



## General Assembly

Distr.  
GENERAL

A/39/754  
6 December 1984  
ENGLISH  
ORIGINAL: FRENCH

Thirty-ninth session  
Agenda item 64

### CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

#### Report of the First Committee

Rapporteur: Mr. Ngaré KESSELY (Chad)

#### I. INTRODUCTION

1. The item entitled:

"Chemical and bacteriological (biological) weapons:

"(a) Report of the Conference on Disarmament;

"(b) Report of the Secretary-General"

was included in the provisional agenda of the thirty-ninth session in accordance with General Assembly resolutions 38/187 A to C of 20 December 1983.

2. At its 3rd plenary meeting, on 21 September 1984, 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 15 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 45 to 65 and item 142 which was allocated to the First Committee by the General Assembly at its 27th plenary meeting, on 9 October, followed by statements on specific disarmament agenda items and continuation of the general debate, as necessary. The deliberations on those items took place between the 3rd and the 36th meetings, from 17 October to 12 November (see A/C.1/39/PV.3-36).

4. In connection with item 64, the First Committee had before it the following documents:

- (a) Report of the Conference on Disarmament; 1/
- (b) Report of the Secretary-General (A/39/488);
- (c) Note by the Secretary-General (A/39/210);
- (d) Letter dated 25 January 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/89-S/16297);
- (e) Letter dated 27 January 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/92-S/16301);
- (f) Letter dated 14 February 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/111-S/16333);
- (g) Note verbale dated 21 February 1984 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (A/39/113);
- (h) Letter dated 2 March 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/121-S/16383);
- (i) Letter dated 5 March 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/124-S/16393);
- (j) Letter dated 8 March 1984 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (A/39/127);
- (k) Letter dated 13 March 1984 from the Chargé d'Affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (A/39/132-S/16416);
- (l) Letter dated 5 April 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/172-S/16469);
- (m) Letter dated 12 April 1984 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (A/39/182-S/16481);

---

1/ Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 27 (A/39/27).

(n) Letter dated 17 April 1984 from the Permanent Representative of Democratic Kampuchea to the United Nations addressed to the Secretary-General (A/39/185-S/16486);

(o) Letter dated 26 April 1984 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (A/39/215-S/16508);

(p) Letter dated 10 May 1984 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (A/39/266-S/16572);

(q) Letter dated 28 June 1984 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (A/39/333-S/16652);

(r) Letter dated 3 August 1984 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (A/39/374-S/16690);

(s) Letter dated 8 October 1984 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué of the Meeting of Ministers and Heads of Delegation of the Non-Aligned Countries to the thirty-ninth session of the General Assembly, held in New York from 1 to 5 October 1984 (A/39/560-S/16773).

## II. CONSIDERATION OF PROPOSALS

### A. Draft resolution A/C.1/39/L.10 and Rev.1

5. On 1 November, the United States of America submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/39/L.10). The draft resolution was introduced by the representative of the United States of America at the 36th meeting, on 12 November, and read as follows:

"The General Assembly,

"Recalling its previous resolutions relating to the 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 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,

"Noting reports that such weapons have been used in military operations in various regions of the world,

"Noting also efforts under way to strengthen relevant international constraints, including efforts to develop appropriate fact-finding mechanisms,

/...

"Rededicating its efforts to protect mankind from chemical and biological warfare,

"1. Calls anew for strict observance of existing legal constraints on chemical and biological weapons and condemns actions that contravene these constraints;

"2. Welcomes the ongoing efforts to ensure the most effective possible constraints on chemical and biological weapons;

"3. Urges the Conference on Disarmament to accelerate its negotiations aimed at a complete, effective and verifiable elimination of chemical weapons."

6. On 12 November, Australia, Belgium, Canada, Colombia, Denmark, Italy, Japan, Kenya, the Netherlands, Norway, Sierra Leone, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay submitted a revised draft resolution (A/C.1/39/L.10/Rev.1), which was later also sponsored by Costa Rica and Ecuador. The revised text contained changes in the preambular and operative parts of the draft resolution.

