
United Nations A/RES/42/37

General Assembly
Distr. GENERAL

30 November 1987

ORIGINAL:
ENGLISH

A/RES/42/37
84th plenary meeting
30 November 1987

Chemical and bacteriological (biological) weapons
A
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 of their destruction,

Reaffirming the urgent 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, 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, signed in London, Moscow and Washington on 10 April 1972,

Taking note of the Final Document of the Second 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, adopted by consensus on 26 September 1986, and in particular of article IX of the Final Declaration of the Conference,

Having considered the report of the Conference on Disarmament, which incorporates, inter alia, the report of its Ad Hoc Committee on Chemical Weapons, and noting that following the precedents set over the past three years, consultations are continuing during the inter-sessional period, thus increasing the time devoted to negotiations,

Convinced of the necessity that all efforts be exerted for the continuation and successful conclusion of negotiations on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction,

Noting the bilateral and other discussions, including the ongoing exchange of views between the Union of Soviet Socialist Republics and the United States of America in the framework of the multilateral negotiations, on issues related to the prohibition of chemical weapons,

Noting further with appreciation the efforts made at all levels by States to facilitate the earliest conclusion of a convention and, in particular, the concrete steps designed to promote confidence and to contribute directly to that goal,

Wishing to encourage Member States to take further initiatives to promote confidence and openness in the negotiations and to provide further information to facilitate prompt resolution of outstanding issues, thus contributing to an early agreement on the convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction,

1. Takes note with satisfaction of the work of the Conference on Disarmament during its 1987 session regarding the prohibition of chemical weapons, and in particular appreciates the progress in the work of its Ad Hoc Committee on Chemical Weapons on that question and the tangible results recorded in its report;
2. Expresses again none the less its regret and concern that notwithstanding the progress made in 1987, a convention on the complete and effective prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction has not yet been elaborated;
3. Urges again the Conference on Disarmament, as a matter of high priority, to intensify, during its 1988 session, the negotiations on such a convention and to reinforce further its efforts by, inter alia, increasing the time during the year that it devotes to such negotiations, taking into account all existing proposals and future initiatives, with a view to the final elaboration of a convention at the earliest possible date, and to re-establish its Ad Hoc Committee on Chemical Weapons for this purpose with the mandate to be agreed upon by the Conference at the beginning of its 1988 session;
4. Requests the Conference on Disarmament to report to the General Assembly at its forty-third session on the results of its negotiations.

B

Second 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

The General Assembly,

Recalling its resolution 2826 (XXVI) of 16 December 1971, in which it commended the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and expressed the hope for the widest possible adherence to the Convention,

Recalling its resolution 39/65 D of 12 December 1984, in which it

noted that, at the request of a majority of States parties to the Convention, a second Review Conference of the Parties to the Convention would be held in 1986,

Recalling that the States parties to the Convention met at Geneva from 8 to 26 September 1986 to review the operation of the Convention with a view to assuring that the purposes of the preamble to and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, were being realized,

Recalling also its resolution 41/58 A of 3 December 1986, in which it, *inter alia*, noted with appreciation that on 26 September 1986, the Second 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 adopted by consensus a Final Declaration,

Noting with satisfaction that, at the time of the Second Review Conference of the Parties to the Convention, there were more than a hundred States parties to the Convention, including all the permanent members of the Security Council,

1. Notes with appreciation that, in accordance with the Final Declaration of the Second 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, an Ad Hoc Meeting of Scientific and Technical Experts from States parties to the Convention was held at Geneva from 31 March to 15 April 1987, which adopted by consensus a report finalizing the modalities for the exchange of information and data agreed to in the Final Declaration, thus enabling States parties to follow a standardized procedure;

2. Notes that the Ad Hoc Meeting of Scientific and Technical Experts from States parties to the Convention agreed in its report that the first exchange of information and data should take place not later than 15 October 1987 and that thereafter information to be given on an annual basis should be provided through the Department for Disarmament Affairs of the Secretariat not later than 15 April;

3. Notes with satisfaction that the first such exchange of information and data has commenced;

4. Requests the Secretary-General to render the necessary assistance and to provide such services as may be required for the implementation of the relevant parts of the Final Declaration;

5. Calls upon all signatory States that have not ratified or acceded to the Convention to do so without delay, and also calls upon those States which have not yet signed the Convention to join the States parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention and to international confidence.

C

Measures to uphold the authority of the 1925 Geneva Protocol and to support the conclusion of a chemical weapons convention

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 of Warfare, signed at Geneva on 17 June 1925, and other relevant rules of customary international law,

Recalling also the necessity 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, signed in London, Moscow and Washington on 10 April 1972,

Reiterating its concern over reports that chemical weapons have been used and over indications of their emergence in an increasing number of national arsenals, as well as over the growing risk that they may be used again,

Noting with satisfaction that the Conference on Disarmament is actively engaged in negotiating a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction, including detailed provisions for the on-site verification of compliance with the convention, and expressing its support for the early and successful conclusion of those negotiations,

Noting also that prompt and impartial investigation of reports of possible use of chemical and bacteriological weapons would further enhance the authority of the 1925 Geneva Protocol,

Expressing its appreciation for the work of the Secretary-General, and noting the procedures available to him in support of the principles and objectives of the 1925 Geneva Protocol,

1. Renews its call to all States to observe strictly the principles and objectives of the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, and condemns all actions that violate this obligation;

2. Urges all States to be guided in their national policies by the need to curb the spread of chemical weapons;

3. Recognizes the need, upon the entry into force of a chemical weapons convention, to review the modalities available to the Secretary-General for the investigation of reports of the possible use of chemical weapons;

4. Requests the Secretary-General to carry out investigations in response to reports that may be brought to his attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxin weapons that may constitute a violation of the 1925 Geneva Protocol or other relevant rules of customary international law in order to ascertain the facts of the matter, and to report promptly the results of any such investigation to all Member States;

5. Requests the Secretary-General, with the assistance of qualified experts provided by interested Member States, to develop further technical guidelines and procedures available to him for the timely and efficient

investigation of such reports of the possible use of chemical and bacteriological (biological) or toxin weapons;

6. Also requests the Secretary-General, in meeting the objectives set forth in paragraph 4 above, to compile and maintain lists of qualified experts provided by Member States 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;

7. Further requests the Secretary-General, in meeting the objectives of paragraph 4 above:

(a) To appoint experts to undertake investigation of the reported activities;

(b) Where appropriate, to make the necessary arrangements for experts to collect and examine evidence and to undertake such testing as may be required;

(c) To seek, in any such investigation, assistance as appropriate from Member States and the relevant international organizations;

8. Requests Member States and the relevant international organizations to co-operate fully with the Secretary-General in the above-mentioned work;

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