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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 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,

Welcoming the broad participation in and the positive results of the Conference of States Parties to the 1925 Geneva Protocol and other Interested States on the prohibition of chemical weapons, held in Paris from 7 to 11 January 1989, and noting with satisfaction the resulting additional accession of States to the 1925 Protocol,

Endorsing the Final Declaration of the Paris Conference as an important contribution to the aim of the total elimination of chemical weapons,

Recognizing that the effectiveness of a convention for the prohibition of the development, production, stockpiling and use of chemical weapons and for their destruction will benefit from the support and co-operation of the chemical industry,

Commending, in that regard, the initiative of the Government of Australia to strengthen and expand the co-operation of the chemical industry with Governments by convening at Canberra from 18 to 22 September 1989 a Government-Industry Conference against Chemical Weapons,

Reaffirming 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 five years, consultations are continuing during the inter-sessional period, thus increasing the time devoted to negotiation,

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,

Emphasizing the importance of the widest possible participation of States in the negotiations on the draft convention in order to ensure universal adherence on its conclusion,

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 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 with appreciation the efforts made at all levels by States to facilitate the earliest conclusion of a convention for the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction and, in particular, the concrete steps designed to promote confidence and to contribute directly to that goal,

1. Notes with satisfaction the work of the Conference on Disarmament during its 1989 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. Notes, while regretting that a convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction has not yet been concluded, that there exists an ever-growing will to resolve the pending problems at the earliest possible date;

3. Again urges the Conference on Disarmament, as a matter of high priority, to intensify, during its 1990 session, which will be of pivotal importance, the negotiations on such a convention and to reinforce its efforts

further by, inter alia, increasing the time 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 that purpose with the mandate to be agreed upon by the Conference at the beginning of its 1990 session;

4. Requests the Conference on Disarmament to use the political momentum generated by the Conference of States Parties to the 1925 Geneva Protocol and other Interested States and the recognition by that Conference that a global ban on chemical weapons is of universal concern and interest, to achieve the conclusion at the earliest possible date of such a convention;

5. Also requests the Conference on Disarmament to report to the General Assembly at its forty-fifth session on the results of its negotiations;

6. Calls upon all States to abide by the commitments undertaken in the Final Declaration of the Paris Conference;

7. Welcomes the renewed declarations of commitment by Governments represented at the Government-Industry Conference against Chemical Weapons to conclude and implement a convention at the earliest possible date, and welcomes also the first collective statement by representatives of the chemical industry of their commitment to co-operate with Governments to that end;

8. Recognizes that constructive proposals were discussed at the Government-Industry Conference against Chemical Weapons that could contribute momentum to the Geneva negotiations and assist in the conclusion and early implementation of such a convention;

9. Recognizes also 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 such a convention;

10. 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, such a convention.

B

Chemical and bacteriological (biological) weapons: 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 previous resolutions, and those adopted by the Security Council, on the use of chemical weapons,

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

Welcoming in that regard the reaffirmation in the Final Declaration of

the Conference of States Parties to the 1925 Geneva Protocol and other Interested States, held in Paris from 7 to 11 January 1989, of the importance and the continuing validity of the 1925 Protocol,

Recalling further 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,

Expressing deep dismay at the use and the risk of use of chemical weapons as long as such weapons remain and are spread,

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

Taking note of the report of the Secretary-General on the proposals of the group of qualified experts established in pursuance of General Assembly resolution 42/37 C of 30 November 1987, concerning 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,

Noting that, upon conclusion of a chemical weapons convention, these guidelines and procedures should be adapted in the light of the obligations under the convention,

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 that 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. 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 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. Welcomes, in that regard, the proposals of the group of qualified experts concerning technical guidelines and procedures to guide the Secretary-General in the conduct of timely and efficient investigation of the reports of use of chemical and bacteriological (biological) or toxin weapons;
6. Calls upon all States to consider the implementation of those guidelines and procedures for investigation, inter alia, by putting at the disposal of the Secretary-General qualified experts and/or consultants as well

as laboratories for analysis;

7. Notes with satisfaction that 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;

8. Urges all States to exercise restraint and to act responsibly in accordance with the need for the early conclusion and entry into force of a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction;

9. Decides to include in the provisional agenda of its forty-fifth session the item entitled "Chemical and bacteriological (biological) weapons".

C

Implementation of the recommendations 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

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,

Recalling also that the Second Review Conference of States Parties to the Convention was held at Geneva from 8 to 26 September 1986 in order 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,

Taking note of the confidence-building measures agreed upon by the Second Review Conference for further strengthening the authority of the Convention and for enhancing confidence among States,

Acknowledging that the Final Declaration of the Second Review Conference expressed the need to give further consideration to, inter alia, the implementation of the Convention in all its aspects,

Confirming the common interest in strengthening the authority and the effectiveness of the Convention to promote confidence and co-operation among Member States as well as the necessity to comply with the obligations set forth in the Convention,

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. Calls upon all States parties to the Convention to provide such information and data to the Secretary-General on an annual basis and not later than 15 April;

3. 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;

4. Notes that the Second Review Conference decided, in its Final Declaration, that a Third Review Conference should be held at Geneva at the request of a majority of States parties not later than 1991;

5. Recalls in that regard the decision that the Third Review Conference should consider, inter alia, the issues set out in article XII of the Final Declaration of the Second Review Conference;

6. Also requests the Secretary-General to circulate to the States parties to the Convention not later than four months prior to the convening of the Third Review Conference a report on the implementation of the confidence-building measures agreed upon by the Ad Hoc Meeting of Scientific and Technical Experts from States parties;

7. Welcomes the fact that there are more than one hundred States parties to the Convention, including all the permanent members of the Security Council, and that since the holding of the Second Review Conference four more States have forwarded their instruments of ratification of the Convention, two more States have declared their accession to the Convention and one State has withdrawn its reservations to it;

8. 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 the strengthening of international confidence.