributing to agreed mechanisms for transparency;

4. Notes the results of the survey of users of *The United Nations Disarmament Yearbook*;

5. Notes with appreciation the cooperation of the Department of Public Information of the Secretariat and its information centres in pursuit of the objectives of the Programme;

6. Recommends that the Programme continue to inform, educate and generate public understanding of the importance of multilateral action and support for it, including action by the United Nations and the Conference on Disarmament, in the field of arms limitation and disarmament, in a factual, balanced and objective manner, and that it focus its efforts:

(a) To continue to publish in all official languages *The United Nations Disarmament Yearbook* and to increase its dissemination by posting the 2002 and 2003 English editions on the Internet;

(b) To continue to maintain the Disarmament web site as a part of the United Nations web site and to produce versions of the site in as many official languages as feasible;

(c) To continue to intensify United Nations interaction with the public, principally non-governmental organizations and research institutes, to help further an informed debate on topical issues of arms limitation, disarmament and security;

(d) To continue to organize discussions on topics of interest in the field of arms limitation and disarmament with a view to broadening understanding and facilitating an exchange of views and information among Member States and civil society;

7. Invites all Member States to make contributions to the Voluntary Trust Fund for the United Nations Disarmament Information Programme with a view to sustaining a strong outreach programme;

8. Takes note of the recommendations contained in the report of the Secretary-General, which reviews the implementation of the recommendations made in the

2002 study on disarmament and non-proliferation education;

9. Requests the Secretary-General to submit to the General Assembly at its sixty-first session a report covering both the implementation of the activities of the Programme by the United Nations system during the previous two years and the activities of the Programme contemplated by the system for the following two years;

10. Decides to include in the provisional agenda of its sixty-first session the item entitled “United Nations Disarmament Information Programme”.

#### Advisory Board on Disarmament Matters

The Advisory Board on Disarmament Matters, which advised the Secretary-General on the disarmament studies programme and implementation of the Disarmament Information Programme and served as the Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR) (see below), held its forty-second and forty-third sessions (New York, 4-6 February; Geneva, 30 June-2 July) [A/59/361]. The Board deliberated on terrorism and WMDs and their delivery systems; disarmament and reconciliation in conflict prevention; export controls; and its contribution to the work of the High-level Panel on Threats, Challenges and Change (see p. 54). It recommended that the proliferation of WMDs be made punishable under international law and that perpetrators, whether in State service or private, be held personally accountable. State action to combat terrorism by WMDs, including preventive action, should be embedded in a multilateral legal framework and within the ambit of the United Nations. The Security Council should consider widening the mandate of future peacekeeping operations to include disarmament and reconciliation aspects of conflict resolution. Regarding export control, the Board recommended strengthening the UN role in fostering cooperation and coordination among Member States and establishing working groups on States’ export control obligations under disarmament and non-proliferation treaties. The Nuclear Suppliers Group and other export control regimes should provide input on possible items to be listed, experiences and models for export control structures, and licensing criteria. Concerning its contribution to the High-level Panel, the Board made recommendations to it on WMDs, missiles, small arms and light weapons, landmines and export controls, and the role of the United Nations in strengthening multilateral disarmament, arms control and non-proliferation regimes (see p. 522).

In its capacity as the Board of Trustees of UNIDIR (see below), the Board made recommen-

dations concerning the Institute's 2005 work programme and budget.

#### UN Institute for Disarmament Research

The Secretary-General transmitted to the General Assembly the report of the UNIDIR Director covering the period from August 2003 to July 2004, as well as the report of the UNIDIR Board of Trustees on the proposed 2004-2005 programme of work and budget [A/59/168]. The Institute's research activities continued to focus on global security, regional security and human security, addressing the full range of substantive disarmament issues, from small arms to weapons in space. The report drew attention to the scope of UNIDIR's research activities worldwide, which included conferences, seminars and discussion meetings, and to its networking initiatives with specialized agencies and UN organizations and institutions. Contained in the report was a list of UNIDIR publications issued during the reporting period.

