

CONVENTION

ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

London, Moscow, Washington 10 April 1972
(Entered into force on 26 March, 1975)

States which have signed, ratified or acceded at London

State	Date of Signature	Date of deposit of Instrument of Ratification
United Kingdom* (1) (6)	10 April, 1972	26 March, 1975
Russian Federation (formerly Union of Soviet Socialist Republics)	10 April, 1972	26 March, 1975
United States of America	10 April, 1972	26 March, 1975
Afghanistan	10 April, 1972	26 March, 1975
Australia*	10 April, 1972	5 October, 1977
Austria	10 April, 1972	10 August, 1973
Belgium	10 April, 1972	15 March, 1979
Brazil	10 April, 1972	27 February, 1973
Bulgaria	10 April, 1972	2 August, 1972
Burma	10 April, 1972	
Canada	10 April, 1972	18 September, 1972
Chile	10 April, 1972	22 April, 1980
Cyprus	10 April, 1972	6 November, 1973
Czechoslovakia (2)	10 April, 1972	30 April, 1973
Denmark	10 April, 1972	1 March, 1973
Egypt, Arab Republic of	10 April, 1972	
Ethiopia	10 April, 1972	26 May, 1975
Finland	10 April, 1972	4 February, 1974
Gabon	10 April, 1972	
Germany, Federal Republic of	10 April, 1972	7 April, 1983
Greece	10 April, 1972	
Hungary	10 April, 1972	27 December, 1972
Iceland	10 April, 1972	15 February, 1973
Ireland*	10 April, 1972	27 October, 1972
Italy	10 April, 1972	30 May, 1975
Japan	10 April, 1972	18 June, 1982
Korea, Republic of *	10 April, 1972	25 June, 1987
Laos	10 April, 1972	25 April, 1973
Lebanon	10 April, 1972	26 March, 1975
Luxembourg	10 April, 1972	23 March, 1976
Malaysia*	10 April, 1972	6 September, 1991
Mexico*	10 April, 1972	8 April, 1974
Mongolia	10 April, 1972	14 September, 1972

State	Date of Signature	Date of deposit of Instrument of Ratification
Nepal	10 April, 1972	
Netherlands (3)	10 April, 1972	22 June, 1981
New Zealand	10 April, 1972	18 December, 1972
Nicaragua	10 April, 1972	
Norway	10 April, 1972	1 August, 1973
Pakistan	10 April, 1972	3 October, 1974
Peru	10 April, 1972	5 June, 1985
Philippines	10 April, 1972	
Poland	10 April, 1972	25 January, 1973
Romania	10 April, 1972	26 July, 1979
Spain	10 April, 1972	20 June, 1979
Sri Lanka (formerly Ceylon)	10 April, 1972	18 November, 1986
Switzerland*	10 April, 1972	4 May, 1976
Tunisia	10 April, 1972	6 June, 1973
Turkey	10 April, 1972	4 November, 1974
Yugoslavia (7) (8)	10 April, 1972	25 October, 1973
Liberia	14 April, 1972	
Jordan	17 April, 1972	27 June, 1975
Kuwait*	27 April, 1972	26 July, 1972
Morocco	2 May, 1972	21 March, 2002
Yemen Arab Republic	10 May, 1972	
Singapore	19 June, 1972	2 December, 1975
Indonesia	21 June, 1972	19 February, 1992
Nigeria	10 July, 1972	9 July, 1973
Argentine Republic	3 August 1972	5 December, 1979
The Gambia	8 August 1972	7 May, 1997
Tanzania	16 August 1972	
Malta	11 September, 1972	7 April, 1975
United Arab Emirates	28 September, 1972	19 June, 2008
Madagascar	13 October, 1972	
Qatar	14 November, 1972	17 April, 1975
Iran	16 November, 1972	22 August, 1973
Sierra Leone	24 November, 1972	29 June, 1976
India*	15 January, 1973	15 July, 1974
Mauritius	[Note No 4]	11 January, 1973
Fiji	22 February, 1973	1 October, 1973
San Marino	21 March, 1973	11 March, 1975
Sweden	27 February, 1975	5 February, 1976
Portugal	[Note No 4]	15 May, 1975
Rwanda	[Note No 4/5]	20 May, 1975
Ghana	[Note No 4/5]	6 June, 1975
Zaire	[Note No 4/5]	16 September, 1975
Lesotho	[Note No 4]	6 September, 1977
Venezuela	[Note No 4]	18 October, 1978

State	Date of Signature	Date of deposit of Instrument of Ratification
Burundi	[See Note 10]	18 October, 2011

