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DISARMAMENT



Treaty Series No. 11 (1976)

# Convention

on the Prohibition of the Development,  
Production and Stockpiling of  
Bacteriological (Biological) and Toxin  
Weapons and on their Destruction

London, Moscow and Washington, 10 April 1972

[The United Kingdom instrument of ratification was deposited on 26 March 1975  
and the Convention entered into force on that date]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
February 1976*

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**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,

Recognising 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,<sup>(1)</sup> 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 them,

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 realisation of the purposes and principles of the Charter of the United Nations,<sup>(2)</sup>

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,

Recognising 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 minimise this risk,

Have agreed as follows:

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<sup>(1)</sup> Treaty Series No. 24 (1930), Cmd. 3604.

<sup>(2)</sup> Treaty Series No. 67 (1946), Cmd. 7015.

## 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 assist, encourage, or induce any State, group of States or international organisations 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 recognised 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 organisations 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 realised. Such review shall take into account any new scientific and technological developments relevant 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 jeopardised 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 jeopardised 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 United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depositary Governments.

(3) This Convention shall enter into force<sup>(3)</sup> 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.

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(3) The Convention entered into force on 26 March 1975.

(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 English, Russian, French, Spanish and Chinese texts<sup>(4)</sup> 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 authorised thereto, have signed this Convention.

Done in triplicate at the cities of London, Moscow and Washington, this tenth day of April, one thousand nine hundred and seventy-two.

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<sup>(4)</sup> When the Convention has been registered with the United Nations the Russian, French, Spanish and Chinese texts will be published in the United Nations Treaty Series, available through Agency Section, Her Majesty's Stationery Office, P.O. Box 569, London, SE1 9NY—Tel. 01-928 6977, ext. 410.

## SIGNATURES, RATIFICATIONS AND ACCESSIONS

	Date of signature of original deposited with the Government of			Date of deposit of Ratification or Accession (A) with the Government of		
	U.K.	U.S.S.R.	U.S.A.	U.K.	U.S.S.R.	U.S.A.
Afghanistan .. .. .	10. 4.72	10. 4.72	10. 4. 72			
Argentina .. .. .	3. 8.72	1. 8.72	7. 8.72	26. 3.75		
Australia .. .. .	10. 4.72	10. 4.72	10. 4.72	10. 8.73 <sup>(5)</sup>	10. 8.73 <sup>(5)</sup>	10. 8.73 <sup>(5)</sup> 16. 2.73
Austria .. .. .	10. 4.72	10. 4.72	10. 4.72			
Barbados .. .. .			16. 2.73			
Belgium .. .. .	10. 4.72	10. 4.72	10. 4.72			
Bolivia .. .. .			10. 4.72			
Botswana .. .. .			10. 4.72			
Brazil .. .. .	10. 4.72	10. 4.72	10. 4.72	27. 2. 73	27. 2. 73	27. 2.73
Bulgaria .. .. .	10. 4.72	10. 4.72	10. 4.72	2. 8.72	19. 9.72	13. 9.72
Burma .. .. .	10. 4.72	10. 4.72	10. 4.72			
Burundi .. .. .			10. 4.72			
Byelorussian Soviet Socialist Republic .. .. .		10. 4.72	10. 4.72		26. 3.75	
Cambodia (see Khmer Republic) .. .. .						
Canada .. .. .	10. 4.72	10. 4.72	10. 4.72	18. 9.72	18. 9.72	18. 9.72
Central African Republic .. .. .						
Ceylon .. .. .	10. 4.72	10. 4.72	10. 4.72			
Chile .. .. .	10. 4.72	10. 4.72	10. 4.72			
China (Nationalist authorities) <sup>(5)(6)</sup> .. .. .			10. 4.72			9. 2.73
Colombia .. .. .			10. 4.72			17.12.73
Costa Rica .. .. .			10. 4.72			
Cuba .. .. .		12. 4.72	10. 4.72			
Cyprus .. .. .	10. 4.72	14. 4.72	10. 4.72	6.11.73	21.11.73	13.11.73
Czechoslovakia .. .. .	10. 4.72	10. 4.72	10. 4.72	30. 4.73	30. 4.73	30. 4.73
Dahomey .. .. .			10. 4.72			25. 4.75
Denmark .. .. .	10. 4.72	10. 4.72	10. 4.72	1. 3.73	1. 3.73	1. 3.73
Dominican Republic .. .. .			10. 4.72			23. 2.73

<sup>(5)</sup> For declarations, reservations and statements see pages 11-16.

