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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" was included in the provisional agenda of the forty-fifth session of the General Assembly in accordance with Assembly resolutions 44/115 A to C of 15 December 1989.
2. At its 3rd plenary meeting, on 21 September 1990, 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 9 October 1990, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 45 to 66. At its 4th meeting, on 16 October, the First Committee decided to consider jointly with other disarmament items agenda item 155, which was allocated to the First Committee upon a decision of the General Assembly at its 30th plenary meeting, on 15 October. The deliberations on those items took place between the 3rd and 23rd meetings, from 15 to 30 October (see A/C.1/45/PV.3-23). Consideration of and action on draft resolutions on those items took place between the 24th and 39th meetings, from 2 to 16 November (see A/C.1/45/PV.24-39).
4. In connection with item 55, the First Committee had before it the following documents:

(a) Report of the Conference on Disarmament; 1/

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27 (A/45/27).

(b) Letter dated 16 April 1990 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General (A/45/219-S/21252);

(c) Letter dated 6 August 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/45/385-S/21447);

(d) Letter dated 19 September 1990 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General, transmitting the text of the documents adopted by the Nineteenth Islamic Conference of Foreign Ministers, held at Cairo from 31 July to 5 August 1990 (A/45/421-S/21797);

(e) Letter dated 27 August 1990 from the Permanent Representative of Vanuatu to the United Nations addressed to the Secretary-General, transmitting the text of the final communiqué of the Twenty-first South Pacific Forum, held at Port Vila, from 31 July to 1 August 1990 (A/45/456).

II. CONSIDERATION OF PROPOSALS

A. Resolution A/C.1/45/L.21 a n d Rev.1

5. On 2 November, Australia, Austria, Belgium, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Malaysia, Mongolia, Myanmar, the Netherlands, New Zealand, Norway, the Philippines, Poland, Portugal, Romania, Spain, Sweden, Turkey, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Viet Nam submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/45/L.21).

6. On 6 November, Australia, Austria, Belgium, Bolivia, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Malaysia, Mongolia, Myanmar, Netherlands, New Zealand, Norway, the Philippines, Poland, Portugal, Romania, Spain, Suriname, Sweden, Turkey, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Viet Nam submitted a revised draft resolution (A/C.1/45/L.21/Rev.1), which was later also sponsored by Afghanistan, Argentina, Brazil, Costa Rica and Cyprus. The revised draft resolution was introduced by the representative of Poland at the 34th meeting, on 12 November, and contained the following changes:

(.) In the fifth preambular paragraph, the third line of which had read:

"and expressing the hope that the additional time allocated to consultations during",

was revised to read;

"and expressing the hope that the consultations scheduled for";

(b) The tenth preambular paragraph, which had read;

"~~Welcoming~~, in this regard, the joint undertaking by the Union of Soviet Socialist Republics and the United States of America, in their agreement of 1 June 1990, to cease the production of chemical weapons and to begin the process of destruction of their chemical weapons stockpiles",

was revised to read;

"~~Welcoming~~, in this regard, the fact that the Union of Soviet Socialist Republics and the United States of America have agreed to cease the production of chemical weapons and to begin destroying their chemical weapons stockpiles";

(c) In the eleventh preambular paragraph,

"~~Noting with appreciation~~" was replaced by "~~Welcoming also~~", and at the end of the paragraph "and commending the increasing number of States that have declared their intention to be among original signatories to the convention" was deleted;

(d) A new twelfth preambular paragraph was added, which read as follows:

"~~Noting with appreciation~~ the increasing number of States that have declared their intention to be among the original signatories to the convention";

(e) Operative paragraph 6, which had read:

"6. ~~Calls upon~~ States which have not yet done so to declare whether or not they possess chemical weapons and recognises also the importance of further international exchanges of data by all States in connection with the negotiations on a chemical weapons convention",

was revised to read:

"6. ~~Stress-~~ the particular significance and importance of declarations made by States on whether or not they possess chemical weapons and of further international exchanges of data and other relevant information in connection with the negotiations on such a convention";

(f) Operative paragraph 7, which had read:

"7. ~~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",

was revised to read:

"7. Encourages all States to take further initiatives, measures, and steps to promote confidence and openness in order to contribute to an early agreement on, and universal adherence to, such a **convention**";

(g) Operative paragraph 8, which had read:

"8. Welcomes, in this regard, the declarations made by States to be among the original signatories to the convention, and invites all States that have not yet **done so to consider** making similar declarations and to promote its early entry **into** force",

was revised to read:

"8. Invites all States to make every effort to ensure its **early** entry into force and its effective implementation".

