

# Final Declaration of the First Review Conference

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BWC/CONF.I/10

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:

**Reaffirming** their determination 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 continuing importance of the Convention and its objectives and the common interest of mankind in the elimination of bacteriological (biological) and toxin weapons,

**Affirming** their belief that universal adherence to the Convention would enhance international peace and security, would not hamper economic or technological development, and further, would facilitate the wider exchange of information for the use of bacteriological (biological) agents for peaceful purposes,

**Reaffirming** their adherence to the principle and objectives of the Geneva Protocol of 17 June 1925 and calling upon all States to comply strictly with them,

**Recalling** that the General Assembly of the United Nations has repeatedly condemned all actions contrary to the said principles and objectives,

**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 as a matter of high priority,

**Noting** the relevant provisions of the Final Document of the Tenth Special Session of the General Assembly devoted to Disarmament,

**Appealing** to all States to refrain from any action which might place the Convention or any of its provisions in jeopardy,

**Declare** as follows:

The States Parties to the Convention reaffirm their strong determination for the sake of all mankind, to exclude completely 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**

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.

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

### **Article II**

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

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

### **Article III**

The Conference notes the importance of the provisions of Article III which proscribes the transfer of agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention 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**

The Conference notes the provisions of Article IV, which requires each State Party to take any necessary measure 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.

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**

The Conference notes the importance of Article V which contains the undertaking of States Parties 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.

The Conference considers that the flexibility of the provisions concerning consultations and co-operation on any problems which may arise in relation to the objective, or in the application of the provisions of, the Convention, enables interested States Parties to use various international procedures which would make it possible to ensure effectively and adequately the implementation of the Convention provisions taking into account the concern expressed by the Conference participants to this effect.

These procedures include, *inter alia*, the right of any State Party subsequently to request that a consultative meeting open to all States Parties be convened at expert level.

The Conference, noting the concerns and differing views expressed on the adequacy of Article V, believes that this question should be further considered at an appropriate time.

### **Article VI**

The Conference also notes the importance of Article VI, which in addition to the procedures contained in Article V, provides for any State Party, which finds that any other State Party is acting in breach of its obligations under the Convention, to lodge a complaint with the United Nations Security Council, and under which each State Party undertakes to co-operate in carrying out any investigation which the Security Council may initiate.

The Conference further notes that no State Party has invoked these provisions.

### **Article VII**

The Conference notes with satisfaction that it has not proved necessary to invoke the provisions of Article VII.

### **Article VIII**

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 parties to the Protocol to comply strictly with its provisions and those States not yet Parties to the said Protocol to ratify or accede to it at the earliest possible date.

### **Article IX**

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. The Conference deeply regrets that such agreement has not yet become a reality despite the fact that eight years have already elapsed since the Convention was opened for signature.

The Conference urges the Committee on Disarmament to undertake negotiations on an agreement on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, as a matter of high priority, taking into account all existing proposals and future initiatives. To this end, the Conference welcomes the establishment, by the Committee on Disarmament, of an *ad hoc* working group on chemical weapons and urges all the members of the Committee to contribute towards the fulfilment of its mandate.

The Conference takes note of the bilateral USA-USSR report (SD/48) presented to the Committee on Disarmament on the progress of their negotiations undertaken with a view to presenting a joint initiative to that Committee and notes their stated intention to continue intensive negotiations to this end.

The Conference reaffirms the obligation assumed by States Parties to the Convention to continue negotiations in good faith towards the recognized objectives of an early agreement on complete, effective and adequately verifiable measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction.

### **Article X**

The Conference notes that since the entry into force of the Convention, increasing importance has been attached by the International community to the principle that the disarmament process should help promote economic and social development, particularly in the developing countries. Accordingly, the Conference calls upon States Parties, especially developed countries, to increase, individually, or together with other States or international organizations, their scientific and technological co-operation, particularly with developing countries, in the peaceful uses of bacteriological (biological) agents and toxins. Such co-operation should include, *inter alia*, the transfer and exchange of information, training of personnel and transfer of materials and equipment on a more systematic and long-term basis.

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

The Conference requests the United Nations Secretariat to include in the background materials prepared for the second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, information on the implementation of Article X by States Parties.

### **Article XI**

The Conference notes the importance of 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**

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 of ensuring that its purposes and provisions are being realized, in particular with respect to any new scientific and technological developments relevant to the Convention.

The Conference decides that a second Review Conference shall be held in Geneva at the request of a majority of States Parties not earlier than 1985 and, in any case, not later than 1990.

Any information provided by States Parties on scientific and technological developments relevant to the Convention, and on its implementation, shall be made available periodically to States Parties, in particular through the United Nations Centre for Disarmament.

### **Article XIII**

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**

The Conference notes with satisfaction that 81 States have ratified the Convention, 6 States have acceded to the Convention and a further 37 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 the efforts to eliminate the risk of biological warfare.

### **Article XV**

The Conference notes the provisions of Article XV.