<sup>(6)</sup> Not recognised by the United Kingdom.

	Date of signature of original deposited with the Government of			Date of deposit of Ratification or Accession (A) with the Government of		
	U.K.	U.S.S.R.	U.S.A.	U.K.	U.S.S.R.	U.S.A.
Ecuador ...	10. 4.72	10. 4.72	14. 6.72			12. 3.75
Egypt ...			10. 4.72			26. 6.75
El Salvador ...	10. 4.72	10. 4.72	10. 4.72	26. 5. 75	26. 5.75	4. 9.73
Ethiopia ...	22. 2.73			1.10.73		4. 2.74
Fiji ...	10. 4.72	10. 4.72	10. 4.72	4. 2.74	4. 2.74	
Finland ...	10. 4.72					
Gabon ...	8. 8.72	2. 6.72	9.11.72			
The Gambia ...		10. 4.72	10. 4.72		28.11.72	
German Democratic Republic ...	10. 4.72	10. 4.72	10. 4.72	6. 6.75		
Germany, Federal Republic of ...	10. 4.72	10. 4.72	10. 4.72			
Ghana ...	10. 4.72	10. 4.72	12. 4.72			
Greece ...		14. 4.72	12. 4.72			
Guatemala ...			9. 5.72			19. 9.73
Guyana ...			3. 1.73			
Haiti ...			10. 4.72			
Honduras ...			10. 4.72			
Hungary ...	10. 4.72	10. 4.72	10. 4.72	27.12.72	27.12.72	27.12.72
Iceland ...	10. 4.72	10. 4.72	10. 4.72	15. 2.73	15. 2.73	15. 2.73
India ...	15. 1.73(6)	15. 1.73(6)	15. 1.73(6)	15. 7.74(6)	15. 7.74(6)	15. 7.74(6)
Indonesia ...	21. 6.72	20. 6.72	20. 6.72			
Iraq ...		11. 5.72				
Iran ...	16.11.72	10. 4.72	10. 4.72	22. 8.73	27. 8.73	22. 8.73
Ireland, Republic of ...	10. 4.72(6)		10. 4.72(6)	27.10.72	27.10.72	27.10.72
Italy ...	10. 4.72	10. 4.72	10. 4.72	30. 5.75	30. 5.75	30. 5.75
Ivory Coast ...			23. 5.72			
Jamaica ...				13. 8.75(A)		
Japan ...	10. 4.72	10. 4.72	10. 4.72	27. 6.75	30. 5.75	2. 6.75
Jordan ...	17. 4.72	24. 4.72	10. 4.72			
Khmer Republic ...			10. 4.72			
Korea, Republic of ...	10. 4.72(6)		10. 4.72	26. 7.72(6)	1. 8.72(6)	18. 7.72(6)
Kuwait ...	24. 7.72	14. 4.72	14. 4.72			

(6) For declarations, reservations and statements see pages 11-16.



