

Stressing anew its conviction that a world disarmament conference, adequately prepared and convened at an appropriate time, could provide the realization of such an aim and that the co-operation of all nuclear-weapon Powers would considerably facilitate its attainment,

Taking note of the report of the *Ad Hoc* Committee on the World Disarmament Conference,⁸²

Recalling that, in paragraph 122 of the Final Document of the Tenth Special Session of the General Assembly,⁸³ the first special session devoted to disarmament, it decided that, at the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation,

Recalling also that, in paragraph 23 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, the General Assembly considered it pertinent also to recall that in paragraph 122 of the Final Document of its Tenth Special Session it had stated that at the earliest appropriate time a world disarmament conference should be convened, with universal participation and with adequate preparation,

Recalling further that although the General Assembly, at its twelfth special session, the second special session devoted to disarmament, did not make any recommendations on the question of a world disarmament conference, in its report to the General Assembly, the *Ad Hoc* Committee of the Twelfth Special Session recommended that the items on the agenda on which the Assembly had not reached decisions should be taken up at its thirty-seventh session for further consideration,⁸⁴

1. *Notes with satisfaction* that in its report to the General Assembly the *Ad Hoc* Committee on the World Disarmament Conference stated, *inter alia*, the following:

“Having regard for the important requirements of a world disarmament conference to be convened at the earliest appropriate time, with universal participation and with adequate preparation, the General Assembly, in accordance with paragraph 64 of the report of the *Ad Hoc* Committee of the Twelfth Special Session, should take up the question at its thirty-seventh regular session for its further consideration, bearing in mind the relevant provisions of resolution 36/91, adopted by consensus, in particular paragraph 1 of the said resolution”;⁸⁵

2. *Renews* the mandate of the *Ad Hoc* Committee;

3. *Requests* the *Ad Hoc* Committee to maintain close contact with the representatives of the States possessing nuclear weapons, in order to remain currently informed of their attitudes, as well as with all other States, and to consider any possible relevant proposals and observations which might be made to the Committee, especially having in mind paragraph 122 of the Final Document of the Tenth Special Session of the General Assembly;

4. *Requests* the *Ad Hoc* Committee to report to the General Assembly at its thirty-eighth session;

5. *Decides* to include in the provisional agenda of its thirty-eighth session the item entitled “World Disarmament Conference”.

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37/98. Chemical and bacteriological (biological) weapons

A

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,⁸³ the first special session devoted to disarmament, in which it is stated 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,

Recalling the unanimous and categorical reaffirmation by all Member States, at the twelfth special session of the General Assembly, the second special session devoted to disarmament, of the validity of the Final Document of the Tenth Special Session,⁸⁶

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 resolution 36/96 B of 9 December 1981,

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

Taking into consideration the decision by the Committee on Disarmament on the new mandate for the *Ad Hoc* Working Group on Chemical Weapons, as well as the work of the Group during the session of the Committee in 1982,⁸⁷

Regretting that the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America have been suspended since 1980 and have not been resumed,

Deeming it desirable for States to refrain from taking any action that could delay or further complicate negotiations,

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

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

1. *Reaffirms* the necessity of the earliest 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 Committee on Disarmament to intensify the negotiations in the *Ad Hoc* Working Group on Chemical Weapons on the basis of its new mandate to achieve accord on a chemical weapons convention at the earliest possible date;

4. *Calls upon* the Union of Soviet Socialist Republics and the United States of America to resume at the earliest possible date their bilateral negotiations on the prohibition of chemical weapons and to submit their joint proposal to the Committee on Disarmament;

⁸² *Ibid.*, Supplement No. 28 (A/37/28).

⁸³ Resolution S-10/2.

⁸⁴ 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. 64.

⁸⁵ *Ibid.*, Thirty-seventh Session, Supplement No. 28 (A/37/28), para. 17.

⁸⁶ *Ibid.*, Twelfth Special Session, Annexes, agenda items 9, 10, 11, 12 and 13, document A/S-12/32, para. 62.

⁸⁷ *Ibid.*, Thirty-seventh Session, Supplement No. 27 (A/37/27 and Corr. 1), para. 75.

5. *Reiterates its call* to all States 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.

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B

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 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 1925,⁸⁸ 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 1972,⁸⁹

Having considered the report of the Committee on Disarmament,⁹⁰ which includes, *inter alia*, the report of its *Ad Hoc Working Group on Chemical Weapons*,⁸⁷

Noting relevant proposals and initiatives, including those put forward at the twelfth special session of the General Assembly, the second special session devoted to disarmament,

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

1. *Takes note with satisfaction* the work of the Committee on Disarmament during its session in 1982 regarding the prohibition of chemical weapons, in particular the progress in 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, as a matter of high priority, to intensify, during its session in 1983, the elaboration of such a convention, taking into account all existing proposals and future initiatives with a view to enabling the Committee to achieve agreement at the earliest date, and to re-establish its *Ad Hoc Working Group on Chemical Weapons* for this purpose;

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

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C

CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

The General Assembly,

Mindful of the continued importance of 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 1972,⁸⁹

Deeply convinced that the effective implementation and functioning of the Convention, through the application of an adequate complaint and verification procedure, will enhance international peace and security as well as the prospect of realizing the goal of general and complete disarmament under effective international control,

Conscious of the need to maintain inviolate 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 1925,⁸⁸ and to ensure its universal application,

Recalling its resolution 2662 (XXV) of 7 December 1970 on the question of chemical and bacteriological (biological) weapons, in which it stated, *inter alia*, that verification should be based on a combination of appropriate national and international measures which would complement and supplement each other, thereby providing an acceptable system that would ensure the effective implementation of the prohibition,