7. At its 46th meeting, on 21 November, the Committee adopted draft resolution A/C.1/39/L.10/Rev.1 by a recorded vote of 99 to 14, with 13 abstentions (see para. 21 draft resolution A). The voting was as follows: 2/

In favour: Argentina, Australia, Austria, Bahrain, Bangladesh, Belgium, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burma, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, China, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Lebanon, Liberia, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Portugal, Qatar, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Zambia.

Against: Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, German Democratic Republic, Hungary, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mongolia,

---

2/ The delegation of Kuwait subsequently indicated that it had intended to vote in favour of the draft resolution.

/...

Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Algeria, Angola, Benin, Burkina Faso, Congo, Cyprus, Ethiopia, India, Madagascar, Mexico, Mozambique, Romania, Yugoslavia.

B. Draft resolution A/C.1/39/L.15

8. On 5 November, Afghanistan, Angola, Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, the German Democratic Republic, Hungary, the Lao People's Democratic Republic, Mongolia, Poland, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Viet Nam submitted a draft resolution entitled "Prohibition of chemical and bacteriological weapons" (A/C.1/39/L.15). The draft resolution was introduced by the representative of the German Democratic Republic at the 39th meeting, on 15 November.

9. At its 46th meeting, on 21 November, the Committee adopted draft resolution A/C.1/39/L.15 by a recorded vote of 75 to 1, with 51 abstentions (see para. 21, draft resolution B). The voting was as follows: 3/

In favour: Afghanistan, Algeria, Angola, Bahrain, Bangladesh, Benin, Bolivia, Botswana, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Egypt, Ethiopia, Fiji, German Democratic Republic, Ghana, Guinea, Guyana, Hungary, Indonesia, Iraq, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Poland, Qatar, Romania, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zambia.

Against: United States of America.

Abstaining: Argentina, Australia, Austria, Belgium, Brazil, Brunei Darussalam, Burma, Canada, Chile, China, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Finland, France, Gabon, Germany, Federal Republic of, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Ivory Coast, Japan, Liberia, Luxembourg, Morocco, Nepal, Netherlands, New Zealand, Norway, Philippines, Portugal, Rwanda, Singapore, Spain, Sri Lanka, Sudan, Suriname, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela.

3/ The delegation of the Bahamas subsequently indicated that it had intended to abstain.

C. Draft resolution A/C.1/39/L.24

10. On 8 November, Argentina, Canada, Germany, Federal Republic of, Indonesia, Japan, Kenya, Norway, Poland and the Ukrainian Soviet Socialist Republic submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/39/L.24), which was later also sponsored by Australia, Belgium, the German Democratic Republic, Ireland, Mongolia, the Netherlands, Rwanda, Spain, Uruguay, and Viet Nam: the draft resolution was introduced by the representative of Poland at the 39th meeting, on 15 November.

11. At its 46th meeting, on 21 November, the Committee adopted draft resolution A/C.1/39/L.24 without a vote (see para. 21, draft resolution C).

D. Draft resolution A/C.1/39/L.27

12. On 8 November, Argentina, Australia, Belgium, Bolivia, Canada, Chile, Colombia, Costa Rica, Czechoslovakia, Denmark, Ecuador, France, Finland, the German Democratic Republic, Germany, Federal Republic of, Greece, Hungary, Iceland, India, Ireland, Italy, Mexico, the Netherlands, New Zealand, Nigeria, Norway, Pakistan, Philippines, Poland, Romania, Senegal, Singapore, Spain, Sweden, Togo, Tunisia, Turkey, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Yugoslavia submitted a draft resolution entitled "Second Review Conference of the States 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.1/39/L.27), which was later also sponsored by Austria, Bangladesh, Jamaica, Niger, Rwanda and Thailand. The draft resolution was introduced by the representative of Norway at the 35th meeting, on 9 November.

