

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, 1971¹

The General Assembly,

Recalling its resolution 2662 (XXV) of 7 December 1970,²

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 1971,³ 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,⁴

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 1925,⁵ 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.

² *Documents on Disarmament, 1970*, pp. 683-685.

³ *Ante*, pp. 610-633.

⁴ *Ante*, pp. 568-573.

⁵ *Documents on Disarmament, 1969*, pp. 764-765.

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 t
interna
any o
deliver

Each
constitu
and pre
or reten
of deliv
territory
anywher

The St
another a
in relatio
provisions
pursuant t
ate interna
Nations an

(1) Any
other State
the provisio
Security Co
include all
request for i
(2) Each
operate in
Council may
Charter of t
received by
States Parties

Each State
support assista
to any Party t
Council decide
result of violati

Nothing in t
limiting or detri
under the Prot
Asphyxiating, P
Methods of Warr

General Assembly of the United Nations has taken actions contrary to the principles and provisions of the Protocol of 17 June 1925,

aiming to the strengthening of confidence and the general improvement of the international situation.

In view of the realization of the purposes and objectives of the United Nations,

and in view of the importance and urgency of eliminating from the world through effective measures, such dangerous agents and means as those using chemical or bacteriological agents.

The present agreement on the prohibition of bacteriological weapons represents a first possible step towards an agreement on effective measures to prevent the development, production and use of chemical weapons, and determined to continue to work for the prohibition of all weapons of mass destruction.

It is the wish of all mankind, to exclude completely the use of biological (biological) agents and toxins.

Such use would be repugnant to the conscience of mankind and should be spared to minimize this danger.

Article I

Each State Party to this Convention undertakes never in any way to produce, stockpile or otherwise acquire chemical agents, or toxins whatever their quantity, of types and in quantities that have no military, protective or other peaceful purpose.

Such agents, toxins or means of delivery designed to use in armed conflict.

Such means of delivery designed to use in armed conflict.

Article II

Each State Party to this Convention undertakes to destroy, or to assist in the destruction, as soon as possible but not later than ten years after the entry into force of the Convention, all chemical weapons, equipment and means of delivery which are in its possession or control. In implementing the provisions of this article, special precautions shall be observed to protect the environment.

Article III

Each State Party to this Convention undertakes not to transfer 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 the 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 State, under its jurisdiction or under its control anywhere.

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 State 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 Governments, 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.

(
(
natio
Con
subje
inter
all o
Natio
shall i
having

(1)
Any St
into fo
accede
(2) T
States. I
shall be
Socialist
Northern
hereby de
(3) Th
instrum
the Govern
(4) For
are deposi
tion, it sha
instruments
(5) The
signatory a
date of dep
and the date
receipt of ot
(6) This
Governments
Nations.

This Conve
Spanish texts
the archives o
of the Conve
Governments t
States.

In witness
signed this Conve
Done in tripli

Article IX

Convention affirms the recognized
of chemical weapons and, to this
negotiations in good faith with a view
on effective measures for the
nt, production and stockpiling and
appropriate measures concerning
ery specifically designed for the
agents for weapons purposes.

Article X

s Convention undertake to facili-
participate in, the fullest possible
als and scientific and technological
eriological (biological) agents and
Parties to the Convention in a
perate in contributing individually
international organizations to the
tion of scientific discoveries in the
or the prevention of disease, or for

plemented in a manner designed
c or technological development of
n or international co-operation in
ical (biological) activities, includ-
e of bacteriological (biological)
ment for the processing, use or
biological) agents and toxins for
ce with the provisions of the

Article XI

amendments to this Convention.
ce for each State Party accepting
ptance by a majority of the States
ereafter for each remaining State
y it.

Article XII

to force of this Convention, or
ority of Parties to the Convention
this effect to the Depositary
States Parties to the Convention
land, to review the operation of
assuring that the purposes of the
the Convention, including the
s on chemical weapons, are being
into account any new scientific
levant to the 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 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

- (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 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 _____.