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QUESTION OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

Report of the First Committee

Rapporteur: Mr. Giovanni MIGLIUOLO (Italy)

1. The item entitled "Question of chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament" was included by the Secretary-General in the provisional agenda of the twenty-sixth session on the basis of General Assembly resolution 2662 (XXV) of 7 December 1970.
2. At its 1939th plenary meeting, on 25 September 1971, the General Assembly, on the recommendation of the General Committee, decided to include this item in the agenda and allocated it to the First Committee for consideration and report.
3. At its 1803rd meeting, on 11 October 1971, the First Committee decided to hold a combined general debate on all seven agenda items relating to disarmament allocated to it, namely:
 - (1) General and complete disarmament: report of the Conference of the Committee on Disarmament (item 27);
 - (2) Question of chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament (item 28);
 - (3) Urgent need for suspension of nuclear and thermonuclear tests: report of the Conference of the Committee on Disarmament (item 29);
 - (4) Establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control: report of the International Atomic Energy Agency (item 30);

- (5) Status of the implementation of General Assembly resolution 2666 (XXV) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco): report of the Secretary-General (item 31);
- (6) Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security: report of the Secretary-General (item 32);
- (7) Declaration of the Indian Ocean as a zone of peace (item 98).

4. The general debate on these seven items took place at the 1827th to 1842nd meetings, from 11 November to 1 December 1971.

5. The First Committee had before it, in connexion with agenda item 28, the report of the Conference of the Committee on Disarmament (A/8457), containing in annex A a draft convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction.

6. On 12 November, Mexico submitted a working paper (A/C.1/L.578 and Corr.1) containing a proposal for the inclusion of an additional article in the draft convention. The article read as follows:

"Pending the agreement referred to in article IX, the States Parties to this Convention undertake to refrain from any further development, production or stockpiling of those chemical agents for weapons purposes which because of their degree of toxicity have the highest lethal effects. The agents in question are listed in the Protocol annexed to this Convention."

7. On 16 November, Afghanistan, Australia, Austria, Belgium, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Costa Rica, Czechoslovakia, Denmark, the Dominican Republic, Finland, Greece, Honduras, Hungary, Iceland, Japan, Jordan, Lebanon, Liberia, Mongolia, Nepal, the Netherlands, Nicaragua, Norway, Poland, Rwanda, Somalia, Tunisia, Turkey, the Ukrainian Soviet Socialist Republics, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zaire submitted a draft resolution (A/C.1/L.579), subsequently co-sponsored by Iran, Jamaica, Madagascar and Malaysia. The draft resolution, to which the text of the draft convention would be annexed (see paragraph 5 above), read as follows:

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"The General Assembly,

"Recalling its resolution 2662 (XXV) of 7 December 1970,

"Convinced of the importance and urgency of eliminating from the arsenals of States, through effective measures, such dangerous weapons of mass destruction as those using chemical or bacteriological (biological) agents,

"Having considered the report of the Conference of the Committee on Disarmament (document A/8457), dated 1 October 1971, and being appreciative of the work of the Conference on the draft Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, annexed to the report,

"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, and conscious also of the contribution which the said Protocol has already made, and continues to make, to mitigating the horrors of war,

"Noting that the Convention provides for the parties to reaffirm their adherence to the principles and objectives of that Protocol and calls upon all States to comply strictly with them,

"Further noting that nothing in the Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Geneva Protocol,

"Determined, for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons,

"Recognizing that an agreement on the prohibition of bacteriological (biological) and toxin weapons represents a first possible step towards the achievement of agreement on effective measures also for prohibition of the development, production and stockpiling of chemical weapons,

"Noting that the Convention contains an affirmation of the recognized objective of effective prohibition of chemical weapons and, to this end, an undertaking to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes,

"Convinced that the Convention will contribute to the realization of the purposes and principles of the Charter of the United Nations,

/...

"1. Commends the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the text of which is annexed to the present resolution; 1/

"2. Requests the depositary Governments to open the Convention for signature and ratification at the earliest possible date;

"3. Expresses hope for the widest possible adherence to the Convention."