13. At its 41st meeting, on 19 November, the Committee adopted draft resolution A/C.1/39/L.27 without a vote (see para. 21, draft resolution D).

E. Draft resolution A/C.1/39/L.46 and Rev.1

14. On 12 November, the Islamic Republic of Iran submitted a draft resolution entitled "Preventive measures against the further use of chemical weapons" (A/C.1/39/L.46), which was introduced by its representative at the 40th meeting, on 15 November. The draft resolution read as follows:

"The General Assembly,

"Recalling paragraph 21 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, which asserts that effective measures should be adopted to prohibit or prevent the development, production or use of weapons of mass destruction with special attention to chemical weapons as a matter of high priority,

"Further recalling its unanimous resolutions 37/98 B of 13 December 1982 and 38/187 B of 20 December 1983, reaffirming the necessity 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,

"Reaffirming that the use of chemical and biological weapons has been declared incompatible with the accepted norms of civilization, and that any action contrary to the principles and objectives of the Geneva Protocol of 1925 is condemned,

"Taking note with deep concern of the recent report (S/16433) of the specialists appointed by the Secretary-General to investigate allegations by the Islamic Republic of Iran concerning the use of chemical weapons, and

"Seriously alarmed by the unanimous conclusion of the specialists confirming the allegations that chemical weapons have been used,

"Conscious of the urgent need to reaffirm and strengthen the authority of the Geneva Protocol of 1925,

"1. Strongly condemns the use of chemical weapons reported by the mission of specialists in March 1984, and expresses abhorrence towards repetition of such an act wherever and whenever it may occur;

"2. Takes note with appreciation of the Secretary-General's initiatives and efforts which made the successful investigation of the use possible, and for his humanitarian and timely appeal of 29 June 1984 to the Governments concerned to undertake a solemn commitment not to use chemical weapons;

"3. Emphatically calls upon those concerned to respond positively and immediately to the Secretary-General's appeal (S/16663) of 29 June 1984;

"4. Requests the Secretary-General to continue his efforts in preventing, investigating, and reporting to the General Assembly on any further use of chemical weapons."

15. On 14 November, Iraq submitted the following amendments (A/C.1/39/L.75) to draft resolution A/C.1/39/L.46:

(a) "After the present third preambular paragraph, insert the following new preambular paragraph:

'Taking note of the spirit of humanitarian concerns which guided the Secretary-General's decision to appoint a mission of specialists to undertake a fact-finding visit to Iran regarding allegations by the Islamic Republic of Iran concerning the use of chemical weapons,';

(b) "After the present fifth preambular paragraph, insert the following two new preambular paragraphs:

'Noting the reply of Iraq contained in document S/16438 of 27 March 1984,

'Noting further the conviction of the Secretary-General that the said humanitarian concerns can only be satisfied by putting an end to the tragic conflict that continues to deplete the precious human resources of Iran and Iraq,';

(c) "After the present sixth preambular paragraph, insert the following two new preambular paragraphs:

'Recalling the relevant resolutions of the Secretary-General and its resolution 37/3 of 22 October 1982,

'Recalling further Article 25 of the Charter of the United Nations, by which Member States agreed to accept and carry out the decisions of the Security Council in accordance with the Charter,';

(d) "Insert the following new operative paragraphs 4, 5 and 6, and renumber existing paragraph 4 accordingly:

'4. Reaffirms once again the necessity for the strict observance of a cease-fire and withdrawal of forces to internationally recognized boundaries and for a peaceful solution to the conflict, and calls upon all Governments concerned to co-operate fully to bring about conditions leading to a peaceful settlement in conformity with the principles of justice and international law;

'5. Welcomes the fact that one of the parties has already expressed its willingness to settle the conflict by peaceful means and calls upon the other to do likewise;

'6. Expresses its appreciation of the mediation efforts of the Secretary-General and his readiness to assist in any endeavour that could lead to peace for the peoples of Iran and Iraq by a comprehensive, just and honourable settlement acceptable for both sides.'

