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CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

Report of the First Committee

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I. INTRODUCTION

1. The item entitled

"Chemical and bacteriological (biological) weapons:

(a) Report of the Committee on Disarmament;

(b) Report of the Secretary-General"

was included in the provisional agenda of the thirty-seventh session in accordance with General Assembly resolutions 36/96 A and C of 9 December 1981.

2. At its 4th plenary meeting, on 24 September 1982, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 29 September, the First Committee decided to hold a combined general debate on the items allocated to it relating to disarmament, namely, items 39 to 57, 133, and 136. The general debate on these items and on items 138 and 139, which were allocated to the First Committee by the General Assembly at its 24th plenary meeting, on 8 October 1982, took place at the 3rd to 28th meetings, from 18 October to 5 November (see A/C.1/37/PV.3-28).

4. In connection with item 54, the First Committee had before it the following documents:

- (a) Report of the Committee on Disarmament; 1/
- (b) Report of the Secretary-General on chemical and bacteriological (biological) weapons;
- (c) Letter dated 19 January 1982 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/37/72);
- (d) Note verbale dated 24 February 1982 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/37/102);
- (e) Letter dated 19 March 1982 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/37/152-S/14915);
- (f) Note verbale dated 22 March 1982 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/37/157);
- (g) Letter dated 7 April 1982 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/37/173);
- (h) Letter dated 14 April 1982 from the Chargé d'Affaires a.i. of the Permanent Mission of Viet Nam to the United Nations addressed to the Secretary-General (A/37/180);
- (i) Letter dated 19 April 1982 from the Permanent Representative of the Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/37/202-S/14986);
- (j) Letter dated 27 April 1982 from the Permanent Representative of the Lao People's Democratic Republic to the United Nations addressed to the Secretary-General (A/37/210);
- (k) Letter dated 28 April 1982 from the Permanent Representative of the Lao People's Democratic Republic to the United Nations addressed to the Secretary-General (A/37/212);
- (l) Letter dated 30 April 1982 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/37/219);

1/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 27 (A/37/27 and Corr.1).

(m) Letter dated 20 May 1982 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/37/233);

(n) Note verbale dated 20 May 1982 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/37/234 and Corr.1);

(o) Letter dated 23 June 1982 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General (A/37/308);

(p) Letter dated 22 June 1982 from the Chargé d'Affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General (A/37/333-S/15278);

(q) Letter dated 5 August 1982 from the Chargé d'Affaires a.i. of the Permanent Mission of Viet Nam to the United Nations addressed to the Secretary-General (A/37/376);

(r) Letter dated 6 August 1982 from the Chargé d'Affaires a.i. of the Permanent Mission of Viet Nam to the United Nations addressed to the Secretary-General (A/37/377);

(s) Note verbale dated 29 November 1982 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/C.1/37/10).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.1/37/L.15 and Rev.1

5. On 10 November, Afghanistan, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Mongolia, Poland, the Ukrainian Soviet Socialist Republic, and Viet Nam submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/37/L.15). The draft resolution was introduced at the 31st meeting, on 11 November, by the representative of the German Democratic Republic and read as follows:

"The General Assembly,

"Recalling paragraph 75 of the Final Document of the Tenth Special Session of the General Assembly stating that the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and their destruction represents one of the most urgent measures of disarmament,

"Referring to the unanimous and categorical reaffirmation by all Member States at the Twelfth Special Session of the validity of the Final Document of the Tenth Special Session,

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"Convinced of the need for the earliest conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, which would significantly contribute to general and complete disarmament under effective international control,

"Recalling its resolution 36/96 B of 9 December 1981,

"Expressing profound concern at the production of binary chemical weapons and considerations on their deployment at military bases abroad, which would increase the probability of chemical warfare,

"Taking into consideration the decision by the Committee on Disarmament on the new mandate for the Ad Hoc Working Group on Chemical Weapons as well as the work of this group during the 1982 Session of the Committee on Disarmament,

