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### CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

#### Report of the First Committee

Rapporteur: Mr. Pablo Emilio SADER (Uruguay)

#### I. INTRODUCTION

1. The item entitled "Chemical and bacteriological (biological) weapons" was included in the provisional agenda of the forty-sixth session of the General Assembly in accordance with Assembly resolutions 45/57 A to C of 4 December 1990.
2. At its 3rd plenary meeting, on 20 September 1991, 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 10 October 1991, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 47 to 65. The deliberations on those items took place between the 3rd and 24th meetings, from 14 to 30 October (see A/C.1/46/PV.3-24). Consideration of and action on draft resolutions on those items took place between the 25th and 37th meetings, from 4 to 15 November (see A/C.1/46/PV.25-37).
4. In connection with item 59, the First Committee had before it the following documents:

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

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1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 27 (A/46/27).

(b) Letter dated 1 July 1991 from the Chargé d'affaires a.i. of the Permanent Mission of the Netherlands to the United Nations addressed to the Secretary-General, transmitting the text of the Declaration on non-proliferation and arms exports, made by the European Council on 29 June 1991 (A/46/289);

(c) Letter dated 29 July 1991 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the Secretary-General (A/46/329-S/22855);

(d) Letter dated 5 August 1991 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-second South Pacific Forum, held at Palikir, Pohnpei, Federated States of Micronesia, on 29 and 30 July 1991 (A/46/344);

(e) Letter dated 11 September 1991 from the Permanent Representatives of Argentina, Brazil and Chile to the United Nations addressed to the Secretary-General, transmitting the text of the Joint Declaration on the Complete Prohibition of Chemical and Biological Weapons - Mendoza Accord, signed at Mendoza, Argentina, on 5 September 1991 (A/46/463);

(f) Letter dated 23 September 1991 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General (A/46/493);

(g) Letter dated 12 August 1991 from the Permanent Representative of China to the United Nations addressed to the Secretary-General (A/46/501);

(h) Letter dated 27 September 1991 from the Permanent Representative of China to the United Nations addressed to the Secretary-General (A/46/501/Rev.1);

(i) Letter dated 8 November 1991 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General, transmitting the text of the Declaration of Non-nuclear Korean Peninsula Peace Initiative, made on 8 November 1991 (A/46/621-S/23201).

## II. CONSIDERATION OF PROPOSALS

### A. Draft resolution A/C.1/46/L.9

5. On 30 October 1991, Argentina, Australia, Austria, Finland, Germany, Hungary, the Netherlands, New Zealand, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America submitted a draft resolution entitled "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" (A/C.1/46/L.9), which was later also

sponsored by Bolivia, Bulgaria, Canada, China, Czechoslovakia, France, Greece, India, Norway, Poland, the Republic of Korea, Romania, Spain, Sweden, Turkey and Uruguay. The draft resolution was introduced by the representative of Argentina at the 27th meeting, on 5 November.

6. In connection with the draft resolution, the Secretariat submitted a note concerning its programme budget implications (A/C.1/46/16).

7. At its 34th meeting, on 12 November, the Committee adopted draft resolution A/C.1/46/L.9 without a vote (see para. 12, draft resolution A).

#### B. Draft resolution A/C.1/46/L.16

8. On 31 October, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Papua New Guinea, the Philippines, Poland, Portugal, the Republic of Korea, Romania, 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 and Yugoslavia, submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons: measures to uphold the authority of the 1925 Geneva Protocol" (A/C.1/46/L.16), which was later also sponsored by Bolivia, Chile and Singapore. The draft resolution was introduced by the representative of Australia at the 30th meeting, on 7 November.

9. At its 33rd meeting, on 11 November, the Committee adopted draft resolution A/C.1/46/L.16 without a vote (see para. 12, draft resolution B).

#### C. Draft resolution A/C.1/46/L.36

10. On 1 November, Afghanistan, Argentina, Australia, Austria, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Canada, Costa Rica, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Malaysia, Mongolia, Myanmar, the Netherlands, New Zealand, Norway, the Philippines, Poland, Portugal, Romania, Spain, Sweden, Thailand, Turkey, Ukraine, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Viet Nam submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/46/L.36), which was later also sponsored by Chile, Cyprus, Luxembourg, the Republic of Korea, Samoa, Uruguay and Venezuela. The draft resolution was introduced by the representative of Canada at the 30th meeting, on 7 November.

11. At its 33rd meeting, on 11 November, the Committee adopted draft resolution A/C.1/46/L.36 without a vote (see para. 12, draft resolution C).

