



# General Assembly

Distr.: General  
12 January 2010

Sixty-fourth session  
Agenda item 96 (I)

## Resolution adopted by the General Assembly on 2 December 2009

[on the report of the First Committee (A/64/391)]

### **64/55. 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, 58/46 of 8 December 2003, 59/83 of 3 December 2004, 60/76 of 8 December 2005, 61/83 of 6 December 2006, 62/39 of 5 December 2007 and 63/49 of 2 December 2008,

*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,<sup>1</sup> 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,<sup>2</sup>

<sup>1</sup> United Nations, *Treaty Series*, vol. 729, No. 10485.

<sup>2</sup> *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I) and Corr.2), annex, decision 2.



*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,<sup>3</sup>

*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<sup>4</sup> and the treaties of Tlatelolco,<sup>5</sup> Rarotonga,<sup>6</sup> Bangkok,<sup>7</sup> Pelindaba<sup>8</sup> and Central Asia,<sup>9</sup> as well as Mongolia's nuclear-weapon-free status, 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 sole multilateral disarmament negotiating forum,

*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 regret* over the failure of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to reach agreement on any substantive issues,

*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,<sup>10</sup>

*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,

---

<sup>3</sup> 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15:6.

<sup>4</sup> United Nations, *Treaty Series*, vol. 402, No. 5778.

<sup>5</sup> *Ibid.*, vol. 634, No. 9068.

<sup>6</sup> See *The United Nations Disarmament Yearbook*, vol. 10: 1985 (United Nations publication, Sales No. E.86.IX.7), appendix VII.

<sup>7</sup> United Nations, *Treaty Series*, vol. 1981, No. 33873.

<sup>8</sup> A/50/426, annex.

<sup>9</sup> Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

<sup>10</sup> See 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, *Final Document*, vol. I (NPT/CONF.2000/28 (Parts I and II)), part I, section entitled "Article VI and eighth to twelfth preambular paragraphs", para. 15.

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,<sup>11</sup>

Taking note of the relevant portions of the report of the Secretary-General relating to the implementation of resolution 63/49,<sup>12</sup>

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 sixty-fifth session;

4. *Decides* to include in the provisional agenda of its sixty-fifth 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*".

*55th plenary meeting  
2 December 2009*

---

<sup>11</sup> A/51/218, annex; see also *Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, I.C.J. Reports 1996*, p. 226.

<sup>12</sup> A/64/139.