ACCESSIONS

State	Date of deposit of Instrument of Accession
Jamaica	13 August, 1975
Kenya	7 January, 1976
Tonga	28 September, 1976
Seychelles	11 October, 1979
Papua New Guinea	27 October, 1980
France	27 September, 1984
China, People's Republic of* (6)	15 November, 1984
Bangladesh	13 March, 1985
Grenada	22 October, 1986
Bahamas	26 November, 1986
Bahrain*	28 October, 1988
Zimbabwe	5 November, 1990
Brunei	31 January, 1991
St Kitts and Nevis	2 April, 1991
Liechtenstein	6 June, 1991
Swaziland	18 June, 1991
Albania	11 August, 1992
Suriname	6 January, 1993
Georgia	22 May, 1996
Latvia	6 February, 1997
Lithuania	10 February, 1998
Monaco	30 April, 1999
Antigua and Barbuda	29 January, 2003
Sudan	17 October, 2003
Trinidad and Tobago	19 July, 2007
Zambia	15 January, 2008
Cook Islands	4 December, 2008
Mozambique	29 March, 2011

SUCCESSION

State	Date of deposit of Instrument of Succession
Solomon Islands	17 June, 1981
Belize	20 October, 1986
Saint Lucia	26 November, 1986
Slovenia	7 April, 1992
Czech Republic*	5 April, 1993
Slovakia*	17 May, 1993
Macedonia, FYR	14 March, 1997
St. Vincent and the Grenadines	13 May, 1999
Federal Republic of Yugoslavia (7) (8) (9) [Republic of Serbia: See Note 8 below]	13 June, 2001

Notes:

* See Declarations and Reservations.

1. The United Kingdom ratification was in respect of the United Kingdom of Great Britain and Northern Ireland, Dominica and Territories under the territorial sovereignty of the United Kingdom, as well as the State of Brunei, the British Solomon Islands Protectorate and, within the limits of United Kingdom jurisdiction therein, the Condominium of the New Hebrides.
2. See now separate entries for the Czech Republic and Slovakia.
3. Applied separately to Netherlands Antilles and Aruba on 22 June, 1981.
4. Signed at Washington.
5. Signed at Moscow.
6. Ceased to apply to Hong Kong wef 1 July 1997. Applies to Hong Kong (SAR) wef 1 July 1997.
7. In a Note dated 31 May 2001, the Government of the Federal Republic of Yugoslavia (FRY) declared its succession to the Convention, with effect from 27 April 1992. As of 4 February 2003 the FRY became known as 'Serbia and Montenegro'.

8. In an Note dated 8 June 2006, the Embassy of the Republic of Serbia stated as follows;
". . . the President of the Republic of Serbia, H.E Mr Boris Tadic, notified on 3 June 2006 the Secretary-General of the United Nations that the membership of the state union of Serbia and Montenegro in the United Nations, including all organs and organisations of the United Nations system, is continued by the Republic of Serbia on the basis of Article 60 of the Constitutional Charter of Serbia and Montenegro, activated by the Declaration of Independence adopted by the National Assembly of Montenegro on June 3, 2006.

Consequently, the Republic of Serbia is continuing the membership of the state union of Serbia and Montenegro in the Convention on the Prohibition and Stockpiling of Bacteriological (Biological) and Toxic Weapons and on their Destruction of 10 April 1972...Therefore, please note that the name "Republic of Serbia" is to be henceforth used instead of the name "Serbia and Montenegro" in connection with the Convention..."

9. As of 3 June 2006, the Republic of Serbia became the continuation State of 'Serbia and Montenegro' : in a Note dated 12 December 2006, the Government of the Republic of Montenegro confirmed that this Agreement continues in force for the Republic of Montenegro with effect from 3 June, 2006.
10. The Republic of Burundi signed the Convention in Moscow and Washington on 10 April, 1972.

DECLARATIONS AND RESERVATIONS

AUSTRIA

Reservation (translation):

"Considering the obligations resulting from its status as a permanently neutral state, the Republic of Austria declares a reservation to the effect that its co-operation within the framework of this Convention cannot exceed the limits determined by the status of permanent neutrality and membership with the United Nations. This reservation refers in particular to Article VII of this Convention as well as to any similar provision replacing or supplementing this Article."

BAHRAIN

Reservation

"The accession by the State of Bahrain to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, 1972, shall in no way constitute recognition of Israel or be a cause for the establishment of any relations of any kind therewith."

CHINA, PEOPLE'S REPUBLIC OF

Statement:

"1. The basic spirit of the Convention on the Prohibition of Biological Weapons conforms to China's consistent position and is conducive to the efforts of the world's peace-loving countries and peoples in fighting against aggression and maintaining world peace. China once was one of the victims of biological (bacteriological) weapons. China has not produced or possessed such weapons and will never do so in future. However, the Chinese Government considers that the Convention has its defects. For instance, it fails to provide in explicit terms for the "prohibition of the use of" biological weapons and the concrete and effective measures for supervision and verification; it lacks forceful measures of sanctions in the procedure of complaint against instances of violation of the Convention. It is the hope of the Chinese Government that these defects maybe made up or corrected at an appropriate time.

