

General Assembly,<sup>13</sup> the first special session devoted to disarmament, according to which the gradual reduction of military budgets on a mutually agreed basis, for example, in absolute figures or in terms of percentage, particularly by nuclear-weapon States and other militarily significant States, would contribute to curbing the arms race and would increase the possibilities for the reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries,

*Convinced* that the freezing and reduction of military budgets would have favourable consequences on the world economic and financial situation and might facilitate efforts made to increase international assistance for the developing countries,

*Recalling* that at its twelfth special session, the second special session devoted to disarmament, all Member States unanimously and categorically reaffirmed the validity of the Final Document of the Tenth Special Session, as well as their solemn commitment to it,<sup>42</sup>

*Recalling also* that in the Declaration of the 1980s as the Second Disarmament Decade, it is provided that during this period renewed efforts should be made to reach agreement on the reduction of military expenditures and the reallocation of resources thus saved to economic and social development, especially for the benefit of developing countries,<sup>43</sup>

*Recalling further* the provisions of its relevant resolutions, in which it considered that a new impetus should be given to the endeavours to achieve agreements to freeze, reduce or otherwise restrain, in a balanced manner, military expenditures, including adequate measures of verification satisfactory to all parties concerned,

*Aware* of the various proposals submitted by Member States and of the activities carried out so far within the framework of the United Nations in the field of the reduction of military budgets,

*Considering* that the identification and elaboration of the principles that should govern further actions of States in freezing and reducing military budgets and the other current activities within the framework of the United Nations related to the question of the reduction of military budgets should be regarded as having the fundamental objective of reaching international agreements on the reduction of military expenditures,

*Noting* that the Disarmament Commission, at its 1986 substantive session, agreed upon the above-mentioned principles with the exception of one outstanding paragraph on which it was generally felt that further consideration was needed,<sup>44</sup>

1. *Declares again its conviction* that it is possible to achieve international agreements on the reduction of military budgets without prejudice to the right of all States to undiminished security, self-defence and sovereignty;

2. *Appeals* to all States, in particular to the most heavily armed States, pending the conclusion of agreements on the reduction of military expenditures, to exercise self-restraint in their military expenditures with a view to reallocating the funds thus saved to economic and social development, particularly for the benefit of developing countries;

3. *Reaffirms* that the human and material resources released through the reduction of military expenditures could be reallocated for economic and social development, particularly for the benefit of the developing countries;

4. *Requests* the Disarmament Commission to continue consideration of the item entitled "Reduction of military budgets" and, in this context, to conclude, at its 1989 substantive session, its work on the last outstanding paragraph of the principles that should govern further actions of States in the field of freezing and reduction of military budgets, and to submit its report and recommendations to the General Assembly not later than at its forty-fourth session;

5. *Draws anew the attention* of Member States to the fact that the identification and elaboration of the principles that should govern further actions of States in freezing and reducing military budgets could contribute to harmonizing the views of States and creating confidence among them conducive to achieving international agreements on the reduction of military budgets;

6. *Urges* all Member States, in particular the most heavily armed States, to reinforce their readiness to cooperate in a constructive manner with a view to reaching agreements to freeze, reduce or otherwise restrain military expenditures;

7. *Decides* to include in the provisional agenda of its forty-fourth session the item entitled "Reduction of military budgets".

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#### 43/74. Chemical and bacteriological (biological) weapons

##### A

#### MEASURES TO UPHOLD THE AUTHORITY OF THE 1925 GENEVA PROTOCOL AND TO SUPPORT THE CONCLUSION OF A CHEMICAL WEAPONS CONVENTION

*The General Assembly,*

*Recalling* its resolution 42/37 C of 30 November 1987,

*Recalling also* the rules and principles of international humanitarian law applicable in armed conflict,

*Reaffirming* its dedication to protecting humanity from chemical and biological warfare,

*Expressing deep dismay* at the use of chemical weapons in violation 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>45</sup> and of other rules of customary international law, at indications of their emergence in an increasing number of national arsenals and at the growing risk that they may be used again,

*Recalling* the provisions of the 1925 Geneva Protocol and other relevant rules of customary international law,

*Recalling also* the necessity for 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>46</sup>

<sup>42</sup> *Ibid.*, Twelfth Special Session, Annexes, agenda items 9 to 13, document A/S-12/32, para. 62.