"Regretting that the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America have been suspended since 1980 and have not been resumed,

"Deeming it desirable for States to refrain from taking any action that could delay or further complicate negotiations,

"Aware that the qualitative improvement and development of chemical weapons and especially of binary chemical weapons complicate ongoing negotiations on the prohibition of chemical weapons and increase the danger that the chemical arms race may overtake the negotiating process,

"Considering that the creation of chemical-weapon-free zones would facilitate the speedy conclusion of a convention on the complete prohibition of chemical weapons,

"1. Reaffirms the necessity of the speediest elaboration and conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and their destruction;

"2. Appeals to all States to facilitate in every possible way the conclusion of such a convention;

"3. Urges the Committee on Disarmament to intensify the negotiations in the Ad Hoc Working Group on Chemical Weapons on the basis of its new mandate to achieve accord on a chemical weapons convention at the earliest possible date;

"4. Calls upon the Union of Soviet Socialist Republics and the United States of America to resume at the earliest possible date their bilateral negotiations on the prohibition of chemical weapons and to submit their joint proposal to the Committee on Disarmament;

"5. Reaffirms its call to all States to refrain from any action which could impede negotiations on the prohibition of chemical weapons and

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specifically to refrain from the production and deployment of binary and other new types of chemical weapons as well as from stationing chemical weapons on the territory of other States;

"6. Appeals to all States to consider the establishment of zones free from chemical weapons;

"7. Invites all Member States to inform the Secretary-General, no later than 15 April 1983, of their views regarding the question of chemical-weapon-free zones;

"8. Requests the Secretary-General to submit a report containing the views referred to in paragraph 7 above to the General Assembly at its thirty-eighth session."

6. On 19 November, the sponsors submitted a revised draft resolution (A/C.1/37/L.15/Rev.1), which was introduced at the 39th meeting, on 22 November, by the representative of the German Democratic Republic. The revised draft resolution contained the following changes:

(a) The fifth preambular paragraph was replaced by the following:

"Expressing profound concern at the production and deployment of binary chemical weapons,";

(b) The ninth preambular paragraph was replaced by the following:

"Aware that the qualitative improvement and development of chemical weapons complicate ongoing negotiations on the prohibition of chemical weapons,";

(c) The tenth preambular paragraph was replaced by the following:

"Taking note of proposals on the creation of chemical-weapon-free zones aimed at facilitating the complete prohibition of chemical weapons,";

(d) Operative paragraphs 6, 7 and 8 were deleted.

7. At its 42nd meeting, on 24 November, the First Committee adopted draft resolution A/C.1/37/L.15/Rev.1 by a recorded vote of 79 to 1, with 43 abstentions (see para. 21, draft resolution A). The voting was as follows:

In favour: Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Benin, Bolivia, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Guinea, Guyana, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali,

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Mexico, Mongolia, Mozambique, Nepal, Nicaragua, Niger, Oman, Pakistan, Panama, Papua New Guinea, Peru, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sao Tome and Principe, Sierra Leone, Singapore, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Bhutan, Brazil, Burma, Canada, Chile, China, Colombia, Denmark, Djibouti, Finland, France, Germany, Federal Republic of, Greece, Guatemala, Iceland, India, Ireland, Israel, Italy, Japan, Lebanon, Luxembourg, Malawi, Mauritania, Morocco, Netherlands, New Zealand, Nigeria, Norway, Paraguay, Philippines, Portugal, Saudi Arabia, Somalia, Spain, Sri Lanka, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/C.1/37/L.44

8. On 17 November, Argentina, Canada, Indonesia, Japan, Kenya, Poland, Sweden and the Ukrainian Soviet Socialist Republic submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/37/L.44), which was subsequently also sponsored by Australia, Belgium, Colombia, Ecuador, Germany, Federal Republic of, Ireland, Mongolia, the Netherlands and the United Kingdom of Great Britain and Northern Ireland. The draft resolution was introduced at the 38th meeting on 19 November by the representative of Poland.