2. It is also the hope of the Chinese Government that a convention on complete prohibition and thorough destruction of chemical weapons will soon be concluded.

3. The signature and ratification of the Convention by the Taiwan authorities in the name of China on 10 April 1972 and 9 February 1973 are illegal and null and void."

CZECH REPUBLIC

In a Note dated 24 March 1993, received on 5 April 1993 the Minister of Foreign Affairs for the Czech Republic notified the Secretary of State for Foreign and Commonwealth Affairs of the following:

"Upon the instruction of the Government of the Czech Republic and referring to the Declaration of the Czech National Council to All Parliaments and Nations of the World of 17 December 1992, I have the honour to communicate to Your Excellency the following:

In conformity with the valid principles of international law and to the extent defined by it, the Czech Republic, as a successor State to the Czech and Slovak Federal Republic, considers itself bound, as of 1 January 1993, i.e. the date of the dissolution of the Czech and Slovak Federal Republic, by multilateral international treaties to which the Czech and Slovak Federal Republic was a party on that date, including reservations and declarations to their provisions made earlier by the Czech and Slovak Federal Republic.

CZECH REPUBLIC (Continued)

From among the treaties deposited with the Government of the United Kingdom of Great Britain and Northern Ireland this applies also to the following:

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, done at London, Washington and Moscow on 10 April 1972."

INDIA

Statement on signature:

"India has stood for the elimination of both chemical and bacteriological (biological) weapons. However, in view of the situation that developed in regard to the discussions concerning biological and chemical weapons, it became possible to reach agreement at the present moment on a Convention on the elimination of biological and toxin weapons only. Negotiations would need to be continued for the elimination of chemical weapons also. It has been recognised that, both in regard to the Convention on biological and toxin weapons and in respect of future negotiations concerning chemical weapons, the Geneva Protocol of 1925 should be safeguarded and the inseparable link between prohibition of biological and chemical weapons should be maintained.

India's position on the Convention on biological and toxin weapons has been outlined in the statements of the representative of India before the Conference of the Committee on Disarmament (CCD) and the First Committee of the General Assembly.

The Government of India would like to reiterate in particular its understanding that the objective of the Convention is to eliminate biological and toxin weapons, thereby excluding completely the possibility of their use, and that the exemption in regard to biological agents or toxins, which would be permitted for prophylactic, protective or other peaceful purposes would not, in any way, create a loophole in regard to the production or retention of biological and toxin weapons. Also, any assistance which might be furnished under the terms of the Convention would be of medical or humanitarian nature and in conformity with the Charter of the United Nations.

India's support of the Convention on biological and toxin weapons is based on these main considerations. It is India's earnest hope that the Convention will be adhered to by all States, including all the major Powers, at a very early date." This statement was reiterated on ratification.

IRELAND

Declaration:

"The accession on 29th August 1930 of the Government of the Irish Free State to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, opened for signature at Geneva on 17 June 1925, was subject to the reservations that they did not intend to assume by this accession any obligation except towards States

IRELAND (Continued)

which had signed and ratified this Protocol or which would have finally acceded thereto, and that in the event of the armed forces of any enemy State or of any ally of such State failing to respect the said Protocol, the Government of the Irish Free State would cease to be bound by the said Protocol towards any such State.

The Government of Ireland recognise that the value of the Convention on the Prohibition of the Development Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction which has been signed on their behalf today, could be undermined if reservations made by Parties to the 1925 Geneva Protocol were allowed to stand as the prohibition of possession is incompatible with the right to retaliate. As this Convention purports to strengthen the Geneva Protocol, there should be an absolute and universal prohibition of the use of the weapons in question. The Government of Ireland, accordingly, have notified the depository Government for the 1925 Geneva Protocol of their withdrawal of their reservations to the Protocol. The withdrawal of these reservations applies to chemical as well as to bacteriological (biological) and toxin agents of warfare."

KOREA, REPUBLIC OF

Statement;

"The signing by the Government of the Republic of Korea of the present Convention does not in any way mean or imply the recognition of any territory or regime which has not been recognised by the Government of the Republic of Korea as a state or government."

KUWAIT

Understanding:

"In ratifying the Convention on the Prohibition of Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and their Destruction, 1972, the Government of the State of Kuwait takes the view that its ratification does not in any way imply its recognition of Israel, nor does it oblige it to apply the provisions of the aforementioned Convention in respect of the said country."

