

never to engage in such methods of
tion and research aimed at the pro-
and to destroy, or divert to peaceful
already be in their possession,
of the Convention, Parties will have
nd to request that the complaints be

confidence in the Convention is to be
angements to be made in advance for
complaints, and the particular need
of complaints of the use of biological

attention of Parties to the Convention
te assistance, in accordance with the
e Convention, if the Security Council
ls of warfare have been used against

he inherent right, recognised under
ndividual and collective self-defence
st a Member of the United Nations,
aken measures necessary to maintain

neral

will enable him

elay any complaints lodged with him
of the Convention;

Security Council, to investigate any
with Article III.2 of the Convention;

y Council on the results of any such

ve urgent consideration

may be lodged with it under Article

Secretary-General may submit in
raph 1 of this Resolution on the result
int; and if it concludes that the com-
er urgently what action it should take
the Charter.

and upon Specialised Agencies of the
as appropriate with the Secretary-
purposes of this Resolution.

Twelve-Nation Working Paper Submitted to the Eighteen Nation Disarmament Committee: Proposed General Assembly Declaration Regarding Prohibition of the Use of Chemical and Biological Methods of Warfare, August 26, 1969¹

The General Assembly,

Considering that chemical and biological methods of warfare have
always been viewed with horror and been justly condemned by the
international community;

Considering that these methods of warfare are inherently reprehens-
ible, because their effects are often uncontrollable and unpredictable
and may be injurious without distinction to combatants and non-
combatants and because any use would entail a serious risk of
escalation;

Recalling that successive international instruments have prohibited
or sought to prevent the use of such methods of warfare;

Noting specifically in this regard

that the majority of States then in existence adhered to the Geneva
Protocol of 17 June 1925,²

that since then further States have become Parties to that Protocol,
that yet other States have declared that they will abide by its prin-
ciples and objectives,

that these principles and objectives have commanded broad respect
in the practice of States, and

that the General Assembly, without any dissenting vote, has called
for the strict observance by all States of the principles and objectives
of the Geneva Protocol;

Recognizing therefore, in the light of all the above circumstances,
that a customary rule of international law prohibits the use in inter-
national armed conflicts of all biological and chemical methods of
warfare, regardless of any technical developments;

Mindful of the Report of the Group of Experts, appointed by the
Secretary-General of the United Nations under General Assembly
Resolution 2454 A (XXIII) of 20 December 1968,³ on chemical and
bacteriological (biological) weapons and the effects of their possible
use, published on 1 July 1969;⁴

Considering that this Report and the Foreword to it by the Secre-
tary-General adds further urgency for an affirmation of this rule and
for dispelling, for the future, any uncertainty as to its scope and, by
such affirmation, to assure the effectiveness of the rule and to enable
all States to demonstrate their determination to comply with the rule;

Condemns and declares as contrary to international law the use in
international armed conflicts of any chemical agents of warfare: chemi-

¹ ENDC/265, Aug. 26, 1969. The paper was submitted by Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, UAR, and Yugoslavia.

² *Post*, pp. 764-765.

³ *Documents on Disarmament, 1968*, pp. 793-795.

⁴ *Ante*, pp. 264-298.

cal substances, whether gaseous, liquid, or solid, which might be employed because of their direct toxic effects on man, animals or plants, and any biological agents of warfare: living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.

Statement by the British Representative (Porter) to the Conference of the Committee on Disarmament: Prohibition of Biological Warfare, August 26, 1969¹

38. This morning I should like to introduce some amendments to the draft convention for the prohibition of biological methods of warfare² and the related draft Security Council resolution tabled and introduced by Mr. Mulley on 10 July.³ We are grateful to the delegations which have commented on these texts, and in some cases we have already been able to develop new or modified language to meet their points. We hope that other governments represented here will also comment for we regard this process of consultation and improvement as a continuous one leading to a text which will be generally acceptable to members of this Committee.

39. I have set out the proposed changes in a paper which is before the Committee. The Secretariat has also circulated the amended text as an ENDC document.⁴ We have not yet made proposals for the missing administrative articles VII, VIII and X, since this we believe would be premature until some progress has been made on the articles of substance already tabled. For the time being we should like to concentrate on these.

40. You will notice that our amendments remain within the framework of a convention for the prohibition of biological methods of warfare. A number of delegations have advocated that chemical and biological methods of warfare should be dealt with together in the same document. The Committee will recall the reasons given by Mr. Mulley on 10 July⁵ and in earlier statements for drafting, in the first instance, a convention on biological weapons. We cannot agree that it is impossible to distinguish between chemical and biological methods of warfare. The biological weapon is the only self-propagating weapon in existence; that is to say, a weapon which has the ability to multiply itself. That is why the effects of such weapons are likely to be not only horrifying but indiscriminate. What we are seeking to prohibit therefore is, in one sense, the most inhuman of all weapons; a living weapon which seeks out people to destroy them. We fully

¹ CCD/PV. 431, pp. 11-16.

² *Ante*, pp. 324-326.

³ *Ante*, p. 327.

⁴ *Ante*, pp. 431-433.

⁵ *Ante*, pp. 318-324.

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⁶ *Ante*, p. 3

⁷ *Ante*, p. 3

⁸ *Post*, pp.

⁹ *Ante*, p. 3