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QUESTION OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

Letter dated 23 October 1970 from the Permanent Representative
of Poland to the United Nations addressed to the President of
the General Assembly

On behalf of the People's Republic of Bulgaria, the Byelorussian Soviet Socialist Republic, the Czechoslovak Socialist Republic, the Hungarian People's Republic, the Mongolian People's Republic, the Polish People's Republic, the Socialist Republic of Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics, I submit herewith the revised draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of such Weapons.

I would be most grateful if you could circulate that text as an official document of the General Assembly.

(Signed) E. KULAGA
Ambassador
Permanent Representative of Poland
to the United Nations

REVISED DRAFT CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT,
PRODUCTION AND STOCKPILING OF CHEMICAL AND BACTERIOLOGICAL
(BIOLOGICAL) WEAPONS AND ON THE DESTRUCTION OF SUCH WEAPONS

The States Parties to this Convention,

Convinced of the immense importance and urgent necessity of eliminating from the arsenals of States such dangerous weapons of mass destruction as chemical and bacteriological (biological) weapons,

Guided by the desire to facilitate progress in the achievement of the objectives of general and complete disarmament,

Desiring to contribute to the strengthening of confidence between peoples and the general improvement of the international atmosphere,

Believing that scientific discoveries in the field of chemistry and bacteriology (biology) must in the interests of all mankind be used solely for peaceful purposes,

Recognizing nevertheless that the development of scientific knowledge throughout the world will increase the risk of the use of chemical and bacteriological (biological) methods of warfare,

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimize this risk,

Recognizing the important significance of the Geneva Protocol of 17 June 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, an instrument which embodies generally recognized rules of international law and conscious also of the contribution which the said Protocol has already made, and continues to make, to mitigating the horrors of war,

Reaffirming their adherence to the purposes and principles of that Protocol and calling upon all States to comply strictly with them,

Recalling United Nations General Assembly resolutions 2162 B (XXI) of 5 December 1966 and 2454 A (XXIII) of 20 December 1968 which condemned all actions contrary to the Geneva Protocol of 17 June 1925, and also resolutions 2603 A and B (XXIV) of 16 December 1969 which, inter alia, confirmed once again the generally recognized character of the rules of international law embodied in the Geneva Protocol of 17 June 1925,

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Noting the conclusions contained in the report submitted to the United Nations General Assembly and the Disarmament Committee on the grave consequences for mankind that might result from the use of chemical and bacteriological (biological) weapons,

Expressing their desire to contribute to the implementation of the Purposes and Principles of the Charter of the United Nations,

Have agreed as follows:

Article I

Each State Party to this Convention undertakes not to develop, produce, stockpile or otherwise acquire chemical and bacteriological (biological) weapons, or equipment or vectors specially designed for the use of chemical and bacteriological (biological) weapons as means of warfare.

Article II

Each State Party to this Convention undertakes to destroy within a period of - observing all the necessary precautions - or to divert to peaceful uses all previously accumulated chemical and bacteriological (biological) weapons in its possession, as well as equipment and vectors specially designed for the use of chemical and bacteriological (biological) weapons as means of warfare.

Article III

Each State Party to the Convention undertakes not to assist, encourage or induce any individual State, group of States or international organizations to develop, produce or otherwise acquire and stockpile chemical and bacteriological (biological) weapons.

Article IV

Each State Party to the Convention shall be internationally responsible for compliance with its provisions by legal and physical persons exercising their activities in its territory, and also by its legal and physical persons outside its territory.

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Article V

Each State Party to the Convention undertakes to take as soon as possible, in accordance with its constitutional procedures, the necessary legislative and administrative measures to prohibit the development, production and stockpiling of chemical and bacteriological (biological) weapons and to destroy such weapons.

Article VI

The States Parties to the Convention undertake to consult one another and to co-operate in solving any problems which may arise in the application of the provisions of this Convention.

Article VII

1. Each State Party to the Convention which finds that actions of any other State Party constitute a breach of the obligations assumed under articles I and II of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity, as well as a request for its consideration by the Security Council. The Security Council shall inform the States Parties to the Convention of the result of the investigation.

2. Each State Party to the Convention undertakes to co-operate in carrying out any investigations which the Security Council may undertake, in accordance with the provisions of the United Nations Charter, on the basis of the complaint received by the Council.

Article VIII

1. The States Parties to the Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of chemical and bacteriological (biological) agents.

2. This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful chemical and

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bacteriological (biological) activities, including the international exchange of chemical and bacteriological (biological) agents and equipment for the processing, use or production of chemical and bacteriological (biological) agents for peaceful purposes in accordance with the provisions of this Convention.

Article IX

Any State Party may propose amendments to this Convention. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Convention and thereafter for each remaining State Party on the date of acceptance by it.

Article X

Five years after the entry into force of this Convention, a conference of States Parties to the Convention shall be held at Geneva, Switzerland, in order to review the operation of this Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized. Such review shall take into account any new scientific and technological developments relevant to this Convention.

Article XI

1. This Convention shall be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of which are hereby designated the Depositary Governments.

3. This Convention shall enter into force after the deposit of the instrument of ratification by Governments, including the instruments of ratification of the Governments of States which are permanent members of the United Nations Security Council and of other Governments designated as Depositaries of the Convention.

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4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession and the date of the entry into force of this, and shall transmit other notices to them.

6. This Convention shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article XII

This Convention, of which the **Chinese, English, French, Russian and Spanish** texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Convention shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness where of the undersigned, duly authorized, have signed this Convention.

DONE in, copies at, this
day of,
