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Agenda item 106

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

Report of the First Committee

Rapporteur: Mr. Martin **Ngundze** (South Africa)

I. Introduction

1. The item entitled “Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction” was included in the provisional agenda of the seventy-second session of the General Assembly in accordance with Assembly resolution 71/87 of 5 December 2016.

2. At its 2nd plenary meeting, on 15 September 2017, 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 1st meeting, on 28 September 2017, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 52 (b) and 90 to 106. At its 2nd to 9th meetings, from 2 to 6 and on 9 and 10 October, the Committee held a general debate on those items. At its 9th meeting, on 10 October, the Committee had an exchange with the High Representative for Disarmament Affairs on the follow-up to resolutions and decisions adopted by the Committee at previous sessions and the presentation of reports. At its 10th meeting, on 11 October, the Committee had an exchange with the High Representative for Disarmament Affairs and other high-level officials in the field of arms control and disarmament. The Committee also held 14 meetings (10th to 23rd), from 11 to 13, from 16 to 18, on 20 and from 23 to 26 October, for thematic discussions and panel exchanges with independent experts. At those meetings, as well as during the action phase, draft resolutions were introduced and



considered. The Committee took action on all draft resolutions and decisions at its 24th to 28th meetings, on 27, 30 and 31 October and on 1 and 2 November.¹

4. No documents were submitted for consideration under this item.

II. Consideration of draft resolution A/C.1/72/L.49

5. On 13 October, the representative of Hungary submitted a draft resolution entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" (A/C.1/72/L.49).

6. At the 25th meeting, on 30 October, the Secretary of the Committee read out a statement by the Secretary-General concerning the financial implications of the draft resolution.

7. At the same meeting, the Committee adopted draft resolution A/C.1/72/L.49 without a vote (see para. 8).

¹ For an account of the Committee's discussion of the item, see A/C.1/72/PV.2, A/C.1/72/PV.3, A/C.1/72/PV.4, A/C.1/72/PV.5, A/C.1/72/PV.6, A/C.1/72/PV.7, A/C.1/72/PV.8, A/C.1/72/PV.9, A/C.1/72/PV.10, A/C.1/72/PV.11, A/C.1/72/PV.12, A/C.1/72/PV.13, A/C.1/72/PV.14, A/C.1/72/PV.15, A/C.1/72/PV.16, A/C.1/72/PV.17, A/C.1/72/PV.18, A/C.1/72/PV.19, A/C.1/72/PV.20, A/C.1/72/PV.21, A/C.1/72/PV.22, A/C.1/72/PV.23, A/C.1/72/PV.24, A/C.1/72/PV.25, A/C.1/72/PV.26, A/C.1/72/PV.27 and A/C.1/72/PV.28.

III. Recommendation of the First Committee

8. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

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 previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and on their destruction,

Noting with satisfaction that, with the ratification and accession of four additional States,¹ there are now 179 States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,² including all the permanent members of the Security Council, and stressing at the same time that there is a continuing need to achieve its universalization,

Reaffirming its call upon all signatory States that have not yet ratified the Convention to do so without delay, and calling upon those States that have not signed the Convention to become parties thereto at the earliest possible date, thus contributing to the achievement of universal adherence to the Convention which will facilitate its success,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the review conferences of the parties to the Convention, including the exchange of information and data agreed to in the Final Declaration of the Third 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, later amended by the Final Declaration of the Seventh Review Conference, and to provide such information and data in conformity with the standardized procedure to the Implementation Support Unit within the Office for Disarmament Affairs of the Secretariat on an annual basis and no later than 15 April,

Welcoming the reaffirmation made in the Final Declarations of the Fourth, Sixth, Seventh and Eighth Review Conferences that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

Recognizing the importance of ongoing efforts by States parties to enhance international cooperation, assistance and the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes, recognizing also that there still remain challenges to be overcome in order to enhance international cooperation, and recognizing further the value of building capacity through international cooperation, in line with the Final Document of the Eighth Review Conference,

¹ Liberia, 4 November 2016 (ratification), Nepal, 4 November 2016 (ratification), Guinea, 9 November 2016 (accession) and Samoa, 21 September 2017 (accession).

² United Nations, *Treaty Series*, vol. 1015, No. 14860.

Reaffirming the importance of national measures, in accordance with constitutional processes, in strengthening the implementation of the Convention by States parties, in line with the Final Document of the Eighth Review Conference,

Reaffirming also the importance of the review of developments in the field of science and technology related to the Convention,

Recalling previous intersessional processes carried out under the Convention,

Noting, in the decisions and recommendations of the Final Document, that the Eighth Review Conference decided that States parties would hold annual meetings and that the first such meeting would start on 4 December 2017, have a duration of up to five days and seek to make progress on issues of substance and process for the period before the next Review Conference, with a view to reaching consensus on an intersessional process,

Recalling the decision of the Eighth Review Conference that the Ninth Review Conference shall be held in Geneva not later than 2021,

1. *Notes* the consensus outcome of and the decisions on all provisions of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction² reached at the Eighth Review Conference of the Parties to the Convention, and calls upon States parties to the Convention to participate and actively engage in their continued implementation;

2. *Appreciates* the information and data on confidence-building measures provided by States parties to date, and calls upon all States parties to participate in the exchange of information and data on confidence-building measures called for in the relevant decisions of the review conferences;

3. *Notes* the decision of the Eighth Review Conference to continue and improve the database established by the Seventh Review Conference to facilitate requests for and offers of exchange of assistance and cooperation, and urges States parties to submit to the Implementation Support Unit, on a voluntary basis, requests for and offers of cooperation and assistance, including in terms of equipment, materials and scientific and technological information regarding the use of biological and toxin agents for peaceful purposes;

4. *Encourages* States parties to provide, at least biannually, appropriate information on their implementation of article X of the Convention and to collaborate to offer assistance or training, upon request, in support of the legislative and other implementation measures of States parties needed to ensure their compliance with the Convention;

5. *Notes* the decision of the Eighth Review Conference to renew the sponsorship programme established by the Seventh Review Conference in order to support and increase the participation of developing States parties in the annual meetings, welcomes the continued willingness among States parties to provide voluntary contributions, and calls upon States parties in a position to do so to offer voluntary contributions for the programme;

6. *Also notes* the decision of the Eighth Review Conference to renew the mandate of the Implementation Support Unit agreed to at the Seventh Review Conference, mutatis mutandis, for the period from 2017 to 2021, and notes with appreciation the work of the Unit;

7. *Further notes* that the Eighth Review Conference did not reach agreement on a new intersessional programme and that, in its Final Document, it decided that States parties would hold annual meetings and that the first such

meeting would be held in Geneva starting on 4 December 2017, have a duration of up to five days and seek to make progress on issues of substance and process for the period before the next Review Conference, with a view to reaching consensus on an intersessional process, and welcomes the efforts of States parties to that end;

8. *Notes with appreciation* the events organized by some States parties, regional organizations and the Office for Disarmament Affairs of the Secretariat for exchanges of views on the implementation of the Convention, and encourages States parties to continue to participate in such informal exchanges and discussions;

9. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to continue to provide such services as may be required for the conduct and the implementation of the decisions and recommendations of the review conferences;

10. *Notes* the importance of addressing issues arising from the outstanding dues of States parties and participating States and from financial and accounting practices recently implemented by the United Nations under which funds must be available before meetings can be held, encourages States parties to consider ways of addressing these issues at their next opportunity, and requests the Secretary-General to cooperate with States parties in exploring options to address or reduce the impact of such issues;

11. *Decides* to include in the provisional agenda of its seventy-third session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".