In tendering this "Understanding" the Government of the State of Kuwait reaffirms its position its accepting the obligations it has undertaken to assume by virtue of its ratification of the said Convention. It also confirms that the last clause of the "Understanding" does not prejudice the said indivisible obligations.

MALAYSIA

Reservation:

"Malaysia's ratification of this Convention does not in any way constitute recognition of the States of Israel and South Africa nor does it consider itself duty bound by Article VII to provide assistance to those two States."

MEXICO

Statement (translation):

On signing the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, the Government of Mexico wishes to record that it:

- 1) Continues to be convinced that the same reasons which made it advisable to prohibit biological and chemical weapons jointly in the Geneva Protocol of 1925 exist now to strive to pursue identical methods with respect to the prohibition of the development, production and stockpiling of the said weapons, as well as their elimination from the arsenals of all States.
- 2) Considers that the fact that the Convention now open for signature applies solely to biological and toxin weapons should be understood, as Resolution 2826 (XXVI) of the United Nations General Assembly, to which the Convention is annexed, explicitly indicates, to be merely a first step - the only one which it has proved possible to take for the time being - towards an agreement prohibiting also the development, production and stockpiling of all chemical weapons.
- 3) Makes a note of the fact that the Convention contains an express commitment to continue negotiations in good faith with the aim of arriving at any early agreement on the prohibition of the development, production and stockpiling of chemical weapons and their destruction.
- 4) Makes a note, furthermore, that the General Assembly, through its Resolution 2827 (XXVI), has requested the Conference of the Disarmament Committee to continue, as a high priority item, negotiations aimed at promptly reaching the agreement relative to chemical weapons which is being sought; and that, in Resolution 2827 B (XXVI), the General Assembly has urged all States to commit themselves, while the said agreement is being reached, to abstain from all additional development, production and stock-piling of those chemical substances capable of being used as weapons which, on account of their degree of toxicity, have the highest lethal effect and are not useable for peaceful purposes.
- 5) Is convinced that the success of the Convention relative to biological weapons will depend, in the last resort, on the manner in which the commitments under reference are honoured.

SLOVAK REPUBLIC

In a Note dated 17 May 1993, received on 17 May 1993 the Ministry of Foreign Affairs of the Slovak Republic notified the Foreign and Commonwealth Office of the following:

"In conformity with the valid principles of international law and to the extent defined by it, the Slovak Republic as one of the successor States to the Czech and Slovak Federal Republic, considers itself bound, as of 1st January 1993, i.e. the date of the dissolution of the Czech and Slovak Federal Republic, by multilateral international treaties to which the Czech and Slovak Federal Republic was a party on that date, including reservations and declarations to their provisions made earlier by the Czech and Slovak Federal Republic.

From among the treaties deposited with the Government of the United Kingdom of Great Britain and Northern Ireland this applies to the following:

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, done at London, Moscow and Washington on 10 April 1972."

SWITZERLAND

Declarations on signature:

"1. En Suisse, la Convention ne sera pas soumise a la procedure parlementaire d'approbation precedant la ratification avant qu'elle ait atteint le degre d'universalite juge necessaire par le Gouvernement suisse.

2. Du fait que la Convention s'applique aussi aux armes, a l'equipement ou aux vecteurs destines a l'emploi des agents biologiques ou des toxines, la delimitation de son champ d'application peut donner lieu a des difficultes, vu qu'il n'y a guere d'armes, d'equipement ou de vecteurs typiques a cet emploi. La Suisse se reserve des lors de decider elle-meme quels moyens auxiliaires tombent sous cette definition.

3. En raison des obligations resultant de son status d'Etat perpetuellement neutre, la Suisse est tenue de faire la reserve de portee generale que sa collaboration dans le cadre de cette Convention ne peut aller au-dela de ce que ce status lui impose. Cette reserve vise specialement l'article VII de la Convention ainsi que toute clause analogue qui pourrait remplacer ou completer cette disposition dans la Convention (ou dans un autre arrangement)." Ratification was accompanied by reservations as at 2 and 3 above.

UNITED KINGDOM

In a statement dated 27 April 1972, communicated to all States recognised by the United Kingdom, Her Majesty's Government recalled their view that if a regime is not recognised as the Government of a State, neither signature nor the deposit of any instrument by it, nor notification of any of those acts will bring about recognition of that regime by any other State.

On depositing their instrument of ratification the Government of the United Kingdom made the following declaration: "..that the provisions of the Convention shall not apply in regard to Southern Rhodesia unless and until the Government of the United Kingdom informs the other Depositary Governments that it is in a position to ensure that the obligations imposed by the Convention in respect of that territory can be fully implemented"