	Date of signature of original deposited with the Government of			Date of deposit of Ratification or Accession (A) with the Government of		
	U.K.	U.S.S.R.	U.S.A.	U.K.	U.S.S.R.	U.S.A.
Laos ...	10. 4.72	10. 4.72	10. 4.72	25. 4.73	20. 3.73	22. 3.73
Lebanon ...	10. 4.72	21. 4.72	10. 4.72	26. 3. 75		13. 6.75
Lesotho ...			10. 4.72			
Liberia ...	14. 4.72		10. 4.72			
Luxembourg ...	10. 4.72	10. 4.72	12. 4.72			
Madagascar ...	13.10.72					
Malawi ...			10. 4.72			
Malaysia ...	10. 4.72	10. 4.72	10. 4.72			
Mali ...			10. 4.72			
Malta ...	11. 9.72			7. 4.75		
Mauritius ...			10. 4.72	11. 1.73	15. 1.73	7. 8.72
Mexico ...	10. 4.72 <sup>(c)</sup>	10. 4.72	10. 4.72 <sup>(c)</sup>	8. 4.74	20.10.72	8. 4.74
Mongolia ...	10. 4.72	10. 4.72	10. 4.72	14. 9.72		5. 9.72
Morocco ...	2. 5.72	5. 6.72	3. 5.72			
Nepal ...	10. 4.72	10. 4.72	10. 4.72			
Netherlands ...	10. 4.72	10. 4.72	10. 4.72			
New Zealand ...	10. 4.72	10. 4.72	10. 4.72	18.12.72	10. 1.73	13.12.72
Nicaragua ...	10. 4.72		10. 4.72			7. 8.75
Niger ...			21. 4.72			23. 6.72
Nigeria ...	10. 7.72	3. 7.72	6.12.72	9. 7.73	20. 7.73	3. 7.73
Norway ...	10. 4.72	10. 4.72	10. 4.72	1. 8.73	23. 8.73	1. 8.73
Pakistan ...	10. 4.72	10. 4.72	10. 4.72	3.10.74	25. 9.74	3.10.74
Panama ...			2. 5.72			20. 3.74
Peru ...	10. 4.72	10. 4.72	10. 4.72			21. 5.73
Philippines ...	10. 4.72	21. 6.72	10. 4.72	25. 1.73	25. 1.73	25. 1.73
Poland ...	10. 4.72	10. 4.72	10. 4.72	15. 5.75	15. 5.75	15. 5.75
Portugal ...			29. 6.72	17. 4.75		
Qatar ...	14.11.72					
Romania ...	10. 4.72	10. 4.72	10. 4.72	20. 5.75	20. 5.75	20. 5.75
Rwanda ...			12. 9.72	11. 3.75	27. 3.75	17. 3.75
San Marino ...	21. 3.73	30. 1.73				

<sup>(c)</sup> For declarations, reservations and statements see pages 11-16.

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	U.K.	U.S.S.R.	U.S.A.	U.K.	U.S.S.R.	U.S.A.
Saudi Arabia	...	...	12. 4.72	...	...	24. 5.72
Senegal	...	...	10. 4.72	...	...	26. 3.75
Sierra Leone	...	...	7.11.72	...	...	...
Singapore	24.11.72	19. 6.72	19. 6.72	...	...	...
Somalia	19. 6.72	3. 7.72	...	...	...	...
South Africa	...	...	10. 4.72	...	...	...
Spain	10. 4.72	...	10. 4.72	...	...	...
Sri Lanka (see Ceylon)	...	...	...	...	...	...
Sweden	27. 2.75	...	27. 2.75	...	...	...
Switzerland	10. 4.72 <sup>(2)</sup>	10. 4.72 <sup>(2)</sup>	10. 4.72 <sup>(2)</sup>	...	...	...
Syria	...	14. 4.72	...	...	...	...
Tanzania	16. 8.72	...	...	...	...	...
Thailand	...	...	17. 1.73	...	...	28. 5.75
Togo	...	...	10. 4.72	...	...	...
Tunisia	10. 4.72	10. 4.72	10. 4.72	6. 6.73	30. 5.73	18. 5.73
Turkey	10. 4.72	10. 4.72	10. 4.72	4.11.74	25.10.74	5.11.74
Ukrainian Soviet Socialist Republic	...	10. 4.72	...	...	26. 3.75	...
United Arab Emirates	28. 9.72	...	...	...	26. 3.75	26. 3.75
Union of Soviet Socialist Republics <sup>(2)</sup>	10. 4.72	10. 4.72	10. 4.72	26. 3.75	26. 3.75	26. 3.75
United Kingdom <sup>(2)</sup>	10. 4.72	10. 4.72	10. 4.72	26. 3.75 <sup>(2)</sup>	26. 3.75 <sup>(2)</sup>	26. 3.75 <sup>(2)</sup>
United States of America	10. 4.72	10. 4.72	10. 4.72	26. 3.75	26. 3.75	26. 3.75
Venezuela	...	...	10. 4.72	...	...	...
Viet-Nam, Republic of	...	...	10. 4.72	...	...	...
Yemen Arab Republic	10. 5.72	17. 4.72	10. 4.72	...	...	...
Yemen, People's Democratic Republic of	...	...	...	...	...	...
Yugoslavia	10. 4.72	26. 4.72	10. 4.72	25.10.73	25.10.73	25.10.73
Zaire	...	10. 4.72	10. 4.72	16. 9.75	...	...