Recalling also resolution 35/144 A of 12 December 1980, by which it welcomed 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,⁹¹

Noting that, in the Final Declaration, the States parties considered that various international procedures, including the right of any State party subsequently to request that a consultative meeting open to all States parties be convened at expert level, would make it possible to ensure effectively and adequately the implementation of the provisions of the Convention,⁹²

Taking into account that, in their Final Declaration, the States parties, having noted the concerns and differing views expressed on the adequacy of article V of the Convention, believed that this question should be further considered at an appropriate time,⁹²

1. *Reaffirms once again* its resolution 2662 (XXV) on the question of chemical and bacteriological (biological) weapons;

2. *Recommends* that the States parties should hold a special conference as soon as possible to establish a flexible, objective and non-discriminatory procedure to deal with issues concerning compliance with the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction;

3. *Requests* the Secretary-General to render the necessary assistance and to provide such services, including summary research, as may be required for the special conference of States parties to the Convention.

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⁸⁸ League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138, p. 65.

⁸⁹ Resolution 2826 (XXVI), annex.

⁹⁰ *Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 27 (A/37/27 and Corr.1).*

⁹¹ BWC/CONF.1/10, sect. II.

⁹² *Ibid.*, art. V.

D

PROVISIONAL PROCEDURES TO UPHOLD THE AUTHORITY OF THE 1925 GENEVA PROTOCOL.

The General Assembly,

Recalling the provisions 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 1925,⁸⁸ which entered into force on 8 February 1928,

Noting that States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction⁸⁹ have reaffirmed their adherence to the principles and objectives of that Protocol and called upon all States to comply with them,

Noting also that the Protocol does not provide for the establishment of procedures for investigating reports concerning activities prohibited by the Protocol,

Noting further that the Committee on Disarmament is currently engaged in the negotiation of a convention on the prohibition of chemical weapons, which should contain provisions to ensure its effective verification,

Believing it conducive to the continued authority of the Protocol that, pending eventual formal arrangements, procedures be established to make possible the prompt and impartial investigation of information concerning possible violations of the provisions of the Protocol,

1. *Calls upon* all States that have not yet done so to accede to the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare;

2. *Calls upon* all States to comply with the provisions of the Protocol;

3. *Calls upon* the Committee on Disarmament to expedite its negotiations on a convention on the prohibition of chemical weapons with a view to its submission to the General Assembly with the shortest possible delay;

4. *Requests* the Secretary-General to investigate, with the assistance of qualified experts, information that may be brought to his attention by any Member State concerning activities that may constitute a violation of the Protocol or of the relevant rules of customary international law in order to ascertain thereby the facts of the matter, and promptly to report the results of any such investigation to all Member States and to the General Assembly;

5. *Requests* the Secretary-General, with the co-operation of Member States, to compile, as a matter of priority, and maintain lists of qualified experts whose services could be made available at short notice to undertake such investigations, and of laboratories with the capability to undertake testing for the presence of agents the use of which is prohibited;

6. *Requests* the Secretary-General, in meeting the objectives of paragraph 4 above:

(a) To appoint, as necessary, groups of experts selected from the above-mentioned list to undertake urgent investigation of possible violations;

(b) To make the necessary arrangements for the experts to collect and examine evidence, including on-site, with the co-operation of the countries concerned, to the extent relevant to the investigation, and for such testing as may be required;

(c) To seek, in any such investigation, appropriate assistance and relevant information from all Governments and international organizations concerned, as well as from other appropriate sources;

7. *Further requests* the Secretary-General, with the assistance of qualified consultant experts, to devise procedures for the timely and efficient investigation of information concerning activities that may constitute a violation of the Geneva Protocol 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 such agents as a means of facilitating such investigations and the medical treatment that may be required;

8. *Requests* Governments, national and international organizations, as well as scientific and research institutions, to co-operate fully with the Secretary-General in this work;

9. *Requests* the Secretary-General to report to the General Assembly at its thirty-eighth session on the implementation of the present resolution.

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E

CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

The General Assembly,

Having considered the report of the Secretary-General⁹³ to which was annexed the report of the Group of Experts to Investigate Reports on the Alleged Use of Chemical Weapons, appointed by the Secretary-General pursuant to General Assembly resolutions 35/144 C of 12 December 1980 and 36/96 C of 9 December 1981,

Taking note of the final conclusion of the Group of Experts that, while it could not state that the allegations had been proven, nevertheless it could not disregard the circumstantial evidence suggestive of the possible use of some sort of toxic chemical substance in some instances,⁹⁴

Recalling that the use of chemical and biological weapons has been declared incompatible with the accepted norms of civilization,

1. *Takes note* of the report of the Secretary-General and expresses its appreciation to the Group of Experts to Investigate Reports on the Alleged Use of Chemical Weapons for the work it has accomplished, as well as to the Member States that co-operated with the Group in fulfilling its mandate;

2. *Calls anew* for 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 Warfare⁸⁸ and condemns all actions that are contrary to those objectives.

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37/99. General and complete disarmament

A

NON-STATIONING OF NUCLEAR WEAPONS ON THE TERRITORIES OF STATES WHERE THERE ARE NO SUCH WEAPONS AT PRESENT

The General Assembly,

Conscious that a nuclear war would have devastating consequences for the whole of mankind,

Recalling its resolution 33/91 F of 16 December 1978, which contains an appeal to all nuclear-weapon States to

⁹³ A/37/259.

⁹⁴ *Ibid.*, para. 197.