4. Requests the Secretary-General to bring the present resolution to the attention of all Member States and to the attention of the United Nations Educational, Scientific and Cultural Organization with a view to its wide publication and dissemination.

General Assembly Resolution 2826 (XXVI): Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, December 16, 1971

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 6 October 1971, and being appreciative of its work 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 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,
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,

1 A/RES/2826 (XXVI), Feb. 25, 1972. The resolution was adopted by a vote of 110 to 0, with one abstention (France). The PRC did not participate in the voting.
3 ibid., pp. 610-633.
4 ibid., pp. 568-573.
5 Documents on Disarmament, 1969, pp. 764-765.
GENERAL ASSEMBLY RESOLUTION 2826 (XXVI), DECEMBER 16, 1971

Pursuant to 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:

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;

REQUESTS the depositary Governments to open the Convention for signature and ratification at the earliest possible date;

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 Similar Weapons, 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 strictly with it,

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.

Resolution was adopted by a vote of 110 in favor, 4 against, 36 abstentions and 11 votes did not participate in the voting.
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 the 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.

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 the detriment or peril of any other State Party to the Convention:

The States Parties may, in the exercise of the rights set out in the provisions hereon, take such measures as may be necessary to protect their nationals and interests in the territories of States which are not Parties to the present Convention. Such States Parties may also perform their obligations under the Charter of the United Nations and the present Convention, and may exercise their rights under Article 51 of the United Nations Charter, in particular by exercising the right of collective self-defense provided for in that Article, in response to armed attack against any of them. The States Parties shall recognize the inviolability of international territory and shall respect the rights and obligations arising from international law with respect to international territory, including the territory of other States Parties to the Convention.

(1) Any other State Party to the Convention may request the Security Council to take any appropriate action, including the cessation, modification or suspension of such measures as may be necessary to ensure the observance of this Agreement or to protect the rights and interests of the States Parties.

(2) Each State Party may, in accordance with the Charter of the United Nations or pursuant to a request made in accordance with Article 51, take such measures as may be necessary to protect its nationals and interests in any territory, and may exercise its rights under Article 51 of the United Nations Charter, in particular by exercising the right of collective self-defense provided for in that Article, in response to armed attack against any of them.

Each State Party shall ensure that no other State Party is able to exercise the rights set out in the present Convention, and that no other State Party is able to cause any States Parties to the Convention to fail to observe the provisions of this Agreement.

Nothing in this Agreement precludes the unrestricted exercise of the rights of States Parties under the Charter of the United Nations.

Each State Party to this Agreement shall undertake not to utilize nuclear weapons in any way,

by armed attack or by any other means, to facilitate or conduct any military or other operations under the Convention.
general Assembly of the United Nations has taken actions contrary to the principles and policy of peace and disarmament. The General Assembly, therefore, unites in the strengthening of confidence in the possibility of general improvement of the international situation, and to the realization of the purposes and principles of the United Nations.

agreement on the prohibition of bacteriological or chemical weapons represents a first possible step towards effective measures of the development, production, storage, transfer, and disposal of a vast array of dangerous agents, toxins, weapons, and determined to continue work of all mankind, to exclude completely biological (biological) agents and toxins which would be repugnant to the conscience of man and should be spared to minimize this

Article I
Convention undertakes never in any circumstances to produce, stockpile or otherwise acquire or use bacteriological or chemical agents or toxins whatever their type or their effect, in amounts and in quantities that would be repugnant to the conscience of man and should be spared to minimize this

Article II
Convention undertakes to destroy, or otherwise dispose of, as soon as possible but not later than the entry into force of the Convention, all equipment and means of delivery in its possession or control. In implementing the provisions of this Convention, all States Parties to the Convention shall take all possible measures to ensure that all States Parties to the Convention shall, in accordance with its Charter.

Article III
Convention undertakes not to transfer to any other party the acquisition, development, production, storage or use of bacteriological or chemical agents and toxins or the means of delivery of 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 undertakes 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, the 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 V

The States Parties to this 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, the 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 this Convention which finds that any other party is acting in breach of obligations deriving from the provisions 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.

2. Each State Party to this 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 this 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 the 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 this 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 together with other States or international organizations to the further development and application of scientific discoveries in the field of bacteriology (biology) for the 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 the 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 Government, a conference of States Parties to the Convention shall be held at Geneva, Switzerland, to review the operation of the 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 the Convention.
Article IX

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 the 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

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 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 the 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 triplicate, at ______, this ______ day of ______.