The Board of Trustees recommended a subvention of \$227,600 from the UN regular budget for 2005, which the Assembly approved on 23 December (**resolution 59/276**, section V) (see p. 1383).

#### Disarmament fellowship, training and advisory services

In 2004, 30 fellows participated in the UN disarmament fellowship, training and advisory services programme, which began in Geneva on 30 August and terminated in New York on 3 November, as the Secretary-General reported in July [A/59/177]. The programme comprised study sessions in Geneva and New York and study visits to intergovernmental organizations in The Hague and Vienna working in the field of disarmament, and to Germany and Japan.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/460], adopted **resolution 59/97** without vote [agenda item 66 (b)].

#### United Nations disarmament fellowship, training and advisory services

*The General Assembly,*

*Having considered* the report of the Secretary-General,

*Recalling* its decision, contained in paragraph 108 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, to establish a programme of fellowships on disarmament, as well as its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly, the second

special session devoted to disarmament, in which it decided, inter alia, to continue the programme,

*Noting* that the programme continues to contribute significantly to developing greater awareness of the importance and benefits of disarmament and better understanding of the concerns of the international community in the field of disarmament and security, as well as to enhancing the knowledge and skills of fellows, allowing them to participate more effectively in efforts in the field of disarmament at all levels,

*Noting with satisfaction* that the programme has trained a large number of officials from Member States throughout its twenty-six years of existence, many of whom hold positions of responsibility in the field of disarmament within their own Governments,

*Recognizing* the need for Member States to take into account gender equality when nominating candidates to the programme,

*Recalling* all the annual resolutions on the matter since the thirty-seventh session of the General Assembly, in 1982, including resolution 50/71 A of 12 December 1995,

*Believing* that the forms of assistance available to Member States, in particular to developing countries, under the programme will enhance the capabilities of their officials to follow ongoing deliberations and negotiations on disarmament, both bilateral and multilateral,

1. *Reaffirms* its decisions contained in annex IV to the Concluding Document of the Twelfth Special Session of the General Assembly and the report of the Secretary-General approved by the Assembly in its resolution 33/71 E of 14 December 1978;

2. *Expresses its appreciation* to all Member States and organizations that have consistently supported the programme throughout the years, thereby contributing to its success, in particular to the Governments of Germany and Japan for the continuation of extensive and highly educative study visits for the participants in the programme, and to the Government of the United States of America for organizing a presentation to the fellows in the area of disarmament;

3. *Expresses its appreciation* to the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Monterey Institute of International Studies for having organized specific study programmes in the field of disarmament in their respective areas of competence, thereby contributing to the objectives of the programme;

4. *Commends* the Secretary-General for the diligence with which the programme has continued to be carried out;

5. *Requests* the Secretary-General to continue to implement annually the Geneva-based programme within existing resources and to report thereon to the General Assembly at its sixty-first session;

6. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "United Nations disarmament fellowship, training and advisory services".

#### Regional centres for peace and disarmament

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Com-

mittee [A/59/460], adopted **resolution 59/98** without vote [agenda item 66 (f)].

**United Nations regional centres for peace and disarmament**

*The General Assembly,*

*Recalling* its resolution 58/63 of 8 December 2003 regarding the maintenance and revitalization of the three United Nations regional centres for peace and disarmament,

*Recalling also* the reports of the Secretary-General on the United Nations Regional Centre for Peace and Disarmament in Africa, the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean,

*Reaffirming* its decision, taken in 1982 at its twelfth special session, to establish the United Nations Disarmament Information Programme, the purpose of which is to inform, educate and generate public understanding and support for the objectives of the United Nations in the field of arms control and disarmament,

*Bearing in mind* its resolutions 40/151 G of 16 December 1985, 41/60 J of 3 December 1986, 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989 on the regional centres for peace and disarmament in Nepal, Peru and Togo,

*Recognizing* that the changes that have taken place in the world have created new opportunities as well as posed new challenges for the pursuit of disarmament, and, in this regard, bearing in mind that the regional centres for peace and disarmament can contribute substantially to understanding and cooperation among States in each particular region in the areas of peace, disarmament and development,

