
United Nations A/RES/43/74

General Assembly
Distr. GENERAL

7 December 1988

ORIGINAL:
ENGLISH

A/RES/43/74
73rd plenary meeting
7 December 1988

Chemical and bacteriological (biological) weapons

A

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

The General Assembly,

Recalling its resolution 42/37 C of 30 November 1987,

Recalling also the rules and principles of international humanitarian law
applicable in armed conflict,

Reaffirming its dedication to protecting humanity from chemical and
biological warfare,

Expressing deep dismay at the use of chemical weapons in violation 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 other rules of customary international law, at
indications of their emergence in an increasing number of national arsenals
and at the growing risk that they may be used again,

Recalling the provisions of the 1925 Geneva Protocol and other relevant
rules of customary international law,

Recalling also the necessity for 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,

Bearing in mind the resolutions of the Security Council on chemical
weapons adopted during 1988,

Noting that prompt and impartial investigation of reports of possible use
of chemical and bacteriological weapons would further enhance the authority of

the Geneva Protocol,

Taking note of the report of the Secretary-General on the meeting of the group of qualified experts established in pursuance of General Assembly resolution 42/37 C to develop further the technical guidelines and procedures available to the Secretary-General for the timely and efficient investigation of reports of the possible use of chemical and bacteriological (biological) or toxin weapons,

Recalling that, in its resolution 620 (1988) of 26 August 1988, the Security Council decided to consider immediately, taking into account the investigations of the Secretary-General, appropriate and effective measures in accordance with the Charter of the United Nations,

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 Geneva Protocol,

1. Renews its 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 condemns vigorously all actions that violate this obligation;
2. Calls upon all States that have not yet done so to accede to the 1925 Geneva Protocol;
3. Urges the Conference on Disarmament to pursue as a matter of continuing urgency its negotiations on a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction;
4. Calls upon all States to be guided in their national policies by the need to curb the spread of chemical weapons pending the conclusion of such a convention;
5. Requests the Secretary-General to carry out promptly 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 Geneva Protocol or other 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, in accordance with the procedures established by the General Assembly in its resolution 42/37 C;
6. Also requests the Secretary-General, pursuant to resolution 42/37 C, with the assistance of the group of qualified experts provided by interested Member States, to continue his efforts 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, and to report to Member States as soon as possible;
7. Requests Member States and the relevant international organizations to co-operate fully with the Secretary-General in the above-mentioned work;
8. Decides to include in the provisional agenda of its forty-fourth session the item entitled "Chemical and bacteriological (biological) weapons".

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,

Pursuing its resolution 42/37 B, and 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 second such exchange of information and data has commenced, and calls upon States that have not yet exchanged

information and data to do so;

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 States that have not ratified or acceded to the Convention to do so without delay, thus contributing to the achievement of universal adherence to the Convention and to international confidence.

C

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,

Reaffirming the urgent necessity, particularly following recent United Nations reports, 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 taking note with satisfaction of the proposal to convene a conference to that effect,

Reaffirming also the urgent 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,

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 four 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,

Expressing the hope that the conference referred to above will also give a strong impetus to that end,

Conscious of the need to share data relevant to the negotiations on a future convention banning all chemical weapons on a global basis and of the fact that the provision of such data would be an important confidence-building measure,

Noting the bilateral and other discussions, including the ongoing exchange of views between the Union of the 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 also 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,

1. Takes note with satisfaction of the work of the Conference on Disarmament during its 1988 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 1988, 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 1989 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 1989 session;
4. Requests the Conference on Disarmament to report to the General Assembly at its forty-fourth session on the results of its negotiations;
5. Encourages 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, and universal adherence to, a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction;
6. Recognizes the importance of declarations made by States on whether or not they possess chemical weapons and of further international exchanges of data in connection with the negotiations on a multilateral convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction;
7. Welcomes the offer by the French Government to convene in Paris from 7 to 11 January 1989 a conference of the States parties to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous and Other Gases, and of Bacteriological Methods of Warfare, and of other interested States;
8. Expresses the hope that all States will contribute actively to the objectives of the conference.