16. On 21 November, the Islamic Republic of Iran submitted a revised draft resolution (A/C.1/39/L.46/Rev.1) which read as follows:

"The General Assembly,

"Recalling paragraph 21 of the Final Document of the Tenth Special Session of the General Assembly, the first special session devoted to disarmament, which asserts that effective measures should be adopted to prohibit or prevent the development, production or use of weapons of mass destruction, with special attention to chemical weapons, as a matter of high priority,



"Further recalling its unanimous resolutions 37/98 B of 13 December 1982 and 38/187 B of 20 December 1983, reaffirming the necessity 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,

"Reaffirming that the use of chemical and biological weapons has been declared incompatible with the accepted norms of civilization and that any action contrary to the principles and objectives of the Geneva Protocol of 1925 is condemned,

"Noting with appreciation the Secretary-General's report of his mission to inspect civilian areas in Iran and Iraq which have been subject to military attack 4/ and his recent note on allegations concerning the use of chemical weapons, 5/

"Taking note with deep concern of the recent report of the specialists appointed by the Secretary-General to investigate allegations by the Islamic Republic of Iran concerning the use of chemical weapons, 4/ and

"Seriously alarmed by the unanimous conclusion of the specialists confirming the allegations by the Islamic Republic of Iran that chemical weapons have been used,

"1. Strongly condemns the use of chemical weapons reported by the specialists in March 1984 and deplores such actions wherever and whenever they may occur;

"2. Takes note with appreciation of the Secretary-General's initiatives and efforts which made the successful investigation of the use possible, and of his humanitarian and timely appeal of 29 June 1984 to the Governments concerned to undertake a solemn commitment not to use chemical weapons; 6/

"3. Takes note of the positive response received from one of the Governments in respect of the Secretary-General's appeal of 29 June 1984 concerning the non-use of chemical weapons; and

"4. Urges the party which has not yet done so to respond immediately and in a positive manner to that appeal;

"5. Strongly condemns all aerial bombardments and missile attacks against civilian areas, and the destruction of towns and villages under military occupation by high explosives or engineering equipment, as reported in the Secretary-General's report (S/15834); and

---

4/ Security Council document S/15834 of 20 June 1983.

5/ Security Council document S/16433 of 26 March 1984.

6/ Security Council document S/16663.

"6. Urges the observance of the generally recognized principles and rules of international humanitarian law which are applicable to armed conflicts and the obligations under international conventions designed to prevent or alleviate the human suffering of warfare;

"7. Requests the Secretary-General to continue his efforts in preventing, investigating and reporting to the General Assembly on any further use of chemical weapons."

17. On 21 November, Iraq submitted the following amendments (A/C.1/39/L.75/Rev.1) to draft resolution A/C.1/39/L.46/Rev.1:

(a) "After the present third preambular paragraph, insert the following new preambular paragraph:

'Taking note of the spirit of humanitarian concerns which guided the Secretary-General in appointing specialists to investigate allegations by the Islamic Republic of Iran concerning the use of chemical weapons,';

(b) "After the word 'attack' in the present fourth preambular paragraph, insert the following:

'as well as documents S/16609 of 10 June 1984, S/16610, S/16611 of 11 June 1984, S/16614, S/16615 of 12 June 1984, S/16627, S/16628 of 15 June 1984 respectively, which constitute undertakings to the Secretary-General that all deliberate military attacks by any means on purely civilian population centres in either country will cease,';

(c) "After the present sixth preambular paragraph, insert the following four new preambular paragraphs:

'Noting the reply of Iraq contained in document S/16438 of 27 March 1984,

'Noting further the conviction of the Secretary-General that the said humanitarian concerns can only be satisfied by putting an end to the tragic conflict that continues to deplete the precious human resources of Iran and Iraq,

'Recalling the relevant resolutions of the Secretary-General and its resolution 37/3 of 22 October 1982,

