

Universalization toolkit



Biological Weapons Convention



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UNIVERSALIZATION TOOLKIT FOR THE BIOLOGICAL WEAPONS CONVENTION

CONTENTS

1. Who is this toolkit designed for?	5
2. What is the Biological Weapons Convention?	5
2.1 What are biological weapons?	5
2.2 What is the importance of the Biological Weapons Convention?	5
2.3 How many States have joined the BWC?	6
2.4 Why is universalization of the BWC important?	6
3. What are the benefits of joining the Convention?	7
3.1 Peace and Security	7
3.2 Assistance and cooperation	7
3.3 Synergies with other instruments and initiatives	8
4. Which responsibilities do States Parties have under the BWC?	8
4.1 National implementation of the Convention	8
4.2 Reporting requirements	9
4.3 Appointing a National Contact Point	9
4.4 Financial obligations	10
5. How to join the BWC?	10
5.1 What legal action needs to be taken at the national level to join the BWC?	10
5.2 Are there any model instruments available?	11
5.3 How to notify the Depositary Governments?	11
6. Relevant resources	12

1. Who is this toolkit designed for?

This toolkit is designed to assist those States which have not yet joined the Biological Weapons Convention (BWC) and those wishing to promote universalization of the Convention (BWC States Parties, BWC officeholders, civil society, etc.). The Toolkit is based on decisions and recommendations from official BWC meetings and assembles relevant information which is also available on the [BWC website](#)¹ and the [Guide to Implementing the Biological Weapons Convention](#).

2. What is the Biological Weapons Convention?

The [Biological Weapons Convention](#) is an international treaty which effectively prohibits the development, production, acquisition, transfer, stockpiling and use of biological and toxin weapons. It was the first multilateral disarmament treaty banning an entire category of weapons of mass destruction.

The Convention was opened for signature on 10 April 1972 and entered into force on 26 March 1975.

As per Article I of the Convention, its States Parties undertake “*never in any circumstances to develop, produce, stockpile or otherwise acquire or retain:*

- *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;*
- *weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.”*

2.1 What are biological weapons?

Biological weapons disseminate disease-causing organisms (such as bacteria, viruses, fungi, prions or rickettsiae) or toxins (poisons derived from animals, plants or microorganisms, or similar substances produced synthetically) to harm or kill humans, animals or plants.

They generally consist of two parts – a weaponized agent and a delivery mechanism. In addition to strategic or tactical military applications, biological weapons can be used for political assassinations, the infection of livestock or agricultural produce to cause food shortages and economic loss, the creation of environmental catastrophes, and the introduction of widespread illness, fear and mistrust among the public.

2.2 What is the importance of the Biological Weapons Convention?

- The BWC is a key element in the international community’s efforts to address weapons of mass destruction, alongside the Chemical Weapons Convention (CWC), the Treaty on the Non-proliferation of Nuclear Weapons (NPT), the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the Treaty on the Prohibition of Nuclear Weapons (TPNW). Since its creation it has established a strong norm against the use of biological weapons to harm or kill humans, animals or plants.

¹ The website provides comprehensive information on the BWC, including on key topics such as assistance and cooperation, science and technology, national implementation, etc., as well as links to relevant publications.

- Biological weapons can be used to attack humans, livestock and crops and could therefore impact negatively on ecosystems and biodiversity, which might already be under threat due to the impacts of climate change, with potential devastating economic and social effects. Prevention and preparedness against biological incidents, whether of natural or deliberate origin, are therefore crucial.
- The recent COVID-19 pandemic has demonstrated how easily diseases can cross borders, spread rapidly around the world and have detrimental social, political and economic impacts. All States are therefore potentially at risk and all can benefit from joining the BWC.
- Compared to other weapons of mass destruction, biological weapons are relatively easy to develop, transfer and conceal. There is a growing risk that biological weapons may be obtained and used by non-State actors, including terrorist groups.
- Joining the BWC also contributes to achieving the [2030 United Nations Sustainable Development Goals \(SDGs\)](#), given the strong interconnections with Goal 3 on good health and well-being, Goals 14 and 15 on life below water and on land and Goal 16 on peace, justice and strong institutions.

2.3 How many States have joined the BWC? ¹

The BWC currently has 189 States Parties and four Signatory States (Egypt, Haiti, Somalia and the Syrian Arab Republic).

