

W. D. KISCHLAT: CONVENTION ON THE PROHIBITION OF BIOLOGICAL WEAPONS¹

It is common knowledge that weapons of mass destruction constitute one of the fundamental problems of our epoch, since a large-scale use of such weapons could jeopardize the very survival of the human race. When weapons of mass destruction are referred to, most people think of nuclear weapons. But, quite rightly, chemical and biological weapons are also included in this category, for the threat to spread poisonous gases or to inoculate whole areas with the germs of plague or cholera is just as terrible.

However, while there is no likelihood of agreement being reached in the near future on the prohibition of the use of nuclear weapons, in view of the enormous strategic advantages at stake, and while negotiations on chemical weapons continue indefinitely, the talks on biological weapons were successfully concluded with the adoption, in 1972, of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and on their Destruction.

Mr. Kischlat's important work is on this particular Convention. After having outlined the different means of combat and enumerated the various chemical and bacteriological weapons, he examines the process which led to the drafting of the Convention. The major part of the book is devoted to a detailed analysis of each one of the Convention's provisions. In his conclusion, the author stresses the Convention's significance, not only because of the rules established by it but also because of the innovations it introduces in the field of disarmament and the restrictions laid on means of combat.

Under Article 1 (b) of the Convention, States Parties to the Convention undertake never to acquire or retain material designed to use biological or toxic agents for hostile purposes or in armed conflict. An important conclusion to be drawn is that non-international armed conflicts and even police operations are covered by this prohibition.

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¹ Wolf-Dieter Kischlat: *Das Übereinkommen über das Verbot der Entwicklung, Herstellung und Lagerung bakteriologischer (biologischer) Waffen und von Toxin-Waffen sowie über die Vernichtung solcher Waffen*. Haag und Herchen Verlag, Frankfurt, 1976, 252 pages.