### III. RECOMMENDATIONS OF THE FIRST COMMITTEE

12. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

##### A

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

The General Assembly,

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

Recalling its resolution 45/57 B, adopted without a vote on 4 December 1990, in which the General Assembly noted, inter alia, that, at the request of the States parties, a 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 <sup>2/</sup> would be held at Geneva in 1991 to review the operation of the Convention, with a view to assuring that the purposes of the preamble and the provisions of the Convention, including those related to the negotiations on chemical weapons, were being realized,

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

1. Notes with satisfaction that, on 27 September 1991, 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 adopted by consensus a Final Declaration;

2. Stresses the importance, inter alia, of the solemn political declaration of the Final Declaration of the Third Review Conference, and welcomes with satisfaction the results of the Review Conference, including in particular the expanded confidence-building measures related to activities relevant to the Convention, and the establishment of an Ad Hoc Group of Governmental Experts open to all States parties to identify and examine potential verification measures from a scientific and technical standpoint;

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<sup>2/</sup> Resolution 2826 (XXVI), annex.

3. Calls upon all States parties to the Convention to participate in the implementation of the recommendations of the Third Review Conference, including in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference, and to provide such information and data in conformity with the standardized procedure to the Secretary-General on an annual basis and not later than 15 April;

4. Requests the Secretary-General to render the necessary assistance and to provide such services as may be required for the implementation of the decisions and recommendations of the Third Review Conference;

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 that 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.

B

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

The General Assembly,

Reaffirming the importance and the continuing validity of the 1925 Geneva Protocol,

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

Reaffirming in particular its resolution 45/57 C of 4 December 1990 on measures to uphold the authority of the 1925 Protocol and resolution 45/57 A of 4 December 1990 urging the early conclusion of a chemical weapons convention,

Deploing all threats, including especially those made most recently, of use of chemical weapons,

1. Condemns vigorously all actions that violate or threaten to violate the obligations assumed under 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, 3/ and other relevant provisions of international law;

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

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. Welcomes in this context recent decisions, declarations and initiatives of the United Nations and in particular the Security Council aimed at upholding the authority of the Geneva Protocol and removing the threat of chemical weapons use;

4. Supports as well other similar activities of regional and international disarmament conferences and parallel decisions by national Governments, also aimed at hastening the conclusion of the chemical weapons convention as a step towards the elimination of all weapons of mass destruction.

C

Chemical and bacteriological (biological) weapons

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of the development, production, stockpiling and use 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, 3/

Having considered the report of the Conference on Disarmament, 4/ which incorporates, inter alia, the report of its Ad Hoc Committee on Chemical Weapons, 5/ and noting in particular the Conference's decision to mandate further this Committee to intensify, as a priority task, 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 with the view to striving to achieve a final agreement on the convention by 1992,

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4/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 27 (A/46/27).

5/ Ibid., para. 89.

Noting with satisfaction that the States participating in 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, held at Geneva from 9 to 27 September 1991, inter alia, declared themselves in favour of the early conclusion of the negotiations on a convention banning chemical weapons,

Noting with appreciation the increasing number of States that have declared their intention to be among the original signatories to the convention, and in particular the statements made by the States participating in the Conference on Security and Cooperation in Europe on 21 November 1990 and the States signatories to the Mendoza Accord, on 5 September 1991, ¶ as well as the statement by States of South-East Asia and the East Pacific, assembled at Brisbane on 13 November 1990, inter alia, calling on all States to be original signatories to 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, signed at Geneva on 17 June 1925;

2. Notes the progress made in the work of the Ad Hoc Committee on Chemical Weapons of the Conference on Disarmament during its 1991 session, and the results recorded in the Committee's report;

3. Commends the decision of the Conference to intensify further the negotiations on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction with the view to striving to achieve a final agreement on a convention by 1992;

4. Strongly urges the Conference on Disarmament, as a matter of the highest priority, to resolve in the forthcoming months outstanding issues so as to achieve a final agreement during its 1992 session;

5. Requests the Conference on Disarmament to report to the General Assembly at its forty-seventh 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. Welcomes those initiatives taken by States, and urges all States to take further initiatives, measures and steps on a national, bilateral, regional or multilateral basis to achieve rapid agreement in the negotiations on, and universal adherence to, such a convention;

8. Calls upon all States to consider declaring their intention to become original States parties to the convention so as to ensure its early entry into force, its effective implementation and its universal character;

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

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