There are four States which have neither signed nor acceded to the Convention (Chad, Djibouti, Eritrea and Israel). Further information can be found in the [UNODA Disarmament Treaties Database](#).

Similar to many other international instruments and organizations, BWC States Parties have organized themselves into three groups to facilitate their preparations and discussions. The groups include the Eastern European Group (EEG), the Group of the Non-Aligned Movement and Other States (NAM), and the Western Group (WG). At the Ninth BWC Review Conference in 2022, the Russian Federation announced its withdrawal from the Eastern European Group and the creation of a new Group of One.

2.4 Why is universalization of the BWC important?

Universalization of the BWC aims at expanding the membership of the Convention to ensure that there are as many States Parties as possible. Achieving the full universality of the Convention has long been seen as a priority by BWC States Parties. While the notion of universalization is not defined in the Convention, it can be understood to mean the Convention's jurisdiction. In order to establish and uphold a strong global norm against the use of biological weapons to harm or kill humans, animals or plants, it is important to have as many States join the Convention as possible.

¹ For more information see <https://disarmament.unoda.org/biological-weapons/about/membership-and-regional-groups>

3. What are the benefits of joining the Convention?

Joining the BWC entails becoming part of a global community committed to implementing the provisions of the Convention and to uphold the norm against the use of biological weapons. Joining the Convention entails a number of positive consequences, outlined below.

3.1 Peace and Security

As outlined above, by joining the BWC, the international community's efforts against weapons of mass destruction and the global norm against the use of biological weapons to harm or kill humans, animals or plants are strengthened.

Wider membership and thus extended jurisdiction of the BWC will also ensure that there are fewer places where bioterrorists can act with impunity.

Given that diseases can cross borders easily, joining the BWC can contribute positively to regional and global security.

By joining the Convention also national security is strengthened as Article VII of the Convention provides a tool for States Parties to request and receive assistance in case they have been exposed to danger as a result of a violation of the Convention's provisions. Article VII represents an expression of international solidarity aimed at presenting a potential aggressor with the prospect of united opposition from all other States Parties.

3.2 Assistance and cooperation

Besides addressing disarmament and security issues, the BWC also supports the promotion of the peaceful uses of biological science and technology and thereby helps to prevent the global spread of diseases. Article X of the Convention calls for the "fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes."

States Parties undertake to contribute to the further development and application of scientific discoveries in the field of biology for the prevention of disease, or for other peaceful purposes. States Parties also agree to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful biological activities.

Assistance and cooperation activities take place both at the bilateral and multilateral levels under the Convention and help build capacity in less developed countries. By joining the Convention, States gain access to such capacity-building activities, including also the BWC Sponsorship Programme, which allows the attendance of capital-based experts in official BWC meetings taking place in Geneva.

For further information see <https://disarmament.unoda.org/biological-weapons/assistance-and-cooperation> as well as the [BWC Assistance and Cooperation Database](#), which is accessible to BWC States Parties.

3.3 Synergies with other instruments and initiatives

As outlined above, joining the BWC contributes to achieving the [2030 United Nations Sustainable Development Goals \(SDGs\)](#). There are however also other important interlinkages with other initiatives in the domains of disarmament and non-proliferation, public health, biosafety and biosecurity and pandemic preparedness.

[UN Security Council resolution \(UNSCR\) 1540 \(2004\)](#) requires States to, in accordance with their national procedures, to adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them. By joining and implementing the BWC at the national level, States also comply with the requirements of resolution 1540 and contribute to global efforts to avoid weapons of mass destruction being acquired by non-State actors.

The [International Health Regulations \(2005\) \(IHR\)](#) offer a legal framework that defines States' rights and obligations in managing public health events and emergencies that have the potential to spread beyond national borders. The IHR are applicable to health risks irrespective of their origin and source.

In 2023, the World Health Organization (WHO) launched the [Preparedness and Resilience for Emerging Threats Initiative \(PRET\)](#) which provides guidance to States on comprehensive planning for responding to any respiratory pathogen like influenza or coronaviruses.

4. Which responsibilities do States Parties have under the BWC?

The BWC confers a small number of responsibilities on States Parties as outlined below.

4.1 National implementation of the Convention

Article IV of the BWC requires States Parties to *“Take any national measures necessary to prohibit and prevent the development, production, stockpiling, acquisition, or retention of agents, toxins, weapons, equipment and means of delivery specified in Article 1 of the BWC”*.