7. At its 36th meeting, on 14 November, the Committee adopted draft resolution A/C.1/45/L.21/Rev.1 without a vote (see para. 13, draft resolution A).

B. Draft resolution A/C.1/45/L.46

8. On 31 October, Afghanistan, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bangladesh, Bolivia, Brazil, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Czechoslovakia, Denmark, Ecuador, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Liberia, Luxembourg, Malta, Mexico, Mongolia, Nepal, the Netherlands, New Zealand, Nigeria, Norway, Peru, the Philippines, Poland, Portugal, Romania, Swain, Sweden, Togo, Turkey, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay, Venezuela, Yugoslavia and Zaire submitted a draft resolution entitled "Implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and preparations for the Third Review Conference of the Parties to the Convention" (A/C.1/45/L.46), which was later also sponsored by Costa Rica, Cyprus, -Pakistan, Singapore, Sri Lanka and Suriname. The draft resolution was introduced by the representative of Austria at the 25th meeting, on 5 November.

9. At the 36th meeting on 14 November, the Secretary of the Committee made a statement concerning the programme budget implications of the draft resolution (see A/C.1/45/PV.36).

10. At the same meeting, the Committee adopted draft resolution A/C.1/45/L.46 without a vote (see para. 13, draft resolution B).

C. Draft resolution A/C.1/45/L.52

11. On 31 October, Antigua and Barbuda, Australia, Austria, Bahamas, Belgium, Bulgaria, Cameroon, Canada, Chile, Colombia, Costa Rica, Denmark, Ecuador, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Papua New Guinea, Peru, the Philippines, Poland, Portugal, Samoa, Spain, Sweden, Thailand, Turkey, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Viet Nam, Yugoslavia and Zaire submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons; measures to uphold the authority of the 1925 Geneva Protocol" (A/C.1/45/L.52), which was later also sponsored by Cyprus, Czechoslovakia and Ireland, o l u t i o n w a s introduced by the representative of Australia at the 34th meeting, on 12 November.

12. At its 36th meeting, on 14 November, the Committee adopted draft resolution A/C.1/45/L.52 without a vote (see para. 13, draft resolution C).

III, RECOMMENDATIONS OF THE FIRST COMMITTEE

13. The First Committee recommends to the General Assembly the adoption of the following draft resolutions!

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 in the light of the past use of and recent threats to use chemical weapons, 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, 2/

Welcoming again in this 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 continuing validity of the 1925 Protocol, 3/

2/ League of Nations, Treaty Series, vol. XCIV (1929), No. 2138.

3/ A/44/80, annex, para. 2.

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, 4/**

Having considered the report of the **Conference** on Disarmament, **5/** which incorporates, inter alia, the **report** of its Ad Hoc Committee on Chemical Weapons, and expressing the hope that the consultations scheduled **for** the inter-sessional period will move the negotiations forward,

Convinced of the necessity that every effort be exerted **for** the 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, and, in this regard, commending the ever growing number of States participating in those negotiations,

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,**

Welcoming,ⁱⁿ this regard, the fact that the Union **of** Soviet Socialist Republics and **the** United States of America have agreed to cease the production **of** chemical weapons and to begin destroying their chemical weapons stockpiles,

Welcoming also 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,

Noting with appreciation the increasing number of States that have declared their intention to be among the original signatories to the convention,

Recognizing that the effectiveness **of** such a convention will benefit from the support and co-operation of the chemical industry,

4/ Resolution 2826 (XXVI), annex.