9. On 22 November, Algeria, Cuba, Egypt, Ethiopia, India, Mexico, Nigeria, Pakistan, Sri Lanka, Venezuela and Yugoslavia submitted an amendment (A/C.1/37/L.66) to draft resolution A/C.1/37/L.44, which was introduced at the 41st meeting, on 23 November, by the representative of Yugoslavia. Under the amendment, operative paragraph 3 of the draft resolution, which read as follows:

"3. Urges the Committee on Disarmament, as a matter of high priority, to intensify elaboration of such a convention, taking into account all existing proposals and future initiatives with a view to enabling the Committee to achieve agreement at the earliest date;"

would be replaced by the following:

"3. Urges the Committee on Disarmament to intensify, as a matter of high priority, during its session in 1983, elaboration of such a convention, taking into account all existing proposals and future initiatives, and in particular to re-establish its Ad Hoc Working Group on Chemical Weapons with an appropriate mandate enabling the Committee to achieve agreement at the earliest date;"

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10. At the 44th meeting, on 26 November, the representative of Poland orally revised operative paragraph 3 of draft resolution A/C.1/37/L.44 to read as follows:

"3. Urges the Committee on Disarmament, as a matter of high priority, to intensify, during its session in 1983, elaboration of such a convention, taking into account all existing proposals and future initiatives, with a view to enabling the Committee to achieve agreement at the earliest date, and to re-establish its Ad Hoc Working Group on Chemical Weapons for this purpose;".

11. At the same meeting, the representative of Yugoslavia announced that the amendment contained in document A/C.1/37/L.66 had been withdrawn in view of the oral revision introduced by the sponsors of the draft resolution.

12. Also at the same meeting, the First Committee adopted draft resolution A/C.1/37/L.44, as orally revised, without a vote (see para. 21, draft resolution B).

C. Draft resolution A/C.1/37/L.61

13. On 18 November, Austria, Colombia, Ireland, Mexico, Pakistan, Sweden, Uruguay and Yugoslavia submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/37/L.61) which was subsequently also sponsored by Ecuador and Germany, Federal Republic of. The draft resolution was introduced at the 38th meeting, on 19 November, by the representative of Sweden.

14. At its 45th meeting, on 26 November, the First Committee adopted draft resolution A/C.1/37/L.61 by a recorded vote of 106 to 14, with 2 abstentions (see para. 21, draft resolution C). The voting was as follows:

In favour: Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Brazil, Burma, Burundi, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Cyprus, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guatemala, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

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Against: Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Mozambique, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Guinea, India.

D. Draft resolution A/C.1/37/L.54

15. On 18 November, Belgium, Ecuador, France, the Netherlands, Sweden and Uruguay submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/37/L.54). The draft resolution was introduced at the 38th meeting, on 19 November, by the representative of France.

16. At the 45th meeting, on 26 November, the representative of France orally revised the title of the draft resolution to read: "Provisional procedures to uphold the authority of the 1925 Geneva Protocol".

17. In connection with the draft resolution, the Secretary-General submitted a statement on the administrative and financial implications (A/C.1/37/L.75).

18. At the 47th meeting, on 29 November, the First Committee adopted draft resolution A/C.1/37/L.54, as orally revised, by a recorded vote of 70 to 18, with 31 abstentions (see para. 21, draft resolution D). The voting was as follows: 2/

In favour: Australia, Austria, Bahamas, Bangladesh, Belgium, Canada, Central African Republic, Chad, Chile, China, Colombia, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Fiji, France, Germany, Federal Republic of, Greece, Guatemala, Iceland, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Lebanon, Luxembourg, Malawi, Malaysia, Maldives, Malta, Mauritania, Morocco, Nepal, Netherlands, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Portugal, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, Spain, Sudan, Suriname, Sweden, Thailand, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Uruguay, Zaire, Zambia.