BWC national implementation is a process to domestically implement the Convention within the specific legal system of a State Party and give effect to the obligations embodied in the BWC. Given the variety of legal systems around the world, the implementation of specific obligations is left to the discretion of States Parties. In accordance with the general principles of international law, in becoming a State Party to the BWC, a State consents to be bound by its provisions and to perform its obligations in good faith.

To ensure that States Parties fulfil their international obligations under the BWC, the adoption of national implementing measures is essential. This is the case regardless of what kind of a legal system a State has.

Because the BWC lacks specific provisions to make it automatically applicable, the adoption of implementing measures is required in all States Parties. In addition to the express requirement set forth in Article IV, the implementation of other obligations under the BWC can be facilitated by the

adoption of appropriate national measures.

4.2 Reporting requirements

At the Second BWC Review Conference in 1986, States Parties agreed that they should annually submit Confidence-Building Measures (CBMs) to prevent or reduce the occurrence of ambiguities, doubts and suspicions and to improve international cooperation. The precise modalities for the information exchange were agreed by an expert meeting in 1987. Subsequent Review Conferences have urged and called upon all States Parties to annually submit CBMs, as have relevant annual resolutions adopted by the United Nations General Assembly.

The CBMs provide an opportunity for States Parties to demonstrate commitment to fulfilling their BWC obligations by providing relevant data. They have to be returned no later than 15 April each year and are based on agreed forms providing information on: research centres and laboratories meeting very high national or international safety standards; biodefence research and development programmes; infectious disease outbreaks, and similar occurrences caused by toxins, that may be of interest in the BWC context; publication policies related to scientific activities relevant to the BWC; national legislative and other measures to implement BWC obligations; past offensive and defensive biological research and development activities; and vaccine production facilities.

Further information on CBMs can be found in the Guide to Participating in the Confidence-Building Measures of the Biological Weapons Convention at <https://www.un.org/disarmament/publications/more/cbm-guide/>, as well as on the UNODA website at <https://disarmament.unoda.org/biological-weapons/confidence-building-measures/>. The [e-CBM platform](#) serves as the repository for all the CBMs submitted and enables the online generation and submission of annual CBM reports.

4.3 Appointing a National Contact Point

Unlike the Chemical Weapons Convention, the BWC itself does not require States Parties to designate or establish a “National Authority” or a regulatory body to administer the implementing measures adopted at the national level and monitor the State Party’s compliance with the obligations stemming from the Convention.

However, the Sixth BWC Review Conference in 2006 encouraged States Parties to designate a national contact point for coordinating the national implementation of the Convention and communicating with other States Parties and relevant international organisations. This has been reaffirmed by subsequent Review Conferences. States Parties have taken differing approaches to the placement of their designated national contact points.

National Contact Points are individuals or entities responsible for:

- Coordinating national implementation and communicating with other States Parties and relevant international organizations
- Preparing and submitting the annual Confidence-Building Measures (CBM) reports
- Exchanging information on universalization efforts

Upon designation or in case of change in the designation of the national contact point, States Parties should notify the BWC Implementation Support Unit (ISU). More information can be found at <https://bwc-ncp.un.org/nomination>. The contact details of all designated National Contact Points

are available to all States Parties on a separate, restricted access page. Further information can be found at <https://bwc-ncp.un.org/>.

4.4 Financial obligations

The costs for the BWC (its official meetings and Implementation Support Unit in Geneva) are shared among all BWC States Parties based on the UN scale of assessments. The estimated prorated contributions to the BWC for the States not party to the Convention are listed below (please note that the exact amounts of the estimated contributions are subject to change).

States	Estimated assessed contribution to the BWC
Chad	64 USD
Djibouti	21 USD
Egypt	2,954 USD
Eritrea	21 USD
Haiti	128 USD
Israel	11,922 USD
Somalia	21 USD
Syrian Arab Republic	2,361 USD

5. How to join the BWC?

5.1 What legal action needs to be taken at the national level to join the BWC?

Each State undertakes the process of ratifying, acceding or succeeding to the Convention in accordance with its own national constitutional process. Often formal approval by the national parliament is required after which the instrument of ratification, accession or succession is usually signed by the Head of State or Government or by the Minister of Foreign Affairs.

Once the domestic requirements have been satisfied, an instrument of accession, ratification or succession should be deposited with one or more of the three Depository Governments, i.e. the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America. When the instrument is formally received by one or more of the Depository Governments, the depositing State then becomes a State Party to the Convention.

- A State can **ratify** the Convention if it signed the BWC before its entry into force on 26 March 1975. There are currently four Signatory States, i.e. Egypt, Haiti, Somalia and the Syrian Arab

- Republic. In order to ratify, a State should deposit an instrument of ratification with one, two or all three Depositary States and the BWC will enter into force on the date of deposit.
- A State can **accede** to the BWC if it did not sign the Convention before it entered into force on 26 March 1975. Non-Signatory States are Chad, Djibouti, Eritrea and Israel. In order to accede, the State should deposit its instrument of accession with one, two or all three Depositary States and the BWC will enter into force on the date of deposit.
- A State that has become newly independent since the BWC entered into force on 26 March 1975 may also be eligible to **succeed** to the Convention. A State is eligible to succeed if the Convention had applied to it whilst it was part of another State, e.g. when the application of the BWC was expressly extended to cover its territory by virtue of being a colony of a State party to the Convention. This information can be found in the lists of treaties that applied to the State before gaining independence that are normally transmitted to the new government by the former ruling State.
- A newly independent State will not normally automatically **succeed** to the BWC – an instrument of succession is usually required, and is advisable in order to demonstrate the State’s express intent to be bound to the Convention. Some States have made general declarations of succession which should be backed up by formal instruments of succession to clarify their intent to join the BWC.

5.2 Are there any model instruments available?

For information purposes only, models of instruments of ratification, accession or succession to the BWC are available here:

- [Model Instrument of Ratification](#)
- [Model Instrument of Accession](#)
- [Model Instrument of Succession](#)

5.3 How to notify the Depositary Governments?

Article XIV of the BWC designated three States as the Depositary Governments:

- Union of Soviet Socialist Republics (now Russian Federation)
- United Kingdom of Great Britain and Northern Ireland
- United States of America

States not yet party to the Convention may deposit their instruments and other communications and notifications with any one of them, or a combination of the three. The Depositaries maintain their own lists of States party to the Convention according to the instruments deposited with them, and liaise with one another when necessary to update their own lists of States Parties and/or when more than one Depositary receives an instrument from the same State.

The Convention takes effect for a new State Party on the day on which an instrument is deposited. The exact date the instrument is received by the Depositary government is therefore crucial, as it determines exactly when a State is bound by international law to exercise the rights and obligations that the treaty concerned provides.

Russian Federation	United Kingdom of Great Britain and Northern Ireland	United States of America
<p>Legal Department Ministry of Foreign Affairs of Russia 32/34 Smolenskaya-Sennaya Square Moscow 121 200 Russian Federation</p> <p>Telephone: 00 7 499 241 77 18 Fax: 00 7 499 241 11 66 E-mail: dp@mid.ru</p>	<p>Treaty Section (Legal Directorate) Room WH 2.143 King Charles Street Foreign, Commonwealth and Development Office London SW1A 2AH United Kingdom of Great Britain and Northern Ireland</p> <p>E-mail: TreatyPublicEnquiries@fco.gov.uk Website: https://www.gov.uk/uk-treaties</p> <p>Note: <i>Envelopes should be marked "For the attention of the BWC Depository"</i></p>	<p>Office of the Assistant Legal Adviser for Treaty Affairs United States Department of State Suite 5420 2201 C Street, N.W. Washington, D.C. 20520 United States of America</p> <p>Telephone: 00 1 202 647 1345 E-mail: treatyoffice@state.gov Website: https://www.state.gov/bureaus-offices/treaty-affairs/</p> <p>Note: <i>States wishing to deposit in Washington are advised to forward their instruments of ratification/accession to the Treaty Office through their embassies in Washington. Embassy staff should then call the Depository Officer at the Treaty Office on the phone number above to schedule an appointment for hand-delivery of the instrument if desired.</i></p>

6. Relevant resources

- UNODA BWC website: <https://disarmament.unoda.org/biological-weapons>
- The Biological Weapons Convention: An Introduction: <https://disarmament.unoda.org/publications/the-biological-weapons-convention/>
- Achieving BWC universality: <https://disarmament.unoda.org/biological-weapons/about/universalization-and-joining-the-bwc/>
- Guide to Implementing the Biological Weapons Convention: <https://disarmament.unoda.org/guide-to-implementing-the-biological-weapons-convention/>