

2. BIOLOGICAL WEAPONS

BACKGROUND

Two international treaties affect military activities relating to biological weapons. The 1925 Geneva Protocol prohibits the use of "bacteriological methods of warfare." It also prohibits the use of chemical weapons in war. The more recent Biological and Toxin Weapons Convention (BTWC) was opened for signature in 1972 and entered into force in 1975. As of January 1992, 118 states had signed the BTWC, and 130 states had signed the Geneva Protocol. The BTWC prohibits states from developing, producing, stockpiling or otherwise acquiring biological weapons or weapons and equipment designed to deliver such weapons in war or for hostile purposes. The convention affects,

Microbial or other biological agents, or toxins, whatever their origin or method of production, of types and quantities that have no justification for prophylactic, protective or other peaceful purposes. (Article 1)

Microbial or biological agents are living organisms, or synthetic equivalents, which reproduce or multiply once inside the living organism under attack. Examples include bacteria, viruses and fungi. Toxins are poisons produced by living organisms. They are not living organisms, and can be reproduced by chemical synthesis. Strictly speaking, toxins do not constitute biological weapons, since they are inanimate, but are included with them because of their biological origin.

The Convention also prohibits states parties from transferring or helping any state to acquire the prohibited agents and weapons, and requires that states consult with each other in solving problems relating to the convention. Should any state have evidence that another state is violating the convention, it has the right to lodge a complaint with the United Nations Security Council.

The Convention is of unlimited duration. While it is considered to be strong in its prohibitions, it is relatively weak in verification provisions. There are no specific verification mechanisms, beyond consultation, included in the Convention. In addition, there is no prohibition of research on biological weapons and the limitation on development does not apply to agents that are used for peaceful purposes.

Since the Convention entered into force in 1975, review conferences have been held at five-year intervals. In these review conferences, the parties have sought to strengthen the convention's provisions, and in particular have made an effort to develop further consultative and verification mechanisms. At the second