8. On 18 November, Argentina, Barbados, Brazil, Burma, Egypt, Ethiopia, Guinea, India, Indonesia, Morocco, Nigeria, Pakistan, the Philippines, Yemen and Yugoslavia submitted an amendment (A/C.1/L.582), subsequently co-sponsored by Cameroon, to the 39-Power draft resolution (A/C.1/L.579). By this amendment a new tenth preambular paragraph would be inserted reading as follows:

"Affirming the principle that a substantial portion of the savings derived from measures in the field of disarmament should be devoted to promoting economic and social development, particularly in the developing countries."

9. On 2 December, Afghanistan, Argentina, Australia, Austria, Belgium, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Costa Rica, Czechoslovakia, Denmark, the Dominican Republic, Finland, Greece, Honduras, Hungary, Iceland, Iran, Jamaica, Japan, Jordan, Lebanon, Liberia, Madagascar, Malaysia, Mongolia, Nepal, the Netherlands, Nicaragua, Norway, Poland, Rwanda, Tunisia, Turkey, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Yemen and Zaire submitted a revised draft resolution (A/C.1/L.579/Rev.1) subsequently co-sponsored by Lesotho, Romania and Singapore, containing a new tenth preambular paragraph dealing with savings from disarmament. Subsequently the amendment contained in document A/C.1/L.582 was withdrawn. The text of the revised draft resolution appears in paragraph 20, draft resolution I.

10. At its 1846th meeting, on 8 December, the First Committee adopted a suggestion of Morocco that in article XIV, paragraph 2, of the draft convention, the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America be designated the depositary Governments.

1/ For text of the draft convention, see paragraph 20, annex to draft resolution I.

11. On 16 November, Afghanistan, Austria, Belgium, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, Hungary, Italy, Japan, Lebanon, Malaysia, Mongolia, Nepal, the Netherlands, Norway, Poland, Syria, Tunisia, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America submitted a draft resolution (A/C.1/L.580), subsequently co-sponsored by Australia, Costa Rica, Honduras, Iceland, Jordan, Kuwait, Liberia, Madagascar, Malta, New Zealand, Nicaragua, Rwanda, the operative part of which read as follows:

"The General Assembly,

"1. Requests the Conference of the Committee on Disarmament to continue its consideration of the problem of chemical methods of warfare, with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their elimination from the arsenals of all States;

"2. Requests also the Conference of the Committee on Disarmament to take into account in its further work:

"(a) The views expressed in the Joint Memorandum on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction submitted on 28 September 1971 to the Conference of the Committee on Disarmament by Argentina, Brazil, Burma, Egypt, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden and Yugoslavia (see document A/8457, annex C, CCD/352);

"(b) Other proposals, suggestions, working papers and expert views put forward in the Conference of the Committee on Disarmament and in the First Committee;

"3. Urges Governments to take all steps that may be possible to contribute to a successful outcome of the negotiations by the CCD and which could facilitate rapid progress toward agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and the elimination of such weapons from the arsenals of all States;

"4. Reaffirms its resolution 2162 B (XXI) of 5 December 1966 and calls anew for the 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;

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"5. Invites all States that have not already done so to accede to or ratify the Geneva Protocol;

"6. Requests the Conference of the Committee on Disarmament to submit a report on the results achieved to the General Assembly at its twenty-seventh session."

12. On 17 November, Argentina, Barbados, Brazil, Burma, Burundi, Ceylon, Chile, Cyprus, Egypt, Ethiopia, Guinea, India, Indonesia, Iran, Kuwait, Morocco, Nigeria, Pakistan, Peru, Sierra Leone, Somalia, Sudan, Sweden, Uganda, Yemen, Yugoslavia, and Zambia submitted a draft resolution (A/C.1/L.581), subsequently co-sponsored by Guyana the operative part of which read as follows:

(Paraguay and U.R. of T)
"1. Takes note of:

"(a) The provisions contained in the draft Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction concerning the determination and a firmly expressed commitment to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and on their destruction;

"(b) The joint memorandum on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction submitted on 28 September 1971 to the Conference of the Committee on Disarmament (A/8457, annex C, CCD/352) by Argentina, Brazil, Burma, Egypt, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden and Yugoslavia;

"(c) Other proposals, suggestions, working papers, and expert views put forward in the Conference of the Committee on Disarmament and in the First Committee relating to the question of chemical weapons;

"2. Requests the Conference of the Committee on Disarmament to proceed with the task of negotiating, as a high priority item, agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and on their elimination from the arsenals of all States;

"3. Further requests the Conference of the Committee on Disarmament to be guided, in its negotiations for early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and on their destruction, by the elements contained in the Group of Twelve memorandum and also to take into account the views and suggestions mentioned in paragraph 1 above;

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"4. Urges all States to take all measures which could facilitate early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and on their destruction;

"5. Calls anew for the 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, and invites all States that have not already done so to accede to or ratify that Protocol;

"6. Requests the Conference of the Committee on Disarmament to submit a report on the results achieved to the General Assembly at its twenty-seventh session;

"7. Requests the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents and records of the First Committee relating to questions connected with the problem of chemical and bacteriological (biological) methods of warfare."