<sup>(2)</sup> For declarations, reservations and statements see pages 11-16.

<sup>(1)</sup> Ratification by the United Kingdom is 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.

## RESERVATIONS, DECLARATIONS AND STATEMENTS

### AUSTRIA

On ratifying the Convention the Republic of Austria included the following reservation in their instrument of ratification:

“Reservation submitted by the Republic of Austria

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.”

“Réserve faite par la République d'Autriche

En raison des obligations résultant de son statut d'Etat perpétuellement neutre, la République d'Autriche fait la réserve en ce sens que sa collaboration dans le cadre de cette Convention ne peut aller au-delà des limites déterminées par le statut de neutralité permanente et par la qualité de membre des Nations Unies.

Cette réserve vise spécialement l'article VII de la Convention ainsi que toute clause analogue qui pourrait remplacer ou compléter cette disposition.”

“Vorbehalt der Republik Österreich

Auf Grund der Verpflichtungen, die sich aus ihrer Stellung als immerwährend neutraler Staat ergeben, erklärt die Republik Österreich einen Vorbehalt in dem Sinne, dass ihre Mitarbeit im Rahmen dieses Übereinkommens nicht über die durch den Status der immerwährenden Neutralität und die Mitgliedschaft bei den Vereinten Nationen gezogenen Grenzen hinausgehen kann.

Dieser Vorbehalt bezieht sich insbesondere auf Artikel VII dieses Übereinkommens sowie auf jede gleichartige Bestimmung, die diesen Artikel ersetzt oder ergänzt.”

### CHINA (Nationalist authorities)<sup>(6)</sup>

In a Note dated 28 December 1973 addressed to the Government of the United States of America regarding a statement made by the Government of the Union of Soviet Socialist Republics on 4 October 1973, the Nationalist Chinese authorities stated that . . .

“The Republic of China is a sovereign state and its Government in exercising its sovereignty has the right to sign and to ratify the Convention. The said Soviet statement is malicious and invalid and should, therefore, be rejected.”

### INDIA

On signing the Convention the Government of India made the following statement:

“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

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<sup>(6)</sup> Not recognised by the United Kingdom.

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 to 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."

On depositing their instrument of ratification the Government of India stated that their position on the Convention had already been made clear on the occasion of its signature.

#### REPUBLIC OF IRELAND

On signing the Convention the Government of the Republic of Ireland made the following 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 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 depositary Government for the 1925 Geneva Protocol of the 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."

#### REPUBLIC OF KOREA

On signing the Convention the Government of the Republic of Korea made the following 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

On depositing their instrument of ratification the Government of Kuwait made the following statement:

### “ 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 of the said Convention 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 in 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.”

## MEXICO

On signing the Convention the Government of Mexico made the following statement:

“ Al proceder a la firma de la Convención sobre la prohibición del desarrollo, la producción y el almacenamiento de armas bacteriológicas (biológicas) y tóxicas y sobre su destrucción, el Gobierno de México desea dejar constancia de que:

1) Continúa persuadido de que las mismas razones que hicieron aconsejable la prohibición conjunta del empleo de las armas biológicas y las químicas en el Protocolo de Ginebra de 1925, existen ahora para esforzarse en seguir idéntico método en lo que atañe a la prohibición del desarrollo, producción y almacenamiento de dichas armas, así como su eliminación de los arsenales de todos los Estados.

2) Considera que el hecho de que la Convención que ahora se abre a firma se aplique únicamente a las armas biológicas y tóxicas debe entenderse, según lo indica explícitamente la resolución 2826 (XXVI) de la Asamblea General de las Naciones Unidas a la que se halla anexa la propia Convención, tan solo como un primer paso—el único que por el momento ha sido posible dar—hacia el logro de un acuerdo que prohíba asimismo el desarrollo, la producción y el almacenamiento de todas las armas químicas.

3) Toma nota de que la Convención contiene un compromiso expreso de proseguir negociaciones de buena fé con miras a llegar a un pronto acuerdo sobre la prohibición del desarrollo, producción y almacenamiento de las armas químicas y a su destrucción.