*Noting* that in paragraph 146 of the Final Document of the Twelfth Conference of Heads of State or Government of the Non-Aligned Countries, held at Durban, South Africa, from 29 August to 3 September 1998, the Heads of State or Government welcomed the decision adopted by the General Assembly on maintaining and revitalizing the three regional centres for peace and disarmament in Nepal, Peru and Togo,

1. *Reiterates* the importance of the United Nations activities at the regional level to increase the stability and security of its Member States, which could be promoted in a substantive manner by the maintenance and revitalization of the three regional centres for peace and disarmament;

2. *Reaffirms* that, in order to achieve positive results, it is useful for the three regional centres to carry out dissemination and educational programmes that promote regional peace and security and that are aimed at changing basic attitudes with respect to peace and security and disarmament so as to support the achievement of the purposes and principles of the United Nations;

3. *Appeals* to Member States in each region and those that are able to do so, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions to the regional centres in their respective regions to strengthen their activities and initiatives;

4. *Emphasizes* the importance of the activities of the regional branch of the Department for Disarmament Affairs of the Secretariat;

5. *Requests* the Secretary-General to provide all necessary support, within existing resources, to the regional centres in carrying out their programmes of activities;

6. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations regional centres for peace and disarmament".

**Africa**

Pursuant to General Assembly resolution 58/61 [YUN 2003, p. 587], the Secretary-General described the activities of the United Nations Regional Centre for Peace and Disarmament in Africa, covering July 2003 to June 2004 [A/59/209]. The Centre was established in Lomé, Togo, in 1986 [YUN 1986, p. 85].

During the reporting period, the Centre focused its activities on support for peace processes and related initiatives in Africa; practical disarmament and arms control; information, research and publications; and advocacy and resource mobilization. Maintaining consultations with ECOWAS on the situation in Côte d'Ivoire, the Centre hosted related briefings in Lomé with high-level officials. Working with the UN peace-building support offices in Africa, it facilitated the collection and destruction of surplus weapons and helped harmonize civil-military relations in the Central African Republic, Guinea-Bissau and Liberia. To facilitate programmes of disarmament, demobilization and reintegration of ex-combatants, the Centre launched a pilot consultative process on training for peace operations with ECOWAS and initiated a partnership in that field with the Norwegian Institute of International Affairs. In January and February, the Centre provided technical support to the AU in formulating an African common defence and security policy and an African standby force. The Centre supported Member States' efforts to establish and strengthen national mechanisms to combat the proliferation of small arms and light weapons, by organizing, with financial support from France, a capacity-building workshop (9-10 February) for 16 Togolese officials. To address that problem in other parts of the continent, the Centre cooperated with concerned regional and subregional organizations, including the Nairobi Secretariat overseeing the implementation of the Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa [YUN 2000, p. 518]; ECOWAS, within the context of its 1998 Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa [YUN 1998, p. 537]; the

Southern African Development Community (SADC), whose Protocol on the Control of Firearms, Ammunition and Other Related Materials entered into force during the year; and the Economic Community of Central African States (ECCAS), with which the Centre explored ways of supporting civil society efforts regarding the implementation of the Programme of Action adopted by the 2001 UN Conference on small arms [YUN 2001, p. 499].

Concerning other disarmament issues, the Centre made efforts to promote nuclear non-proliferation in Africa, and collaborated with IAEA to organize subregional seminars on a strengthened safeguards system for member States of ECOWAS (Ouagadougou, Burkina Faso, 26-27 February) and of SADC (Windhoek, Namibia, 29-31 March). Both seminars aimed at promoting implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (see p. 542) and the entry into force of the African Nuclear-Weapon-Free-Zone Treaty (Treaty of Pelindaba) (see p. 550). The Centre collaborated with the AU, ECOWAS and a number of NGOs to convene a regional workshop (Lomé, 21-24 April) to help build the capacity of ECOWAS member States in modern techniques for control of military institutions, among other things. The Centre provided support to the United Nations Standing Advisory Committee on Security Questions in Central Africa (see p. 571), and undertook activities to build civil-military relations, including training workshops and sensitization campaigns on crisis prevention and resolution. It made efforts to promote compliance with, and the signing and ratification of, international disarmament and arms control instruments and norms, and maintained its information, research and publications activities on security issues in the region.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/460], adopted **resolution 59/101** without vote [agenda item 66 (d)].