Against: Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Hungary, India, Lao People's Democratic Republic, Mongolia, Poland, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

2/ The delegation of New Zealand subsequently indicated that it had intended to vote in favour of the draft resolution.

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Abstaining: Algeria, Angola, Argentina, Bahrain, Bhutan, Brazil, Burma, Burundi, Cyprus, Finland, Ghana, Guinea, Guyana, Iraq, Kuwait, Madagascar, Mali, Mexico, Mozambique, New Zealand, Nicaragua, Peru, Qatar, Sierra Leone, Sri Lanka, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Yemen, Yugoslavia.

E. Draft resolution A/C.1/37/L.79

19. On 6 December, Australia, Canada, Germany, Federal Republic of, the Netherlands, New Zealand and Norway submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/37/L.79), which was subsequently also sponsored by Spain and Turkey. The draft resolution was introduced at the 57th meeting, on 8 December, by the representative of New Zealand. At the same meeting, the representative of New Zealand orally revised operative paragraph 2, which read:

"2. Calls anew for strict observance by all States of the principles and objectives of the Geneva Protocol of 1925 and condemns all actions contrary to those objectives."

to read as follows:

"2. Calls anew for strict observance by all States of the principles and objectives of the Geneva Protocol of 1925 and condemns all actions that are contrary to these objectives."

20. At its 58th meeting, on 8 December, the First Committee voted on draft resolution A/C.1/37/L.79 as follows:

(a) The second preambular paragraph was adopted by 55 votes to 21, with 33 abstentions;

(b) The draft resolution as a whole and as orally revised was adopted by a roll-call vote of 63 to 20, with 31 abstentions (see para. 21, draft resolution E). The voting was as follows:

In favour: Australia, Austria, Bahamas, Belgium, Bolivia, Canada, Central African Republic, Chad, Chile, China, Colombia, Democratic Kampuchea, Denmark, Ecuador, Egypt, France, Germany, Federal Republic of, Greece, Guatemala, Guyana, Honduras, Iceland, Ireland, Israel, Italy, Japan, Kenya, Lebanon, Liberia, Luxembourg, Malawi, Malaysia, Mauritania, Mauritius, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Portugal, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zaire, Zambia.

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Against: Afghanistan, Angola, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Mongolia, Mozambique, Poland, Romania, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Argentina, Bahrain, Bangladesh, Bhutan, Brazil, Burma, Burundi, Cyprus, Finland, Ghana, Guinea, India, Indonesia, Iraq, Jamaica, Kuwait, Mali, Mexico, Nepal, Nicaragua, Panama, Peru, Qatar, Sri Lanka, Uganda, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Venezuela, Yemen, Yugoslavia.

III. RECOMMENDATIONS OF THE FIRST COMMITTEE

21. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

Chemical and bacteriological (biological) weapons

A

Chemical and bacteriological (biological) weapons

The General Assembly,

Recalling paragraph 75 of the Final Document of the Tenth Special Session of the General Assembly, 3/ in which it is stated that the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and their destruction represents one of the most urgent measures of disarmament,

Referring to the unanimous and categorical reaffirmation by all Member States, at the twelfth special session of the General Assembly, of the validity of the Final Document of the Tenth Special Session, 4/

Convinced of the need for the earliest conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, which would significantly contribute to general and complete disarmament under effective international control,

Recalling its resolution 36/96 B of 9 December 1981,

3/ Resolution S-10/2.

4/ See A/S-12/32, para. 62.