13. On 2 December, Afghanistan, Argentina, Australia, Austria, Barbados, Belgium, Brazil, Bulgaria, Burma, Burundi, the Byelorussian Soviet Socialist Republic, Canada, Ceylon, Chile, Costa Rica, Cyprus, Czechoslovakia, Denmark, Egypt, El Salvador, Ethiopia, Finland, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran, Italy, Japan, Jordan, Kuwait, Lebanon, Liberia, Madagascar, Malaysia, Malta, Mexico, Mongolia, Morocco, Nepal, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Peru, Poland, Rwanda, Sweden, the Syrian Arab Republic, Tunisia, Uganda, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Yemen and Yugoslavia submitted a draft resolution (A/C.1/L.596) subsequently co-sponsored by Lesotho and Singapore which replaced the two draft resolutions contained in documents A/C.1/L.580 and A/C.1/L.581. The text of this draft resolution appears in paragraph 20, draft resolution II A.

14. On 30 November, Costa Rica, Ecuador, Ethiopia, Ghana, Ireland, Mexico, Morocco, Peru and Sweden submitted a draft resolution (A/C.1/L.592), subsequently co-sponsored by Colombia, Malta, the United Republic of Tanzania, Uruguay and Venezuela, the operative part of which read as follows:

"Urges all States to undertake, pending agreement on the complete prohibition of the development, production and stockpiling of chemical weapons and their destruction, to refrain from any further development of stockpiling of those chemical agents for weapons purposes which because of their degree of toxicity have the highest lethal effects and are not usable for peaceful purposes."

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15. On 6 December, the co-sponsors submitted a revised draft resolution (A/C.1/L.592/Rev.1), which appears in paragraph 20, draft resolution II B.
16. At the 1846th meeting, on 8 December, the First Committee proceeded to vote on the three draft resolutions before it. Before the vote, the Chairman drew the Committee's attention to the fact that no action was called for on the working paper contained in document A/C.1/L.578 and Corr.1, in view of the text of the 14-Power revised draft resolution (A/C.1/L.592/Rev.1).
17. The 42-Power draft resolution (A/C.1/L.579/Rev.1) was adopted by acclamation (see paragraph 20, draft resolution I).
18. The 63-Power draft resolution (A/C.1/L.596) was adopted by acclamation (see paragraph 20, draft resolution II A).
19. The 14-Power draft resolution (A/C.1/L.592/Rev.1) was adopted by a roll-call vote of 96 to none, with 11 abstentions (see paragraph 20, draft resolution II B).
- The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Barbados, Bhutan, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Ceylon, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, Ghana, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Spain, Sudan, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: Belgium, Canada, France, Greece, Italy, Malawi, Netherlands, Romania, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

RECOMMENDATIONS OF THE FIRST COMMITTEE

20. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

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DRAFT RESOLUTION I

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 2662 (XXV) of 7 December 1970,

Convinced of the importance and urgency of eliminating from the arsenals of States, through effective measures, such dangerous weapons of mass destruction as those using chemical or bacteriological (biological) agents,

Having considered the report of the Conference of the Committee on Disarmament dated 1 October 1971,^{2/} and being appreciative of the work of the Conference on the draft Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, annexed to the report,

Recognizing the important significance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous and other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,^{3/} and conscious also of the contribution which the said Protocol has already made, and continues to make, to mitigating the horrors of war,

Noting that the Convention provides for the parties to reaffirm their adherence to the principles and objectives of that Protocol and calls upon all States to comply strictly with them,

Further noting that nothing in the Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Geneva Protocol,

Determined, for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons,

Recognizing that an agreement on the prohibition of bacteriological (biological) and toxin weapons represents a first possible step towards the achievement of agreement on effective measures also for the prohibition of the development, production and stockpiling of chemical weapons,

^{2/} A/8457

^{3/} League of Nations, Treaty Series, vol. XCIV (1929), No. 2138.