5/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 27 (A/45/27) .

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 to abide by the commitments undertaken in the Final Declaration of the Paris Conference]
2. **Notes** the progress made in the work of the **Ad Hoc** Committee on Chemical Weapons of the Conference on Disarmament during its 1990 session, and the results recorded in the Committee's report;
3. **Expresses its regret and concern** 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;
4. **Strongly urges** the Conference on Disarmament, as a matter of highest priority, to intensify during its 1991 session its efforts to resolve outstanding issues, and to conclude its negotiations on a convention, taking into account all existing proposals and future initiatives, and to re-establish its **Ad Hoc** Committee on Chemical Weapons for that purpose;
5. **Requests** the Conference on Disarmament to report to the General Assembly at its forty-sixth session on the results of its negotiations!
6. **Stresses** the particular significance and importance of declarations made by States on whether or not they possess chemical weapons and of further international exchanges of data and other relevant information in connection with the negotiations on such a convention;
7. **Encourages** all States to take further initiatives, measures and steps to promote confidence and openness in order to contribute to an early agreement on, and universal adherence to, such a convention)
8. **Invites** all States to make every effort to ensure its early entry into force and its effective implementation;
9. **Decides** to include in the provisional agenda of its forty-sixth session the item entitled "Chemical and bacteriological (biological) weapons".

B

Implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and preparations for the Third Review Conference of the Parties to the Conventi.

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, **6/**

Taking note of the confidence-building measures agreed upon by the Second Review Conference, held at Geneva from 8 to 26 September 1986, for further strengthening the authority of the Convention and for enhancing confidence among States,

Acknowledging that the Final Declaration of the Second Review Conference **1/** 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 that, at the request of the States parties, a Third Review Conference of the parties to the Convention will be held at Geneva in 1991, that, following appropriate consultations, a preparatory committee for that Conference has been formed, open to all parties to the Convention, and that the committee will meet at Geneva from 8 to 12 April 1991;

2. Requests the Secretary-General to render the necessary assistance and to provide such services as may be required for the Third Review Conference and its preparation:

3. Recalls in that regard the decision taken at the Second Review Conference 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:

4. Reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Second Review Conference and to provide such information and data in conformity with the standardised procedure **8/** to the Secretary-General on an annual basis and not later than 15 April:

5. Recalls its request in resolution **44/115 C** of 15 December 1989 that the Secretary-General should render the necessary assistance and should provide such services as may be required for the **implementation** of the relevant parts of the Final Declaration of the Second Review Conference:

6/ Resolution 2826 (XXVI), annex.

1/ BWC/CONF.II/13, part II.

8/ BWC/CONF.II/EX/2.

6. Further recalls its request in resolution 44/115 C that the Secretary-General should 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 these confidence-building measures:

7. 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.

C

Chemical and bacteriological (biological) weapons; measures
to uphold the authority of the 1925 Geneva Protocol

The General Assembly,

Recalling its previous resolutions, and those adopted by the Security Council, on the use of chemical weapons,

Reaffirming its resolution 44/115 B of 15 December 1989 on measures to uphold the authority of the 1925 Geneva Protocol and to support the conclusion of a chemical weapons convention,

Bearina in mind the reaffirmation in the Final Declaration 9/ 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,

Deploring the use and threat of use of chemical weapons,

1. Condemns vigorously all actions that violate or threaten to violate the obligations assumed under the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare 10/ and other relevant provisions of international law;

2. Renews its call to all States to observe strictly the principles and objectives of the 1925 Geneva Protocol and reaffirms the vital necessity of upholding its provisions;

3. Endorses 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 to guide the Secretary-General in the conduct

9/ A/44/88, annex.

10/ League of Nations, Treaty Series, vol. XCIV (1929), No. 2138.

of timely and efficient investigation **of** the reports of use of chemical and bacteriological (biological) or toxin weapons; 11/

4. **Notes** the continuing significance of the Security Council decision 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, 12/ should there be any future use of chemical weapons in violation **of** international law.

11/ A/44/561, annex.

12/ Security Council resolution 620 (1988).