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Agenda item 103

General and complete disarmament

China, Nicaragua, Russian Federation and Venezuela (Bolivarian Republic of): draft resolution

Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons

The General Assembly,

Recalling its previous resolutions concerning the Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons, in particular resolutions [42/37](#) C of 30 November 1987, [43/74](#) A of 7 December 1988, [45/57](#) C of 4 December 1990 and [60/288](#) of 8 September 2006,

Recalling also the technical guidelines and procedures contained in annex I to the 1989 report of the Secretary-General on chemical and bacteriological (biological) weapons,¹

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

Recognizing the common interest of all humankind in excluding completely the possibility of the use of chemical, bacteriological (biological) and toxin weapons, and convinced that such use would be repugnant to the conscience of humankind,

Recalling the provisions of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 1972,² the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993,³ the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare of 1925⁴ and other relevant rules of customary international law,

¹ [A/44/561](#).

² United Nations, *Treaty Series*, vol. 1015, No. 14860.

³ *Ibid.*, vol. 1974, No. 33757.

⁴ League of Nations, *Treaty Series*, vol. XCIV, No. 2138.



Underlining that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare are essential for international peace and security,

Calling upon States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction for continued efforts to strengthen that agreement, including by resuming multilateral negotiations to conclude a non-discriminatory legally binding protocol to the Convention dealing with all articles of the Convention in a balanced and comprehensive manner, inter alia, through effective verification measures,

Reaffirming that under all circumstances the use, development, production and stockpiling of chemical, bacteriological (biological) and toxin weapons are effectively prohibited under article I of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and under article I of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,

Urging all States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction as a priority to fully comply with all their obligations undertaken pursuant to those Conventions and to abide by the understandings agreed by the review conferences of the States parties to the Conventions,

Noting national initiatives to provide relevant training to experts that could support the Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons,

Bearing in mind Security Council resolution [620 \(1988\)](#) of 26 August 1988,

Reaffirming that any report brought to the attention of the Secretary-General by any State party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction must be considered and addressed in the framework of the Convention,

Recalling that, in its resolution [620 \(1988\)](#), 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,

1. *Recalls its request* to the Secretary-General to carry out 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 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare 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;

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

3. *Reaffirms* the invitation to the Security Council made in the Final Declarations of the Sixth, Seventh and Eighth Review Conferences 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) To consider immediately any complaint lodged under article VI of the Convention and to initiate any measures it considers necessary for the investigation of the complaint in accordance with the Charter of the United Nations;

(b) To request, if it deems necessary and in accordance with its resolution 620 (1988), the Secretary-General to investigate the allegation of use of bacteriological (biological) or toxin weapons, applying the technical guidelines and procedures contained in annex I to the 1989 report of the Secretary-General on chemical and bacteriological (biological) weapons;

(c) To inform each State party to the Convention of the results of any investigation initiated under article VI of the Convention and to consider promptly any appropriate further action that may be necessary;

4. *Reiterates* that the Organisation for the Prohibition of Chemical Weapons shall, in accordance with paragraph 27 of Part XI of the Verification Annex to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, closely cooperate with the Secretary-General in cases of alleged use of chemical weapons involving a State not party to the Convention or in a territory not controlled by a State party to the Convention and, if so requested, shall in such cases place its resources at the disposal of the Secretary-General;

5. *Recognizes* that there have been developments in the field of science and technology related to the Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons and that the situation relating to chemical and biological disarmament has evolved since the Mechanism was created in 1987 and its technical guidelines and procedures were endorsed in 1990;

6. *Reiterates* that the Secretary-General should periodically review, with the assistance of his appointed expert consultants, bearing in mind modifications proposed by Member States, the technical guidelines and procedures contained in annex I to the 1989 report of the Secretary-General and revise them as necessary, for submission to the General Assembly upon its request;

7. *Encourages* Member States to assess the effectiveness of the Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons and the implementation of the guidelines and procedures contained in annex I to the 1989 report of the Secretary-General, to study the practical role of the Mechanism for 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 and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, taking into account relevant provisions of those Conventions, to determine which provisions of the guidelines and procedures may need to be updated, and to share their ideas and suggestions in regard to modifications to update the guidelines and procedures;

8. *Requests* the Secretary-General, within existing resources, to seek the views of Member States on the issues referred to in paragraph 7 above and to submit a substantive report, with an annex containing those views, to the General Assembly at its seventy-sixth session, for further discussion by Member States;

9. *Decides* to include in the provisional agenda of its seventy-sixth session an item entitled “Secretary-General’s Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons”.