'Recalling further Article 25 of the Charter of the United Nations, by which Member States agreed to accept and carry out the decisions of the Secretary-General in accordance with the Charter';

(d) "Reword present operative paragraph 5 as follows:

'Strongly condemns all deliberate military attacks against purely civilian population centres in either country in violation of the undertakings given to the Secretary-General';

(e) "Reword present operative paragraph 6 as follows:

'Condemns all violations of international humanitarian law and urge both parties to observe the generally recognized principles and rules of international humanitarian law which are applicable to armed conflicts and their obligations under international conventions designed to prevent or alleviate the human suffering of warfare;';

(f) "Insert the following paragraphs as new operative paragraphs 7, 8 and 9 and renumber present paragraph 7 accordingly:

'7. Reaffirms once again the necessity for the strict observance of a cease-fire and withdrawal of forces to internationally recognized boundaries and for a peaceful solution to the conflict, and calls upon all Governments concerned to co-operate fully to bring about conditions leading to a peaceful settlement in conformity with the principles of justice and international law;

'8. Welcomes the fact that one of the parties has already expressed its willingness to settle the conflict by peaceful means and calls upon the other to do likewise;

'9. Expresses its appreciation of the mediation efforts of the Secretary-General and his readiness to assist in any endeavour that could lead to peace for the peoples of Iran and Iraq by a comprehensive, just and honourable settlement acceptable for both sides.'

18. At the 49th meeting, on 27 November, the representative of the Islamic Republic of Iran withdrew draft resolution A/C.1/39/L.46/Rev.1 and requested that action be taken on the original draft resolution (A/C.1/39/L.46). The representative of Iraq stated that, in view of that request, he maintained the original amendments contained in document A/C.1/39/L.75. On the basis of rule 116 of the rules of procedure of the General Assembly, the representative of Iraq then moved to adjourn the debate on the draft resolution A/C.1/39/L.46 and the amendments contained in document A/C.1/39/L.75. The motion was adopted by a recorded vote of 34 to 2, with 68 abstentions. The voting was as follows: 7/

In favour: Afghanistan, Bahrain, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Colombia, Cyprus, Czechoslovakia, Djibouti, Egypt, German Democratic Republic, Guyana, Hungary, Iraq, Jordan, Kuwait, Lebanon, Mauritania, Mongolia, Morocco, Oman, Poland, Qatar, Rwanda, Saudi Arabia, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Yemen, Yugoslavia.

Against: Iran (Islamic Republic of), Libyan Arab Jamahiriya.

---

7/ The delegation of the Syrian Arab Republic subsequently indicated that it had intended to vote against the motion.

/...

Abstaining: Argentina, Australia, Austria, Bahamas, Bangladesh, Belgium, Bhutan, Bolivia, Brazil, Burma, Cameroon, Canada, Chile, China, Costa Rica, Cuba, Denmark, Ecuador, Ethiopia, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ghana, Greece, Haiti, Honduras, Iceland, India, Ireland, Italy, Ivory Coast, Jamaica, Japan, Kenya, Liberia, Luxembourg, Malawi, Malaysia, Maldives, Mexico, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Portugal, Sierra Leone, Spain, Sri Lanka, Suriname, Sweden, Syrian Arab Republic, Togo, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Zaire, Zambia, Zimbabwe.

F. Draft resolution A/C.1/39/L.60

19. On 12 November, Australia, Belgium, Colombia, Costa Rica, Ecuador, France, the Netherlands, New Zealand, Norway, Sweden and Uruguay submitted a draft resolution entitled "Chemical and bacteriological (biological) weapons" (A/C.1/39/L.60), which was later also sponsored by Canada, the United Kingdom of Great Britain and Northern Ireland. The draft resolution was introduced by the representative of France at the 39th meeting, on 15 November.