#### United Nations Regional Centre for Peace and Disarmament in Africa

*The General Assembly,*

*Mindful* of the provisions of Article 11, paragraph 1, of the Charter of the United Nations stipulating that a function of the General Assembly is to consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms limitation,

*Recalling* its resolutions 40/151 G of 16 December 1985, 41/60 D of 3 December 1986, 42/39 J of 30 November 1987 and 43/76 D of 7 December 1988 on the United Nations Regional Centre for Peace and Dis-

armament in Africa, and its resolutions 46/36 F of 6 December 1991 and 47/52 G of 9 December 1992 on regional disarmament, including confidence-building measures,

*Recalling also* its resolutions 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 51/46 E of 10 December 1996, 52/220 of 22 December 1997, 53/78 C of 4 December 1998, 54/55 B of 1 December 1999, 55/34 D of 20 November 2000, 56/25 D of 29 November 2001, 57/91 of 22 November 2002 and 58/61 of 8 December 2003,

*Aware* of the widespread support for the activities of the Regional Centre and the important role that the Centre can play in the present context in promoting confidence-building and arms-limitation measures at the regional level, thereby promoting progress in the area of sustainable development,

*Taking note* of the report of the Secretary-General, in which it was stated that the Regional Centre received an increasing number of requests from Member States in the African region for substantive support for several peace initiatives and conflict resolution activities in the region,

*Taking note also* of the fact that, as noted in the report of the Secretary-General, very limited financial contributions were made to the Regional Centre despite continued fund-raising efforts,

*Concerned* that the continuing financial difficulties faced by the Regional Centre have impaired its ability to realize its full potential and to fulfil its mandate adequately,

*Bearing in mind* the efforts undertaken to mobilize the necessary resources for the operational costs of the Regional Centre,

*Taking into account* the need to establish close cooperation between the Regional Centre and the Mechanism for Conflict Prevention, Management and Resolution of the African Union, in conformity with the decision adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-fifth ordinary session, held at Algiers from 12 to 14 July 1999,

1. *Commends* the activities that the United Nations Regional Centre for Peace and Disarmament in Africa is continuing to carry out, in particular in support of the efforts made by the African States in the areas of peace and security;

2. *Reaffirms its strong support* for the Regional Centre, and emphasizes the need to provide it with the necessary resources to enable it to strengthen its activities and carry out its programmes;

3. *Appeals once again* to all States, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions in order to strengthen the programmes and activities of the Regional Centre and facilitate their implementation;

4. *Requests* the Secretary-General to continue to provide the necessary support to the Regional Centre for better achievements and results;

5. *Also requests* the Secretary-General to facilitate close cooperation between the Regional Centre and the African Union, in particular in the areas of peace, security and development, and to continue to assist the Director of the Regional Centre in his efforts to stabilize the financial situation of the Centre;

6. *Appeals in particular* to the Regional Centre, in cooperation with the African Union, regional and sub-regional organizations and the African States, to take steps to promote the consistent implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;

7. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Africa".

#### *Asia and the Pacific*

As requested by the General Assembly in resolution 58/62 [YUN 2003, p. 589], the Secretary-General reported on the activities of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific from August 2003 to July 2004 [A/59/169]. The Centre was inaugurated in Kathmandu, Nepal, in 1989 [YUN 1989, p. 88].