4) Toma asimismo nota de que la Asamblea General en su resolución 2827 A (XXVI) ha pedido a la Conferencia del Comité de Desarme que, como tema altamente prioritario, continúe las negociaciones con miras a lograr pronto el acuerdo relativo a las armas químicas que se busca y de que en su resolución 2827 B (XXVI) ha instado a todos los Estados a que, mientras se logra ese acuerdo, se comprometan a abstenerse de todo desarrollo, producción y almacenamiento adicional de aquellos agentes químicos para fines bélicos que por su grado de toxicidad tienen los más altos efectos letales y no son utilizables con fines pacíficos.

5) Está convencido de que el éxito de la Convención relativa a las armas biológicas dependerá en última instancia de la suerte que corran los compromisos a que acaba de hacerse referencia.”

### *Translation provided by the Government of Mexico.*

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 to 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 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 an 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 A (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 stockpiling 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.

#### SWITZERLAND

On signing the Convention the Government of Switzerland made the following declarations:

“1. En Suisse, la Convention ne sera pas soumise à la procédure parlementaire d’approbation précédent la ratification avant qu’elle ait atteint le degré d’universalité jugé nécessaire par le Gouvernement suisse.

2. Du fait que la Convention s’applique aussi aux armes, à l’équipement ou aux vecteurs destinés à l’emploi des agents biologiques ou des toxines, la délimitation de son champ d’application peut donner lieu à des difficultés, vu qu’il n’y a guère d’armes, d’équipement ou de vecteurs typiques à cet emploi. La Suisse se réserve dès lors de décider elle-même quels moyens auxiliaires tombent sous cette définition.

3. En raison des obligations résultant de son statut d’Etat perpétuellement neutre, la Suisse est tenue de faire la réserve de portée générale que sa collaboration dans le cadre de cette Convention ne peut aller au-delà de ce que ce statut lui impose. Cette réserve vise spécialement l’article VII de la Convention ainsi que toute clause analogue qui pourrait remplacer ou compléter cette disposition dans la Convention (ou dans un autre arrangement).”

#### *Unofficial translation*

1. In Switzerland, the Convention will not be submitted for parliamentary approval prior to ratification until it has attained that degree of universality deemed necessary by the Swiss Government.

2. Owing to the fact that the Convention applies also to arms, equipment or means of delivery designed for the use of biological agents or toxins, the delimitation of its sphere of application may give rise to difficulties, since there are scarcely any arms, equipment or means of delivery designed for such use. Switzerland now reserves the right to decide for itself which auxiliary means come under this definition.

3. Owing to the obligations resulting from its status as a perpetually neutral State, Switzerland is bound to make the general reservation that its co-operation within the framework of this Convention cannot go beyond what this status prescribes. This reservation relates especially to Article VII of the Convention as well as any analogous clause which may replace or complete this provision in the Convention (or in any other arrangement).

## UNION OF SOVIET SOCIALIST REPUBLICS

In a Note dated 4 October 1973 addressed to the Government of the United States of America, the Government of the Union of Soviet Socialist Republics made the following statement:

«Посольство Союза Советских Социалистических Республик ссылается на ноту Государственного Департамента от 6 апреля 1973 года, в которой упоминается о сдаче на хранение чанкайшистом ратификационной грамоты Конвенции о запрещении разработки, производства и накопления запасов бактериологического (биологического) и токсинного оружия и об их уничтожении, и настоящим подтверждает позицию Советского Союза о неправомерности указанного акта, поскольку чанкайшистская клика никого не представляет и не имеет права выступать от имени Китая; единственным представителем Китая является правительство Китайской Народной Республики.»

*Translation provided by the Government of the United States of America*

The Embassy of the Union of Soviet Socialist Republics refers to the Department of State's Note dated April 6, 1973, regarding the deposit by a representative of Chiang-Kai-Shek of an instrument of ratification of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, and hereby confirms the position of the Soviet Union regarding the illegality of the above-mentioned act inasmuch as the Chiang-Kai-Shek clique does not represent anyone and does not have the right to act in the name of China; the government of the Chinese People's Republic is the sole representative of China.

## 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 régime 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 régime 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.”

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