Expressing profound concern at the production and deployment of binary chemical weapons,

Taking into consideration the decision by the Committee on Disarmament on the new mandate for the Ad Hoc Working Group on Chemical Weapons as well as the work of the Group during the 1982 session of the Committee,

Regretting that the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America have been suspended since 1980 and have not been resumed,

Deeming it desirable for States to refrain from taking any action that could delay or further complicate negotiations,

Aware that the qualitative improvement and development of chemical weapons complicate ongoing negotiations on the prohibition of chemical weapons,

Taking note of the proposals on the creation of chemical-weapon-free zones aimed at facilitating the complete prohibition of chemical weapons,

1. Reaffirms the necessity of the earliest elaboration and conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction;

2. Appeals to all States to facilitate in every possible way the conclusion of such a convention;

3. Urges the Committee on Disarmament to intensify the negotiations in the Ad Hoc Working Group on Chemical Weapons on the basis of its new mandate to achieve accord on a chemical weapons convention at the earliest possible date;

4. Calls upon the Union of Soviet Socialist Republics and the United States of America to resume, at the earliest possible date, their bilateral negotiations on the prohibition of chemical weapons and to submit their joint proposal to the Committee on Disarmament;

5. Reaffirms its call to all States to refrain from any action that could impede negotiations on the prohibition of chemical weapons and specifically to refrain from the production and deployment of binary and other new types of chemical weapons, as well as from stationing chemical weapons on the territory of other States.

B

Chemical and bacteriological (biological) weapons)

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and to their destruction,

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Reaffirming the necessity of strict observance by all States of 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, signed at Geneva on 17 June 1925, 5/ and of the adherence by all States to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, 6/

Having considered the report of the Committee on Disarmament, 7/ which embodies, inter alia, the report of its Ad Hoc Working Group on Chemical Weapons, 8/

Noting relevant proposals and initiatives, including those put forward at the twelfth special session of the General Assembly, the second special session devoted to disarmament,

Considering it necessary that all efforts be exerted for the resumption and successful conclusion of the bilateral and multilateral negotiations on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction,

1. Notes with satisfaction the work of the Committee on Disarmament during its session in 1982 regarding the prohibition of chemical weapons, in particular the progress in the work of its Ad Hoc Working Group on that question;

2. Expresses its regret that an agreement on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction has not yet been elaborated;

3. Urges the Committee on Disarmament, as a matter of high priority, to intensify, during its session in 1983, elaboration of such a convention, taking into account all existing proposals and future initiatives with a view to enabling the Committee to achieve agreement at the earliest date, and to re-establish its Ad Hoc Working Group on Chemical Weapons for this purpose;

4. Requests the Committee on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-eighth session.

5/ League of Nations, Treaty Series, vol. XCIV (1929), No. 2138, p. 65.

6/ Resolution 2826 (XXVI), annex.

7/ Official Records of the General Assembly, Supplement No. 27 (A/37/27 and Corr.1).

8/ Ibid., para. 75.

C

Chemical and bacteriological (biological) weapons

The General Assembly,

Mindful of the continued importance of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed in London, Moscow and Washington on 10 April 1972, 6/

Deeply convinced that the effective implementation and functioning of the Convention through the application of an adequate complaint and verification procedure will enhance international peace and security as well as the prospect of realizing the goal of general and complete disarmament under effective international control,

Conscious of the need to maintain inviolate 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, 5/ and to ensure its universal applications,

Recalling its resolution 2662 (XXV) of 7 December 1970 on the question of chemical and bacteriological (biological) weapons, in which it stated, inter alia, that verification should be based on a combination of appropriate national and international measures which would complement and supplement each other, thereby providing an acceptable system that would ensure the effective implementation of the prohibitions,

Recalling also resolution 35/144 A of 12 December 1980, by which it welcomed the final declaration of the 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,

Noting that, in their final declaration, the States parties considered that various international procedures, including the right of any State party subsequently to request that a consultative meeting open to all States parties be convened at expert level, would make it possible to ensure effectively and adequately the implementation of the provisions of the Convention,

Taking into account that, in their final declaration, the States parties, having noted the concerns and differing views expressed on the adequacy of article V of the Convention, believed that this question should be further considered at an appropriate time,

1. Reaffirms once again its resolution 2662 (XXV) on the question of chemical and bacteriological (biological) weapons;

2. Recommends that the States parties should hold a special conference as soon as possible to establish a flexible, objective and non-discriminating procedure to deal with issues concerning compliance with the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction;

3. Requests the Secretary-General to render the necessary assistance and to provide such services, including summary research, as may be required for the special conference of States parties to the Convention.

D

Provisional procedures to uphold the authority of the 1925
Geneva Protocol

The General Assembly,

Recalling the provisions of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods in Warfare, which was signed at Geneva on 17 June 1925 5/ and entered into force on 8 February 1928,

Noting that States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction have reaffirmed their adherence to the principles and objectives of that Protocol and called upon all States to comply with them,

Noting also that the Protocol does not provide for the establishment of procedures for investigating reports concerning activities prohibited by the Protocol,

Noting further that the Committee on Disarmament is currently engaged in the negotiation of a convention on the prohibition of chemical weapons, which should contain provisions to ensure its effective verification,

Believing it conducive to the continued authority of the Protocol that, pending eventual formal arrangements, procedures be established to make possible the prompt and impartial investigation of information concerning possible violations of the provisions of the Protocol,

1. Calls upon all States that have not yet done so to accede to the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare;

2. Calls upon all States to comply with the provisions of the Protocol;

3. Calls upon the Committee on Disarmament to expedite its negotiations on a convention on the prohibition of chemical weapons with a view to its submission to the General Assembly with the shortest possible delay;

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4. Requests the Secretary-General to investigate, with the assistance of qualified experts, information that may be brought to his attention by any Member State concerning activities that may constitute a violation of the Protocol or of the relevant rules of customary international law in order to ascertain thereby the facts of the matter, and promptly to report the results of any such investigation to all Member States and to the General Assembly;

5. Requests the Secretary-General, with the co-operation of Member States, to compile, as a matter of priority, and maintain lists of qualified experts whose services could be made available at short notice to undertake such investigations, and of laboratories with the capability to undertake testing for the presence of agents the use of which is prohibited;

6. Requests the Secretary-General, in meeting the objectives of paragraph 3 above:

(a) To appoint, as necessary, groups of experts selected from the above-mentioned list to undertake urgent investigation of possible violations;

(b) To make the necessary arrangements for the experts to collect and examine evidence, including on-site, with the co-operation of the countries concerned, to the extent relevant to the investigation, and for such testing as may be required;

(c) To seek, in any such investigation concerned, appropriate assistance and relevant information from all Governments and international organizations as well as other appropriate sources;

7. Further requests the Secretary-General, with the assistance of qualified consultant experts, to devise procedures for the timely and efficient investigation of information concerning activities that may constitute a violation of the Geneva Protocol or the relevant rules of customary international law and to assemble and organize systematically documentation relating to the identification of signs and symptoms associated with the use of such agents as a means of facilitating such investigations and medical treatment that may be required;

8. Requests Governments, national and international organizations, as well as scientific and research institutions, to co-operate fully with the Secretary-General in this work;

9. Requests the Secretary-General to submit a report to the General Assembly at its thirty-eighth session on the implementation of the present resolution.

E

Chemical and bacteriological (biological) weapons

The General Assembly,

Having examined the report of the Group of Experts to Investigate Reports on the Alleged Use of Chemical Weapons, 9/ which was appointed by the Secretary-General pursuant to General Assembly resolutions 35/144 C of 12 December 1980 and 36/96 C of 9 December 1981,

Noting the final conclusion of the Group of Experts that, while it could not state that the allegations had been proven, nevertheless, it could not disregard the circumstantial evidence suggestive of the possible use of some sort of toxic chemical substance in some instances,

Recalling that the use of chemical and biological weapons has been declared incompatible with the accepted norms of civilization,

1. Takes note of the report of the Secretary-General and expresses its appreciation to the Group of Experts to Investigate Reports on the Alleged Use of Chemical Weapons for the work it has accomplished as well as to the Member States that co-operated with the Group in fulfilling its mandate;

2. Calls anew for strict observance by all States of 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 5/ and condemns all actions that are contrary to these objectives.
