

Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

94th plenary meeting
12 December 1980

35/144. Chemical and bacteriological (biological) weapons

A

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 that Convention,

Recalling that, in paragraph 73 of the Final Document of the Tenth Special Session of the General Assembly,¹⁷ it expressed the opinion that all States which have not yet done so should consider adhering to the Convention,

Recalling that the States parties to the Convention met at Geneva from 3 to 21 March 1980 to review the operation of the Convention,

Noting with satisfaction that, at the time of the 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, eighty-one States had ratified the Convention, six States had acceded to the Convention and a further thirty-seven States had signed but had yet to ratify the Convention,

1. Welcomes the final declaration of the 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,¹⁸ in which the States parties to the Convention, *inter alia*:

(a) Reaffirmed their strong determination, for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons, their strong support for the Convention and their continued dedication to its principles and objectives and their commitment to implement effectively its provisions;

(b) Expressed the belief that article I had proved sufficiently comprehensive to have covered recent scientific and technological developments relevant to the Convention;

(c) Considered that the flexibility of the provisions concerning consultations and co-operation on any problems which might arise in relation to the objective, or in the application of the provisions of, the Convention enabled interested States parties to use various international procedures which would make it possible to ensure effectively and adequately the implementation of the provisions of the Convention, taking into account the concern expressed by the participants in the Conference to this effect—these procedures include, *inter alia*, the right of any State party subsequently to request that a consultative meeting open to all States parties be convened at the expert level—and, having noted the con-

cerns and differing views expressed on the adequacy of article V, believed that this question should be further considered at an appropriate time;

(d) Reaffirmed the obligation assumed by the States parties to the Convention to continue negotiations in good faith towards the recognized objectives of an early agreement on complete, effective and adequately verifiable measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction;

(e) Noted that during the first five years of the operation of the Convention the provisions of articles VI, VII, XI and XIII had not been invoked;

2. Calls upon all signatory States which have not ratified the Convention to do so without delay and upon those States which have not yet signed the Convention to consider doing so at an early date as a significant contribution to international confidence.

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B

The General Assembly.

Reaffirming its resolutions 2454 A (XXIII) of 20 December 1968, 2603 B (XXIV) of 16 December 1969, 2662 (XXV) of 7 December 1970, 2827 A (XXVI) of 16 December 1971, 2933 (XXVII) of 29 November 1972, 3077 (XXVIII) of 6 December 1973, 3256 (XXIX) of 9 December 1974, 3465 (XXX) of 11 December 1975, 31/65 of 10 December 1976, 32/77 of 12 December 1977, S-10/2 of 30 June 1978, 33/59 A of 14 December 1978 and 34/72 of 11 December 1979, relating to the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and of their destruction,

Reaffirming also 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 1925,¹⁹ 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,²⁰

Having considered the report of the Committee on Disarmament,²¹ which embodies, *inter alia*, the report of its *Ad Hoc* Working Group on Chemical Weapons,

Taking note of the joint report on progress in the bilateral negotiations on the prohibition of chemical weapons, submitted by the Union of Soviet Socialist Republics and the United States of America to the Committee on Disarmament on 7 July 1980, which regrettably have not yet resulted in the elaboration of a joint initiative,

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

1. Notes with satisfaction the work of the Committee on Disarmament during its session held in 1980 regarding the prohibition of chemical weapons, in partic-

¹⁹ League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138, p. 65.

²⁰ Resolution 2826 (XXVI), annex.

²¹ *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 27 (A/35/27)*.

¹⁷ Resolution S-10/2.

¹⁸ BWC/CONF.1/10, sect. II.

ular the work of its *Ad Hoc* Working Group on that question;

2. *Expresses its regret* 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* the Committee on Disarmament to continue, as from the beginning of its session to be held in 1981, negotiations on such a multilateral convention as a matter of high priority, taking into account all existing proposals and future initiatives;

4. *Requests* the Committee on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-sixth session.

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C

The General Assembly,

Recalling the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, which was signed at Geneva on 17 June 1925 and entered into force on 8 February 1928,¹⁹

Noting that the States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction²⁰ have reaffirmed their adherence to the principles and objectives of that Protocol and called upon all States to comply strictly with them,

Noting that the Protocol does not provide for the establishment of any machinery for investigating reports about activities prohibited under the Protocol,

Believing that the continued authority of the Protocol and relevant rules of customary international law require that full and proper attention be given to all reports regarding the alleged use of chemical weapons and to their harmful effects, both immediate and long-term, to humans and to the environment of the victim countries,

Noting reports alleging that chemical weapons have been used in recent wars and certain military operations in various regions of the world,

Noting recent reports from certain States concerning the use of chemical weapons on their territories,

Noting also the statements of various international organizations, in particular of the International Committee of the Red Cross, concerning these reports,

Expressing profound regret that certain States directly interested in the clarification of reports pertaining to the actual or alleged use of chemical weapons and which have submitted appropriate proposals or suggestions in that matter had not been given the opportunity to present their views in the Committee on Disarmament during its session held in 1980,

Concerned over the fact that a convention on the complete and effective prohibition of chemical weapons and on the destruction of their stockpiles which would fully preclude the danger of their use has not yet been concluded,

Gravely concerned about the continued research and development programmes in the field of chemical weapons, especially the development of binary and multi-component weapons whose field deployment could

compromise the ongoing effort to prohibit the development, production and stockpiling of chemical weapons and trigger a chemical arms race,

Urging all States to refrain from the development, production and deployment of new types of chemical munitions, in particular binary and multicomponent munitions,

Believing it necessary for all States, in particular militarily significant States, to refrain from any action which could impede multilateral negotiations on banning chemical weapons,

Convinced of the need to ascertain the facts pertaining to these reports and, in particular, to determine the harmful effects of the use of chemical weapons to human beings and the environment of the victim countries,

1. *Calls upon* all States parties to the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare to reaffirm their determination strictly to observe all their obligations under the Protocol;

2. *Calls upon* all States which have not yet done so to accede to the Protocol;

3. *Appeals* to all States to comply with the principles and objectives of the Protocol;

4. *Decides* to carry out an impartial investigation to ascertain the facts pertaining to the reports regarding the alleged use of chemical weapons and to assess the extent of the damage caused by the use of such weapons;

5. *Requests* the Secretary-General to carry out such investigation, *inter alia*, taking into account proposals advanced by the States on whose territories the use of chemical weapons has been reported, with the assistance of qualified medical and technical experts²² who shall:

(a) Seek relevant information from all concerned Governments, international organizations and other sources necessary;

(b) Collect and examine evidence, including on-site with the consent of the countries concerned, to the extent relevant to the purposes of the investigation;

6. *Invites* the Governments of States where chemical weapons were used to provide the Secretary-General with all relevant information they may have in their possession;

7. *Calls upon* all States to co-operate in this investigation and to provide any relevant information they may have in their possession regarding such reports;

8. *Requests* the Secretary-General to submit a report on this matter to the General Assembly at its thirty-sixth session.

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35/145. Implementation of General Assembly resolution 34/73

A

CESSATION OF ALL TEST EXPLOSIONS OF NUCLEAR WEAPONS

The General Assembly,

Bearing in mind that the complete cessation of nuclear-weapon tests, which has been examined for

²² Subsequently referred to as the Group of Experts to Investigate Reports on the Alleged Use of Chemical Weapons.