

Drafting Committee  
Geneva, 3-21 March 1980

DRAFT ELEMENTS OF THE FINAL DECLARATION

Working Paper submitted by Brazil, Bulgaria, India, Sweden and the United Kingdom

1. The States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their destruction, having met in Geneva 3-21 March 1980 under the provisions of Article XII to review the operation of the Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized:
2. Recognizing the continuing importance of the Convention and its objectives and the common interest of mankind in the exclusion of bacteriological (biological and toxin weapons from the methods of warfare,
3. Affirming their belief that universal adherence to the Convention would enhance international peace and security and would facilitate the wider exchange of information for the use of bacteriological (biological) agents for peaceful purposes and, further, that adherence to the Convention would not hamper economic or technological development,
4. Reaffirming their adherence to the principles and objectives of the Geneva Protocol of 17 June 1925 and calling upon all States to comply strictly with them,
5. Recalling that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the said principles and objectives,
6. Recognizing the importance of achieving international agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction,
7. Noting the relevant provisions of the Final Document of the Special Session of the General Assembly devoted to Disarmament,
8. Appealing to all States to refrain from any action which might place the Convention or any of its provisions in jeopardy,
9. Declare as follows:  
The States Parties to the Convention reaffirm their strong common interest in the exclusion of the possibility of bacteriological (biological) agents and toxins being used as weapons. They reaffirm their strong support for the Convention, their continued dedication to its principles and objectives and their commitment to implement effectively its provisions.

ARTICLE I

10. The Conference notes the importance of Article I as the Article which defines the scope of the Convention and reaffirms its support for the provisions of this Article.

11. The Conference believes that Article I has proved sufficiently comprehensive to cover recent scientific and technological developments relevant to the Convention.

ARTICLE II

12. The Conference notes the importance of Article II and emphasizes that States adhering to the Convention, in implementing the provisions of this Article, shall observe all necessary safety precautions to protect populations and the environment.

13. The Conference welcomes the declarations of several States Parties to the effect either that, having once possessed agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention, they have destroyed them or diverted them to peaceful purposes, or that they do not possess and have never possessed them. The Conference believes that such voluntary declarations constitute an additional measure to build increased confidence in the Convention.

ARTICLE III

14. The Conference notes the importance of the provisions of Article III which proscribes the transfer of prohibited agents, toxins, weapons, equipment or means of delivery to any recipient whatsoever and the furnishing of assistance, encouragement or inducement to any State, group of States or international organizations to manufacture or otherwise acquire them.

ARTICLE IV

15. The Conference notes the provisions of Article IV, which requires each State Party to 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 its territory, under its jurisdiction or under its control anywhere, and calls upon all States Parties which have not yet taken any necessary measures in accordance with their constitutional processes to do so immediately.

16. The Conference invites States Parties which have found it necessary to enact specific legislation or take other regulatory measures relevant to this Article to make available the appropriate texts to the United Nations Centre for Disarmament, for the purposes of consultation.

ARTICLE V

17. [To be compiled by the Drafting Committee]

ARTICLE VI

18. [To be compiled by the Drafting Committee]

ARTICLE VII

19. The Conference notes with satisfaction that it has never proved necessary to invoke the provisions of Article VII.

ARTICLE VIII

20. The Conference reaffirms that nothing contained in the 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. The Conference calls on those States Parties to the Convention which are not already Parties to the said Protocol to ratify or accede to it.

ARTICLE IX

21. The Conference notes the importance of the provisions of Article IX and of the preambular paragraphs concerning the commitment of States Parties 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, and deeply regrets the fact that negotiations have not yet produced a comprehensive prohibition of chemical weapons. The Conference reaffirms the urgency and importance of achieving an early agreement on an effective international prohibition of chemical weapons and on their destruction.

22. The Conference takes note of the bilateral United States-USSR report on the progress of their negotiations undertaken with a view to presenting a joint initiative in the Committee on Disarmament. The Conference welcomes the decision of the Committee on Disarmament to establish an Ad hoc working group to define, through substantive examination, issues to be dealt with in the negotiation on a chemical weapons convention.

23. The Conference reaffirms the obligation assumed by States Parties to the Convention to continue negotiations in good faith towards the recognized objective of effective prohibition of chemical weapons.

ARTICLE X

24. The Conference notes that since the entry into force of the Convention, increasing importance has been attached to the principle that the disarmament process should help promote economic and social development, particularly in the developing countries. Accordingly, the Conference recognizes that in the implementation of the provisions of Article X, special emphasis should be put on technological co-operation in the scientific field related to the Convention, particularly the prevention of disease, or for other peaceful purposes.

25. Furthermore, the Conference notes with satisfaction that the implementation of the Convention has not hampered the economic or technological development of States Parties.

ARTICLE XI

26. The Conference notes the provisions of Article XI and that during the first five years of the operation of the Convention these provisions have not been invoked.

ARTICLE XII

27. The Conference welcomes the spirit of co-operation in which this Review Conference was conducted, and believes that such conferences constitute an effective method of reviewing the operation of the Convention with a view to ensuring that its purposes and provisions are being realized, in particular with respect to any new scientific and technological developments relevant to the Convention.

28. The Conference decides that a further Review Conference shall be held [to be completed by the Drafting Committee].

29. Any information provided by States Parties on scientific and technological developments relevant to the Convention, and to its implementation, shall be made available periodically to States Parties.

ARTICLE XIII

30. The Conference notes the provisions of Article XIII and expresses its satisfaction that no State Party to the Convention has exercised its right to withdraw from the Convention.

ARTICLE XIV

31. The Conference notes with satisfaction that .... States have ratified the Convention, .... States have acceded to the Convention and a further .... States have signed but have yet to ratify the Convention. The Conference calls upon all signatory States which have not ratified the Convention to do so without delay and upon those States which have not signed the Convention to join the States Parties thereto in their efforts to eliminate the risk of biological warfare.

ARTICLE XV

32. The Conference notes the provisions of Article XV.