<sup>43</sup> See resolution 35/46, annex, para. 15.

<sup>44</sup> See *Official Records of the General Assembly, Forty-first Session, Supplement No. 42 (A/41/42)*, para. 28 (para. 8 of the quoted text).

<sup>45</sup> League of Nations, *Treaty Series*, vol. XCIV (1929), No. 2138.

<sup>46</sup> Resolution 2826 (XXVI), annex.

*Bearing in mind* the resolutions of the Security Council on chemical weapons adopted during 1988,

*Noting* that prompt and impartial investigation of reports of possible use of chemical and bacteriological weapons would further enhance the authority of the Geneva Protocol,

*Taking note* of the report of the Secretary-General<sup>47</sup> on the meeting of the group of qualified experts established in pursuance of General Assembly resolution 42/37 C to develop further the technical guidelines and procedures available to the Secretary-General for the timely and efficient investigation of reports of the possible use of chemical and bacteriological (biological) or toxin weapons,

*Recalling* that, in its resolution 620 (1988) of 26 August 1988, the Security Council decided to consider immediately, taking into account the investigations of the Secretary-General, appropriate and effective measures in accordance with the Charter of the United Nations,

*Expressing its appreciation* for the work of the Secretary-General, and noting the procedures available to him in support of the principles and objectives of the Geneva Protocol,

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, and condemns vigorously all actions that violate this obligation;

2. *Calls upon* all States that have not yet done so to accede to the 1925 Geneva Protocol;

3. *Urges* the Conference on Disarmament to pursue as a matter of continuing urgency its negotiations on a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction;

4. *Calls upon* all States to be guided in their national policies by the need to curb the spread of chemical weapons pending the conclusion of such a convention;

5. *Requests* the Secretary-General to carry out promptly investigations in response to reports that may be brought to his attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxin weapons that may constitute a violation of the Geneva Protocol or other rules of customary international law in order to ascertain the facts of the matter, and to report promptly the results of any such investigation to all Member States, in accordance with the procedures established by the General Assembly in its resolution 42/37 C;

6. *Also requests* the Secretary-General, pursuant to resolution 42/37 C, with the assistance of the group of qualified experts provided by interested Member States, to continue his efforts to develop further technical guidelines and procedures available to him for the timely and efficient investigation of such reports of the possible use of chemical and bacteriological (biological) or toxin weapons, and to report to Member States as soon as possible;

7. *Requests* Member States and the relevant international organizations to co-operate fully with the Secretary-General in the above-mentioned work;

8. *Decides* to include in the provisional agenda of its forty-fourth session the item entitled "Chemical and bacteriological (biological) weapons".

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## B

### SECOND 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 resolution 2826 (XXVI) of 16 December 1971, in which it commended the Convention of the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction<sup>46</sup> and expressed the hope for the widest possible adherence to the Convention,

*Recalling* its resolution 39/65 D of 12 December 1984, in which it noted that, at the request of a majority of States parties to the Convention, a second Review Conference of the Parties to the Convention would be held in 1986,

*Recalling* that the States parties to the Convention met at Geneva from 8 to 26 September 1986 to review the operation of the Convention with a view to assuring that the purposes of the preamble to and the provisions of the Convention, including the provisions concerning negotiations on chemical weapons, were being realized,

*Recalling also* its resolution 41/58 A of 3 December 1986, in which it, *inter alia*, noted with appreciation that on 26 September 1986, the Second 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,<sup>48</sup>

*Pursuing* its resolution 42/37 B, and noting with satisfaction that at the time of the Second Review Conference of the Parties to the Convention there were more than a hundred States parties to the Convention, including all the permanent members of the Security Council,

1. *Notes with appreciation* that, in accordance with the Final Declaration of the Second 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, an *Ad Hoc* Meeting of Scientific and Technical Experts from States parties to the Convention was held at Geneva from 31 March to 15 April 1987, which adopted by consensus a report<sup>49</sup> finalizing the modalities for the exchange of information and data agreed to in the Final Declaration, thus enabling States parties to follow a standardized procedure;

2. *Notes* that the *Ad Hoc* Meeting of Scientific and Technical Experts from States parties to the Convention agreed in its report that the first exchange of information and data should take place not later than 15 October 1987 and that thereafter information to be given on an annual basis should be provided through the Department for Disarmament Affairs of the Secretariat not later than 15 April;

<sup>47</sup> A/43/690 and Add.1.