Noting that the Convention contains an affirmation of the recognized objective of effective prohibition of chemical weapons and, to this end, an undertaking to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes,

Convinced that the implementation of measures in the field of disarmament should release substantial additional resources, which should promote economic and social development, particularly in the developing countries,

Convinced that the Convention will contribute to the realization of the purposes and principles of the Charter of the United Nations,

1. Commends the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, the text of which is annexed to the present resolution;
2. Requests the depositary Governments to open the Convention for signature and ratification at the earliest possible date;
3. Expresses hope for the widest possible adherence to the Convention.

ANNEX

Convention on the Prohibition of the Development, Production
and Stockpiling of Bacteriological (Biological) and Toxin
Weapons and on Their Destruction

The States Parties to this Convention,

Determined to act with a view to achieving effective progress towards general and complete disarmament, including the prohibition and elimination of all types of weapons of mass destruction, and convinced that the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective international control,

Recognizing the important significance 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, 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 principles and objectives of that Protocol and calling upon all States to comply with them,

Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the principles and objectives of the Geneva Protocol of 17 June 1925,

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

Desiring also to contribute to the realization of the purposes and principles of the Charter of the United Nations,

Convinced of the importance and urgency of eliminating from the arsenals of States, through effective measures, such dangerous weapons of mass destruction as those using chemical or bacteriological (biological) agents,

Recognizing that an agreement on the prohibition of bacteriological (biological) and toxin weapons represents a first possible step towards the achievement of agreement on effective measures also for prohibition of the development, production and stockpiling of chemical weapons, and determined to continue negotiations to that end,

Determined, for the sake of all mankind, to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons,

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

ARTICLE I

Each State Party to this convention undertakes never in any circumstances to develop, produce, stockpile or otherwise acquire or retain:

- (1) Microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;
- (2) Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

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ARTICLE II

Each State Party to this Convention undertakes to destroy, or to divert to peaceful purposes, as soon as possible but not later than nine months after the entry into force of the Convention all agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention, which are in its possession or under its jurisdiction or control. In implementing the provisions of this Article all necessary safety precautions shall be observed to protect populations and the environment.

ARTICLE III

Each State Party to this Convention undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

ARTICLE IV

Each State Party to this Convention shall, in accordance with its constitutional processes, take any necessary measures to prohibit and prevent development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention, within the territory of such States, under its jurisdiction or under its control anywhere.

ARTICLE V

The States Parties to the Convention undertake to consult one another and to co-operate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, this Convention. Consultation and co-operation pursuant to this Article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

ARTICLE VI

(1) Any State Party to the Convention which finds that any other State Party is acting in breach of obligations deriving from the provisions of this Convention

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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.

(2) Each State Party to the Convention undertakes to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Convention of the results of the investigation.

ARTICLE VII

Each State Party to the Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such party has been exposed to danger as a result of violation of this Convention.

ARTICLE VIII

Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under 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.

ARTICLE IX

Each State Party to this Convention affirms the recognized objective of effective prohibition of chemical weapons and, to this end, undertakes to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes.

ARTICLE X

(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 use of bacteriological (biological) agents and toxins for peaceful purposes. Parties to the Convention in a position to do so shall also co-operate in contributing individually or

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together with other States or international organizations to the further development and application of scientific discoveries in the field of bacteriology (biology) for prevention of disease, or for other peaceful purposes.

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

ARTICLE XI

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 XII

Five years after the entry into force of this Convention, or earlier if it is requested by a majority of Parties to the Convention by submitting a proposal to this effect to the Depositary Governments, a conference of States Parties to the Convention shall be held at Geneva, Switzerland, to review the operation of this Convention, with a view to assuring that the purposes of the preamble and the provisions of the Convention including the provisions concerning negotiations on chemical weapons, are being realized. Such review shall take into account any new scientific and technological developments relevant to this Convention.

ARTICLE XIII

(1) This Convention shall be of unlimited duration.

(2) Each State Party to this Convention shall in exercising its national sovereignty have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject matter of this Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

ARTICLE XIV

(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 the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which are hereby designated the Depositary Governments.

(3) This Convention shall enter into force after the deposit of the instruments of ratification by twenty-two Governments, including the Governments designated as Depositaries of the Convention.