20. At its 46th meeting, on 21 November, the Committee adopted draft resolution A/C.1/39/L.60 by a recorded vote of 83 to 17, with 30 abstentions (see para 21, draft resolution E). The voting was as follows:

In favour: Australia, Austria, Bangladesh, Belgium, Bolivia, Botswana, Brunei Darussalam, Burundi, Cameroon, Canada, Central African Republic, Chad, China, Costa Rica, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Fiji, France, Gabon, Germany, Federal Republic of, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Lebanon, Liberia, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Portugal, Romania, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zambia.

Against: Afghanistan, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Democratic Yemen, German Democratic Republic, Hungary, India, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Mongolia, Poland, Syrian Arab Republic, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Viet Nam.

Abstaining: Algeria, Angola, Argentina, Bahrain, Benin, Brazil, Burkina Faso, Burma, Chile, Congo, Cyprus, Ethiopia, Finland, Ghana, Iraq, Jordan, Kuwait, Madagascar, Mexico, Nicaragua, Oman, Qatar, Saudi Arabia, Sri Lanka, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Yemen, Yugoslavia.

### III. RECOMMENDATIONS OF THE FIRST COMMITTEE

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

#### Chemical and bacteriological (biological) weapons

##### A

#### Chemical and bacteriological (biological) weapons

##### The General Assembly,

Reaffirming the urgent necessity 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 <sup>8/</sup>, and 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, <sup>9/</sup>

Noting that it has been reported that such weapons have been used,

Noting also international efforts under way to strengthen relevant international prohibitions, including efforts to develop appropriate fact-finding mechanisms,

Rededicating its efforts to protect mankind from chemical and biological warfare,

1. Calls for strict observance of existing international obligations regarding prohibitions on chemical and biological weapons and condemns actions that contravene them;

2. Welcomes the ongoing efforts to ensure the most effective prohibitions possible on chemical and biological weapons;

---

<sup>8/</sup> League of Nations, Treaty Series, vol. XCIV (1929), No. 2138, p. 65.

<sup>9/</sup> Resolution 2826 (XXVI), annex.

3. Urges the Conference on Disarmament to accelerate its negotiations on a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction.

B

Prohibition of chemical and bacteriological weapons

The General Assembly,

Recalling paragraph 75 of the Final Document of the Tenth Special Session of the General Assembly 10/, which states that the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and their destruction represents one of the most urgent measures of disarmament,

Referring to the unanimous and categorical reaffirmation by all Member States at the twelfth special session of the General Assembly of the validity of the Final Document of the Tenth Special Session, 11/

Convinced of the need for the earliest conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, which would significantly contribute to general and complete disarmament under effective international control,

Recalling its resolutions 36/96 B of 9 December 1981, 37/98 A of 13 December 1982 and 38/187 A of 20 December 1983,

Expressing profound concern at the intended production and deployment of binary chemical weapons,

Taking into consideration the decision by the Conference on Disarmament on the mandate for the Ad Hoc Committee on Chemical Weapons, as well as the work of this Committee during the session of the Conference on Disarmament in 1984, 12/

Deeming it desirable for States to refrain from taking any action that could delay or further complicate negotiations and to display a constructive approach to such negotiations and the political will to reach an early agreement on the chemical weapons convention,

Aware that the qualitative improvement and development of chemical weapons complicate ongoing negotiations on the prohibition of chemical weapons,

---

10/ Resolution S-10/2.

11/ See Official Records of the General Assembly, Twelfth Special Session, Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 62.

12/ Ibid., Thirty-ninth Session, Supplement No. 27 (A/39/27), para. 98.

Taking note of proposals on the creation of chemical-weapon-free zones aimed at facilitating the complete prohibition of chemical weapons,

1. Reaffirms the necessity of the speediest elaboration and conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction;

2. Appeals to all States to facilitate in every possible way the conclusion of such a convention;

3. Urges the Conference on Disarmament to intensify the negotiations in the Ad Hoc Committee on Chemical Weapons with a view to achieving accord on a chemical weapons convention at the earliest possible date and, for this purpose, to proceed immediately to drafting such a convention for submission to the General Assembly at its fortieth session;

4. Reaffirms its call to all States to conduct serious negotiations in good faith and to refrain from any action that could impede negotiations on the prohibition of chemical weapons and specifically to refrain from the production and deployment of binary and other new types of chemical weapons, as well as from stationing chemical weapons on the territory of other States.