During the period under review, the Centre continued to promote disarmament and security through the organization of meetings and conferences (Osaka, Japan, 19-22 August 2003; Jeju Island, Republic of Korea, 3-5 December, 2003; Almaty, Kazakhstan, 16-18 March 2004). In a final communiqué adopted by the Almaty meeting, the regional States, particularly the five Central Asian States, expressed their resolve for joint action in stemming the spread of small arms and light weapons in the subregion. The Centre assisted the five Central Asian States in finalizing a draft treaty on the establishment of a nuclear-weapon-free zone in Central Asia. It made efforts to strengthen Mongolia's nuclear-weapon-free status, and to that end held consultations with the Central Asian States, the five nuclear-weapon States and Mongolia. As a means of promoting cooperation with relevant regional organizations, the Centre provided support to the United Nations Association of Japan in organizing the tenth Kanazawa Symposium on North-East Asia (Kanazawa, Japan 7-9 June), which addressed, among other things, conflict prevention, crisis management, nuclear disarmament and other security questions. The Centre helped organize a UN conference on disarmament (Sapporo, Japan, 26-29 July), which considered mounting challenges and international response to nuclear non-proliferation and related issues. It facilitated discussion of small arms and light weapons issues at a regional seminar (Nadi, Fiji, 18-20 August).

Consultations were maintained during the year with the host country on the relocation of the Centre, and in that context, DDA and the Nepalese authorities continued to pursue agreement on outstanding issues, with a view to finalizing

the host country agreement and memorandum of understanding.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/460], adopted **resolution 59/100** without vote [agenda item 66 (e)].

#### **United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific**

*The General Assembly,*

*Recalling* its resolutions 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989, by which it established the United Nations Regional Centre for Peace and Disarmament in Asia and renamed it the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, with headquarters in Kathmandu and with the mandate of providing, on request, substantive support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific region for the implementation of measures for peace and disarmament, through appropriate utilization of available resources,

*Welcoming* the report of the Secretary-General, in which he expresses his belief that the mandate of the Regional Centre remains valid and that the Centre has been a useful instrument for fostering a climate of cooperation for peace and disarmament in the region,

*Noting* that trends in the post-cold-war era have emphasized the function of the Regional Centre in assisting Member States as they deal with new security concerns and disarmament issues emerging in the region,

*Commending* the useful activities carried out by the Regional Centre in encouraging regional and sub-regional dialogue for the enhancement of openness, transparency and confidence-building, as well as the promotion of disarmament and security through the organization of regional meetings, which has come to be widely known within the Asia-Pacific region as "the Kathmandu process",

*Expressing its appreciation* to the Regional Centre for its organization of meetings and conferences in the region, held in Osaka, Japan, from 19 to 22 August 2003, on Jeju Island, Republic of Korea, from 3 to 5 December 2003, in Almaty, Kazakhstan, from 16 to 18 March 2004, in Kanazawa, Japan, from 7 to 9 June 2004 and in Sapporo, Japan, from 26 to 29 July 2004,

*Welcoming* the idea of the possible creation of an educational and training programme for peace and disarmament in Asia and the Pacific for young people with different backgrounds, to be financed from voluntary contributions,

*Noting* the important role of the Regional Centre in assisting region-specific initiatives of Member States, including its continued assistance in finalizing a treaty related to the establishment of a nuclear-weapon-free zone in Central Asia, as well as to Mongolia's international security and nuclear-weapon-free status, including the organization of an informal consultation among relevant United Nations bodies in January and June 2004 to discuss the status of implementation of the non-nuclear aspects of Mongolia's status,

*Appreciating highly* the overall support that Nepal has extended as the host nation of the headquarters of the Regional Centre,

1. *Reaffirms its strong support* for the forthcoming operation and further strengthening of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;

2. *Underlines* the importance of the Kathmandu process as a powerful vehicle for the development of the practice of region-wide security and disarmament dialogue;

3. *Expresses its appreciation* for the continuing political support and voluntary financial contributions to the Regional Centre, which are essential for its continued operation;

4. *Appeals* to Member States, in particular those within the Asia-Pacific region, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions, the only resources of the Regional Centre, to strengthen the programme of activities of the Centre and the implementation thereof;

5. *Requests* the Secretary-General, taking note of paragraph 6 of General Assembly resolution 49/76 D of 15 December 1994, to provide the Regional Centre with the necessary support, within existing resources, in carrying out its programme of activities;

6. *Urges* the Secretary-General to ensure the physical operation of the Regional Centre from Kathmandu within six months of the date of signature of the host country agreement and to enable the Centre to function effectively;

7. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

8. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific".