(4) For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, it 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 Convention, and of the receipt of other notices.

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

ARTICLE XV

This Convention, the Chinese, English, French, Russian and Spanish texts of which 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 whereof the undersigned, duly authorized, have signed this Convention.

Done in _____ copies at _____,
this _____ day of _____.

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DRAFT RESOLUTION II

QUESTION OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

A

The General Assembly,

Recalling its resolutions 2454 A (XXIII) of 20 December 1968, 2603 B (XXIV) of 16 December 1969, and in particular its resolution 2662 (XXV) of 7 December 1970 in which it stressed that the prospects for international peace and security, as well as the achievement of the goal of general and complete disarmament under effective international control, would be enhanced if the development, production and stockpiling of chemical and bacteriological (biological) agents for purposes of war were to end and if those agents were eliminated from all military arsenals, and commended the following basic approach for reaching an effective solution to the problem of chemical and bacteriological (biological) methods of warfare:

(a) It is urgent and important to reach agreement on the problem of chemical and bacteriological (biological) methods of warfare,

(b) Both chemical and bacteriological (biological) weapons should continue to be dealt with together in taking steps towards the prohibition of their development, production and stockpiling and their effective elimination from the arsenals of all States,

(c) The issue of verification is important in the field of chemical and bacteriological (biological) weapons, and 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,

Convinced of the importance and urgency of eliminating from the arsenals of States through effective measures such dangerous weapons of mass destruction as those using chemical or bacteriological (biological) agents,

Having considered the report of the Conference of the Committee on Disarmament,^{4/} and in particular the Committee's work on the elaboration of a draft Convention on the Prohibition of the Development, Production and Stockpiling of

^{4/} A/8457.

Bacteriological (Biological) and Toxin Weapons and on Their Destruction and its efforts towards reaching early agreement on the elimination of chemical weapons also,

Convinced that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction is a first possible step toward the achievement of early agreement for the effective prohibition of the development, production and stockpiling of chemical weapons and on the elimination of such weapons from military arsenals of all States, and determined to continue negotiations to this end,

Recalling that the General Assembly has repeatedly condemned all actions contrary to 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,^{5/}

Noting that the Convention provides for the parties to reaffirm their adherence to the principles and objectives of the Geneva Protocol and to call upon all States to comply strictly with them,

1. Note with satisfaction that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction contains an affirmation of the recognized objective of effective prohibition of chemical weapons and, to this end, an undertaking to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes;

2. Requests the Conference of the Committee on Disarmament to continue, as a high priority item, negotiations with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their elimination from the arsenals of all States;

^{5/} League of Nations, Treaty Series, vol. XCIV (1929), No. 2138.

3. Also requests the Conference of the Committee on Disarmament to take into account in its further work:

(a) The elements contained in the joint memorandum on the prohibition of the development, production and stockpiling of chemical weapons and on their destruction submitted on 28 September 1971 to the Conference of the Committee on Disarmament by Argentina, Brazil, Burma, Egypt, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden and Yugoslavia;^{6/}

(b) Other proposals, suggestions, working papers and expert views put forward in the Conference of the Committee on Disarmament and in the First Committee;

4. Urges Governments to take all steps that may contribute to a successful outcome of the negotiations of the Conference of the Committee on Disarmament and that could facilitate early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and the elimination of such weapons from the arsenals of all States;

5. Reaffirms its resolution 2162 B (XXI) of 5 December 1966 and calls anew for the 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 the Bacteriological Methods of Warfare;

6. Invites all States that have not already done so to accede to or ratify the Protocol;

7. Requests the Conference of the Committee on Disarmament to submit a report on the results achieved to the General Assembly at its twenty-seventh session;

8. Requests the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents and records of the First Committee relating to questions connected with the problems of chemical and bacteriological (biological) methods of warfare.

B

The General Assembly,

Noting that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons contains an

^{6/} A/8457, annex C, document CCD/352.

undertaking to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction,

Believing that it is most desirable that some measures of a preliminary nature be adopted immediately,

Urges all States to undertake, pending agreement on the complete prohibition of the development, production and stockpiling of chemical weapons and their destruction, to refrain from any further development, production or stockpiling of those chemical agents for weapons purposes which because of their degree of toxicity have the highest lethal effects and are not usable for peaceful purposes.