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 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 8/, and 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, 9/

Having considered the report of the Conference on Disarmament, which incorporates, inter alia, the report of its Ad Hoc Committee on Chemical Weapons, 12/

Considering it necessary that all efforts be exerted for the continuation and successful conclusion of negotiations on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction,

1. Takes note of the work of the Conference on Disarmament during its session in 1984 regarding the prohibition of chemical weapons and, in particular, appreciates the work of its Ad Hoc Committee on Chemical Weapons on that question and the progress achieved therein;

/...

2. Expresses its regret and concern that an agreement on the complete and effective prohibition of the development, production and stockpiling 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 session in 1985, the negotiations on such a convention and to reinforce further its efforts, inter alia, by increasing the time during the year that the Conference on Disarmament 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 1984 mandate;

4. Requests the Conference on Disarmament to report on the results of its negotiations to the General Assembly at its fortieth session.

D

Second Review Conference of the States 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,

Noting that, in accordance with the provisions of article XII of the Convention, the first 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 was held at Geneva from 3 to 21 March 1980,

Bearing in mind that the Review Conference decided, in its Final Declaration, that a second Review Conference should be held at Geneva at the request of a majority of States parties not earlier than 1985 and, in any case, not later than 1990, 13/

Recalling its resolution 35/144 A of 12 December 1980, in which it welcomed the final declaration of the Review Conference of the Parties to the Convention,

1. Notes that, at the request of a majority of States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, a second Review Conference of the States Parties to the Convention will be held

---

13/ See BWC/CONF.I/10, sect. II, article XII.



in 1986 and that, following appropriate consultations, a preparatory committee is to be established prior to the holding of the Review Conference;

2. Requests the Secretary-General to render the necessary assistance and to provide such services, including summary records, as may be required for the second Review Conference and its preparation.

E

Chemical and bacteriological (biological) weapons

The General Assembly,

Recalling its resolution 37/98 D of 13 December 1982, and particularly paragraph 7, in which it requested the Secretary-General, with the assistance of qualified consultant experts, to devise procedures for the investigation of information concerning activities that may constitute a violation of the protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods in Warfare, signed at Geneva on 17 June 1925 <sup>8/</sup> or of the relevant rules of customary international law and to assemble and organize systematically documentation relating to the identification of signs and symptoms associated with the use of agents covered by the 1925 Geneva Protocol,

Recognizing that the use of such agents in war is universally condemned,

Underlining the importance of impartially and rapidly ascertaining, through an appropriate international procedure as provided for in resolution 37/98 D, facts that may constitute a violation of the provisions of the Geneva Protocol or of the relevant rules of customary international law,

Recalling its resolution 38/187 C of 20 December 1983, which took note of the report <sup>14/</sup> submitted by the Secretary-General on the work of the Consultant Experts pursuant to resolution 37/98 D, paragraph 7, and which requested him to complete during 1984, with the assistance of the Consultant Experts, the task entrusted to him under the terms of resolution 37/98 D, paragraph 7, and to report to the General Assembly at its thirty-ninth session,

1. Takes note of the report by the Secretary-General, <sup>15/</sup> to which is annexed the report of the Consultant Experts designated by him concerning the implementation of the provisions of resolution 37/98 D, paragraph 7, and of resolution 38/187 C;

2. Notes with satisfaction that with the submission of the report of the Group of Consultant Experts the provisions for the implementation of resolution 37/98 D are completed.

-----

---

<sup>14/</sup> A/38/435.

<sup>15/</sup> A/39/488.