#### *Latin America and the Caribbean*

As requested by the General Assembly in resolution 58/60 [YUN 2003, p. 590], the Secretary-General reported on the activities of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean from July 2003 to June 2004 [A/59/157]. The Centre was inaugurated in Lima, Peru, in 1987 [YUN 1987, p. 88].

During the period under review, the Centre focused on consolidating its programme of activities and organizational structure, and on strengthening its human resources capacity. It continued to organize and participate in a growing number of activities such as seminars, training courses, weapons and ammunition destruction events, technical advisory missions and dissemination of information. Those activities related to confidence- and security-building, such as support for conventional weapons methodology studies; practical disarmament, including the destruction of firearms, ammunition and

explosives and the improvement of stockpile management practices; and capacity-building, such as training courses for the law enforcement community and NGOs. The Centre also supported efforts to strengthen the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (see p. 552) and to promote the ratification and implementation of existing multilateral agreements relating to WMDs. Having completed the development of its Small Arms and Light Weapons Administration system, the Centre presented it to the States parties to the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials at their first Conference on the Convention (Bogotá, Colombia, 9 March). The system was intended to accelerate information flow among those countries regarding the Convention's implementation. Among training courses, the Centre held one (Brasília, Brazil, 3-21 May) which educated 85 law enforcement officials from 15 regional countries in a wide range of security-related issues, including drugs, terrorism and money-laundering. In continuing cooperation with NGOs in strengthening the regional network on the control of firearms trafficking, the Centre held a similar training course for NGO representatives (San Salvador, El Salvador, 1-2 April), at which gender issues constituted an important aspect. In May, the Centre began coordinating with country offices of the United Nations Development Programme (UNDP) in planning firearms-related activities, particularly in Central America, and discussions were held on extending such cooperation to members of the Coordinating Action on Small Arms mechanism, established in 1998 [YUN 1998, p. 525]. The Centre undertook a variety of activities aimed at consolidating its Regional Clearinghouse Programme on Firearms, Ammunition and Explosives, which was developed to support States in implementing regional firearms instruments. On 25 May, DDA and UNDP's Small Arms and Demobilization Unit signed a memorandum of understanding to facilitate cooperation, through the Centre, in providing assistance to States in firearms collection, weapons destruction and stockpile management. The Centre and the Unit formalized cooperation in several areas, such as joint activities to assist States in reporting on implementation of the 2001 Programme of Action to counter small arms trafficking [YUN 2001, p. 499] and training courses on relevant issues, particularly disarmament and development. In other efforts to aid the implementation of the Programme of Action, the Centre created a software database containing information on the

manufacture of firearms, ammunition and explosives and the legal trade of those weapons, which served as an information resource to manufacturers and brokers. The Centre collaborated with OAS and the Swedish Fellowship for Reconciliation, an NGO, to produce a book on legal norms and instruments on firearms, ammunition and explosives in Latin America and the Caribbean, for use by members of parliament and legal experts in harmonizing and improving firearms legislation and control mechanisms.

#### GENERAL ASSEMBLY ACTION

On 3 December [meeting 66], the General Assembly, on the recommendation of the First Committee [A/59/460], adopted **resolution 59/99** without vote [agenda item 66 (c)].

#### United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean

*The General Assembly,*

*Recalling* its resolutions 41/60 J of 3 December 1986, 42/39 K of 30 November 1987 and 43/76 H of 7 December 1988 on the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, with headquarters in Lima,

*Recalling also* its resolutions 46/37 F of 9 December 1991, 48/76 E of 16 December 1993, 49/76 D of 15 December 1994, 50/71 C of 12 December 1995, 52/220 of 22 December 1997, 53/78 F of 4 December 1998, 54/55 F of 1 December 1999, 55/34 E of 20 November 2000, 56/25 E of 29 November 2001, 57/89 of 22 November 2002 and 58/60 of 8 December 2003,