<sup>48</sup> BWC/CONF.II/13, part II.

<sup>49</sup> BWC/CONF.II/EX/2.

3. *Notes with satisfaction* that the second such exchange of information and data has commenced, and calls upon States that have not yet exchanged information and data to do so;

4. *Requests* the Secretary-General to render the necessary assistance and to provide such services as may be required for the implementation of the relevant parts of the Final Declaration;

5. *Calls upon* all States that have not ratified or acceded to the Convention to do so without delay, thus contributing to the achievement of universal adherence to the Convention and to international confidence.

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### 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, particularly following recent United Nations reports, 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>45</sup> and taking note with satisfaction of the proposal to convene a conference to that effect,

*Reaffirming also* the urgent necessity of the adherence by all States to the Convention of the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,<sup>46</sup> signed in London, Moscow and Washington on 10 April 1972,

*Taking note* of the Final Document of the Second 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 on 26 September 1986,<sup>50</sup> and, in particular, of article IX of the Final Declaration of the Conference,<sup>48</sup>

*Having considered* the report of the Conference on Disarmament,<sup>51</sup> which incorporates, *inter alia*, the report of its *Ad Hoc* Committee on Chemical Weapons,<sup>52</sup> and noting that following the precedents set over the past four years, consultations are continuing during the inter-session period, thus increasing the time devoted to negotiations,

*Convinced* of the necessity that all efforts be exerted for the continuation and successful conclusion of negotiations on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction,

*Expressing* the hope that the conference referred to above will also give a strong impetus to that end,

*Conscious* of the need to share data relevant to the negotiations on a future convention banning all chemical weapons on a global basis and of the fact that the provision of such data would be an important confidence-building measure,

*Noting* the bilateral and other discussions, including the ongoing exchange of views between the Union of the Soviet Socialist Republics and the United States of America in the framework of the multilateral negotiations, on issues related to the prohibition of chemical weapons,

*Noting with appreciation* the efforts made at all levels by States to facilitate the earliest conclusion of a convention and, in particular, the concrete steps designed to promote confidence and to contribute directly to that goal,

1. *Takes note with satisfaction* of the work of the Conference on Disarmament during its 1988 session regarding the prohibition of chemical weapons, and in particular appreciates the progress in the work of its *Ad Hoc* Committee on Chemical Weapons on that question and the tangible results recorded in its report;

2. *Expresses again none the less its regret and concern* that, notwithstanding the progress made in 1988, a convention on the complete and effective prohibition of the development, production, stockpiling and use 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 1989 session, the negotiations on such a convention and to reinforce further its efforts by, *inter alia*, increasing the time during the year that it 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 mandate to be agreed upon by the Conference at the beginning of its 1989 session;

4. *Requests* the Conference on Disarmament to report to the General Assembly at its forty-fourth session on the results of its negotiations;

5. *Encourages* Member States to take further initiatives to promote confidence and openness in the negotiations and to provide further information to facilitate prompt resolution of outstanding issues, thus contributing to an early agreement on, and universal adherence to, a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction;

6. *Recognizes* the importance of declarations made by States on whether or not they possess chemical weapons and of further international exchanges of data in connection with 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;

7. *Welcomes* the offer by the French Government to convene in Paris from 7 to 11 January 1989 a conference of the States parties to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous and Other Gases, and of Bacteriological Methods of Warfare, and of other interested States;

8. *Expresses* the hope that all States will contribute actively to the objectives of the conference.

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<sup>50</sup> BWC/CONF.II/13.

<sup>51</sup> *Official Records of the General Assembly, Forty-third Session, Supplement No. 27 (A/43/27).*

<sup>52</sup> *Ibid.*, para. 77.