*Underlining* the revitalization of the Regional Centre, the efforts made by the Government of Peru and other countries to that end, as well as the important work done by the Director of the Centre,

*Recognizing* that the Regional Centre has continued to act as an instrument for the implementation of regional initiatives and has intensified its contribution to the coordination of United Nations efforts towards peace and security,

*Welcoming* the report of the Secretary-General, which concludes that the Regional Centre has continued to act as a facilitator for the implementation of regional initiatives by identifying regional security needs and new areas of cooperation with States and organizations in the region, and to provide more in-depth information on weapons-related matters, weapons destruction and stockpile management, including the initiation of a series of training courses for the law enforcement community, members of parliament, representatives of ministries of foreign affairs and non-governmental organizations on such matters,

*Welcoming also* the fact that the report stresses that the Regional Centre has placed more emphasis on the inclusion of a gender perspective in its planned activities and the relationship between disarmament and development,

*Welcoming further* the report of the Group of Governmental Experts on the relationship between disarmament and development, established pursuant to General Assembly resolution 57/65 of 22 November

2002, which is of utmost interest with regard to the role that the Regional Centre plays in promoting the issue in the region in pursuit of its mandate to promote economic and social development related to peace and disarmament,

*Noting* that security and disarmament issues have always been recognized as significant topics in Latin America and the Caribbean, the first inhabited region in the world to be declared a nuclear-weapon-free zone,

*Welcoming* the support provided by the Regional Centre to strengthening the nuclear-weapon-free zone established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), as well as to promoting and assisting the ratification and implementation of existing multilateral agreements related to weapons of mass destruction and to promoting peace and disarmament education projects during the period under review,

*Bearing in mind* the important role that the Regional Centre can play in promoting confidence-building measures, arms control and limitation, disarmament and development at the regional level,

*Bearing in mind also* the importance of information, research, education and training for peace, disarmament and development in order to achieve understanding and cooperation among States,

*Recognizing* the need to provide the three United Nations regional centres for peace and disarmament with sufficient financial resources and cooperation for the planning and implementation of their programmes of activities,

1. *Reiterates its strong support* for the role of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean in the promotion of United Nations activities at the regional level to strengthen peace, stability, security and development among its member States;

2. *Expresses its satisfaction and congratulates* the Regional Centre for the expansion of the vast range of activities carried out in the last year in the fields of peace, disarmament and development, and requests the Regional Centre to take into account the proposals to be submitted by the countries of the region in promoting confidence-building measures, arms control and limitation, transparency, disarmament and development at the regional level;

3. *Expresses its appreciation* for the political support and financial contributions to the Regional Centre, which are essential for its continued operation;

4. *Invites* all States of the region to continue to take part in the activities of the Regional Centre, proposing items for inclusion in its programme and making greater and better use of the potential of the Centre to meet the current challenges facing the international community with a view to fulfilling the aims of the Charter of the United Nations in the fields of peace, disarmament and development;

5. *Recognizes* that the Regional Centre has an important role in the promotion and development of regional initiatives agreed upon by the countries of Latin America and the Caribbean in the field of weapons of mass destruction, in particular nuclear weapons, conventional arms, including small arms and light weapons, as well as the relationship between disarmament and development;

6. *Encourages* the Regional Centre to further develop activities in the important area of disarmament and development;

7. *Highlights* the conclusion contained in the report of the Secretary-General that the vast regional co-operation undertaken by the Regional Centre during the reporting period was evidence of the important role of the Organization as a viable regional actor in assisting countries in the region to advance the cause of peace, disarmament and development in Latin America and the Caribbean;

8. *Appeals* to Member States, in particular those within the Latin American and Caribbean region, as well as to international governmental and non-governmental organizations and foundations, to make

and to increase voluntary contributions to strengthen the Regional Centre, its programme of activities and the implementation thereof;

9. *Requests* the Secretary-General to provide the Regional Centre with all necessary support, within existing resources, so that it may carry out its programme of activities in accordance with its mandate;

10. *Also requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its sixtieth session the item entitled "United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean".