

**GOVERNMENT OF FIJI**

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**THE BIOLOGICAL AND TOXIN WEAPONS DECREE 2011**  
(DECREE No. 17 of 2011)

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### **THE BIOLOGICAL AND TOXIN WEAPONS DECREE 2011** (DECREE No. 17 of 2011)

IN exercise of the power vested in me as the President of the Republic of Fiji and the Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority Decree 2009, I hereby make the following Decree-

**TO PROHIBIT THE DEVELOPMENT, PRODUCTION, MANUFACTURE, POSSESSION, STOCKPILING, OTHER ACQUISITION OR RETENTION, IMPORTATION, EXPORTATION, RE-EXPORTATION, TRANSPORTATION, TRANSIT, TRANSHIPMENT, TRANSFER OR USE OF CERTAIN BIOLOGICAL AGENTS AND TOXINS AND OF BIOLOGICAL WEAPONS, AND TO IMPLEMENT IN FIJI THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION OF 10 APRIL 1972 AND THE PROTOCOL FOR THE PROHIBITION OF THE USE IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE OF 17 JUNE 1925.**

#### **PART 1 - PRELIMINARY**

##### *Short title and commencement*

1. - (1) This Decree maybe cited as the Biological and Toxin Weapons Decree 2011 and shall come into effect on the date to be appointed by the Minister by notice in the *Gazette*.

##### *Interpretation*

2. In this Decree unless the context otherwise requires -

'Convention' means the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction;

'Minister' means the Minister responsible for Defence; National Security and Immigration;

'Place' includes a dwelling-house, warehouse, shop, office, laboratory or any other area or building;

'Protocol' means the 1925 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.

Terms that are not defined in the Decree are accorded their Convention meaning

## **PART 2 - IMPLEMENTATION OF THE CONVENTION**

### *Purpose*

3. The purpose of this Decree is to fulfill Fiji's obligations under the Convention and the Protocol as amended from time to time.

### *Amendment to Convention*

4. The Minister shall, as soon as practicable after any amendment to the Convention is made pursuant to the relevant Articles in the Convention, cause a copy of the amendments to be published in the *Gazette*.

### *Decree to bind the State*

5. This Decree is binding on the State.

### *Prohibitions*

6. It is an offence for a person to develop, produce, manufacture, possess, stockpile, acquire, retain, import, export, re-export, transport, transit, trans-ship, transfer to any recipient directly or indirectly, or use -

(a) any microbial or other biological agent, or any toxin whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; or

(b) any weapon, equipment, means of delivery, designed to use or share such an agent or toxin for hostile purposes or in armed conflict.

### *Aiding and abetting*

7. No person shall aid, abet, encourage, assist, counsel, procure, incite or finance the commission of, or attempt or conspire to commit, an offence under section 6.

### *Licensing*

8. - (1) Except as hereby authorised or specifically licensed under any written law, no person shall develop, produce, manufacture, possess, stockpile, acquire, retain, transport, transfer or use any microbial or other biological agent, any toxin or any related equipment designated in the regulations.

(2) Except as authorised under Customs Act 1986, Explosives Act (Cap. 189), Health and Safety at Work Act 1996, Mining Act (Cap.146), Pharmacy and Poisons Act (Cap.115), Pesticides Act (Cap.157) or any other written law, no person shall import, export, transit, trans-ship or re-export a microbial or other biological agent or toxin identified in the regulations made under this Decree.

(3) Any person who, aids, abets, encourages, assists, counsels, procures, incites or finances the commission of, or attempts or conspires to commit, is guilty of an offence under this section.

## **PART 3 - ENFORCEMENT**

### ***Division 1: Responsible authority***

#### *Appointment of responsible authority and inspectors by Minister*

**9.** The Minister may appoint in the *Gazette* any person or classes of persons -

- (a) to be the responsible authority for the purposes of this Decree;
- (b) to act as representatives of the responsible authority; and
- (c) as inspectors for the purpose of the enforcement of this Decree, and may set conditions applicable to the person's inspection activities, after consulting any other Minister who has powers in relation to inspections for biological agents or toxins.

### ***Division 2: Certificates***

#### *Certificates of appointment*

**10.** An inspector or a representative of the responsible authority must be given a certificate of appointment which must state the privileges and immunities applicable to the person and, in the case of an inspector, any conditions applicable under section 9(c).

#### *Production of certificate*

**11.** An inspector or a representative of the responsible authority must on entering any place under this Decree, produce his or her certificate of designation at the request of any individual appearing to be in charge of that place.

#### *Entry and inspection*

**12.** Subject to section 16 for the purpose of ensuring compliance with this Decree, an inspector may enter and inspect, at any reasonable time, any place in which the inspector believes on reasonable grounds there is -

- (a) any microbial or other biological agent, or any toxin;
- (b) any weapon, equipment or means of delivery designed to use such an agent or toxin; or
- (c) any other or further information relevant to the administration of this Decree.

#### *Powers of inspectors*

**13.** An inspector carrying out an inspection may -

- (a) require the attendance of and question any person the inspector considers may be able to assist;
- (b) examine, take samples of, seize or remove any thing referred to in section 12;
- (c) require any person to produce for inspection, or to copy for retention by the inspector, any document that the inspector believes contains any information relevant to the administration of this Decree; and
- (d) require that any individual appearing to be in charge of the place take any measures consistent with the Decree that the inspector considers appropriate.

*Operation of computer and copying equipment during inspection*

**14.** An inspector carrying out an inspection in the place may -

- (a) use or cause to be used any computer hardware, software or data processing system to examine any data contained in or available to the computer or system;
- (b) reproduce or cause to be reproduced any record from the data, in the form of a printout or other intelligible output, and remove the printout or other output for examination or copying; and
- (c) use or cause to be used any equipment at the place to make copies of any data or any record, book of account or other document.

*Inspector may be accompanied*

**15.** An inspector carrying out an inspection may be accompanied by any other person chosen by the inspector or the responsible authority.

*Warrant to enter a place*

**16.** An inspector may not enter a place except with the consent of the occupant or under the authority of a warrant issued under section 17.

*Authority to issue warrant*

**17.** If on ex parte application a Magistrate is satisfied by information on oath that -

- (a) the conditions for entry described in section 12 exist in relation to a place,
- (b) entry into the place is necessary for any purpose relating to the administration of this Decree or the regulations, and
- (c) entry into the place has been refused or there are reasonable grounds to believe that entry will be refused, the magistrate may issue a warrant authorizing the inspector named in the warrant to enter the place, subject to any conditions that may be specified in the warrant.

*Use of force*

**18.** The inspector may not use force to execute the warrant unless its use is specifically authorised in the warrant.

***Division 3: Search and seizure***

*Where warrant not necessary*

**19.** An inspector may exercise without a warrant any of the powers conferred by virtue of this Decree if the conditions for obtaining a warrant exist but, by reason of urgency or complex circumstances, it would not be practical to obtain a warrant.

*Notice of reason for seizure*

**20.** An inspector who seizes and detains anything shall, as soon as practicable, advise its owner or the person having the possession, care or control of it at the time of its seizure of the reason for the seizure.

*Giving false statements to an inspector*

**21.** Any person who knowingly makes any false or misleading statement either orally or in writing or otherwise including electronically to an inspector or a representative of the responsible authority engaged in carrying out duties under this Decree is guilty of an offence.

*Obstructing an inspector*

**22.** Any person who does or attempts to obstructs, hinders, resists or deceives an inspector or a representative of the responsible authority engaged in carrying out duties under this Decree is guilty of an offence.

*Assistance to inspectors*

**23.** The owner or person appearing to be in charge of a place entered under section 11 and every person present in that place shall -

- (a) give an inspector all reasonable assistance to enable the inspector to perform the inspector's duties, and;
- (b) furnish an inspector with any information related to the administration of this Decree that the inspector reasonably requests.

*Interference*

**24.** Except with the authority of an inspector, no person shall remove, alter or interfere in any way with any thing seized under this Decree.

*Directions requiring security measures*

**25.-** (1) An inspector may give written directions to the person appearing to be in charge of any place requiring him to take such measures to ensure the security of any dangerous substance kept or used there as are specified or described in the written directions by a time so specified.

(2) The written directions may -

- (a) specify or describe the substances in relation to the security of which the measures relate; and
- (b) require the person appearing to be in charge of the place to give a notice to the Commissioner of Police before any other dangerous substance specified or described in the directions is kept or used in the place.

*Direction requiring disposal of dangerous substances*

**26. -** (1) Where the Minister has reasonable grounds and evidence for believing that adequate measures to ensure the security of any dangerous substance kept or used in any place are not being taken and are unlikely to be taken, he may give a written direction to the person appearing to be in charge of the place requiring that person to dispose of the substance or surrender it to the responsible authority appointed by the Minister for proper disposal.

(2) The written direction must -

- (a) specify the manner in which, and time by which, the dangerous substance must be disposed of; or
- (b) require the person to produce the dangerous substance to a person specified or described in the notice in a manner and by a specified time.

*Offences*

**27. -** (1) Every person who contravenes section 6 or 7 is guilty of an offence under the Crimes Decree 2009 and is liable upon conviction -

- (a) in the case of an individual, imprisonment for a term not exceeding 14 years or to a fine not

exceeding 150 penalty units or both;

(b) in the case of a body corporate, a fine not exceeding 500 penalty units.

(2) Where an offence under subsection (1) which is committed by a body corporate is proved to have been committed with the consent and connivance or, to be attributable to any negligence on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in such capacity, he or she as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished in accordance with subsection (1)(a).

(3) Every person who contravenes sections 8, 21, 22, 24 or 30, 31 or section 32 is guilty of an offence and liable on conviction to -

(a) in the case of an individual, imprisonment for a term not exceeding 14 years or to a fine not exceeding 150 penalty units or both;

(b) in the case of a body corporate, a fine not exceeding 500 penalty units.

(4) Where an offence under subsection (3) which is committed by a body corporate is proved to have been committed with the consent and connivance or to be attributable to any negligence on the part of any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished in accordance with subsection (3)(a).

#### *Extra-territorial application*

**28.** - (1) A person who is alleged to have committed an offence under sections 8, 21, 22, 24 or 30, 31 or section 32 outside the territory of Fiji, may be prosecuted for that offence if -

(a) at the time the offence is alleged to have been committed -

(i) the person was a citizen of Fiji or was employed in a civilian or military capacity, or

(ii) the person was a citizen of a State that engaged in an armed conflict against Fiji or was employed in a civilian or military capacity by such a State, or

(iii) the victim of the alleged offence was a citizen of Fiji; or

(iv) the victim of the alleged offence was a citizen of a State that was allied with Fiji in an armed conflict, or

(v) the person is a stateless person whose habitual residence is in Fiji; or

(b) after the time of the offence is alleged to have been committed, the person is present in Fiji.

(2) "Person" in subsection (1) includes any bodies corporate, including those incorporated, registered or otherwise organised and members of partnerships or trustees of trusts recognised under the laws of Fiji.

#### *Continuing offence*

**29.** Where an offence under this Decree is committed or continued on more than one day, the person who committed the offence is liable to pay 3 penalty units for each day on which the offence is committed or continued.

## PART 4 - INFORMATION AND DOCUMENTS

### *Information and documents*

**30.** Every person who develops, produces, manufactures, possesses, stockpiles, otherwise acquires or retains, transports, transfers, uses, exports or imports any microbial or other biological agent, any toxin or any related equipment identified in the regulations shall -

(a) provide such information, at such times and in such form, as may be specified by the regulations, to the responsible authority or to any other authority specified by regulations; and

(b) keep and maintain the documents specified by the regulations -

(i) at the person's place of business or

(ii) at such other place as may be designated by the Minister, in the manner and for the period that is specified by the regulations, and

on request by the Minister an authority or an inspector, provide the documents to the member or that person.

### *Notice for disclosure of information*

**31.** The Minister or the Minister's delegate may send a written notice to any person who the Minister believes on reasonable grounds has information or documents relevant to the enforcement of this Decree, requesting the person to provide the information or documents to the Minister.

### *Compliance with notice*

**32.** A person who receives a written notice referred to in section 31 shall provide the requested information and documents held by or under the person's care or control to the Minister in the form and within the time specified in the notice.

### *Confidential information*

**33.** No person who obtains information or documents pursuant to this Decree or the Convention from a person who consistently treated them in a confidential manner shall knowingly, without the written consent of that person, communicate them or allow them to be communicated to any person, or allow any person to have access to them, except -

(a) for the purpose of the enforcement or application of this Decree or any written law;

(b) pursuant to an obligation of Fiji under the Convention;

(c) to the extent that they are required to be disclosed or communicated in the interest of public safety; or

(d) pursuant to an order of the court.

### *Appointment of an analyst by Minister*

**34.** The Minister may appoint a person to be an analyst for the purposes of this Decree.

### *Analyst Certificate*

**35.** - (1) A certificate signed by an analyst appointed under section 34 must set out, in relation to a substance, one or more of the following -

(a) when and from whom the substance was received;



(b) what labels or other means of identifying the substance accompanied it when it was received;

(c) what container the substance was in when it was received;

(d) a description of the substance received;

(e) that he or she has analysed or examined the substance;

(f) the date on which the analysis or examination was carried out;

(g) the method used in conducting the analysis or examination; and

(h) the results of the analysis or examination.

(2) This certificate is admissible in any proceedings for an offence referred to in sections 6, 7, 8, 21, 22, 24 or 30, 31 or section 32 as evidence of the matters in the certificate and the correctness of the results of the analysis or examination.

(3) For the purposes of this section, a document purporting to be a certificate referred to in subsection (1) shall, unless the contrary is established, be deemed to be such a certificate and to have been duly given.

#### *Analyst certificate as evidence in a proceeding*

**36.** - (1) A certificate shall not be received in evidence in pursuance of section 35 in a proceeding for an offence unless the person charged with the offence has been given a copy of the certificate together with reasonable notice of the intention to produce the certificate as evidence in the proceeding.

(2) Where, in pursuance of section 35 a certificate of an analyst is admitted in evidence in a proceeding for an offence, the person charged with the offence may require the analyst, to be called as a witness for the prosecution and the analyst may be cross-examined as if that person had given evidence of the matters stated in the certificate.

(3) Subsection (2) does not entitle a person to require an analyst to be called as a witness for the prosecution unless -

(a) the prosecutor has been given at least 5 days notice of the person's intention to require the analyst to be so called; or

(b) the court, by order, allows the person to require the analyst to be so called.

## **PART 5 - GENERAL PROVISIONS**

### *Regulations*

**37.** - (1) The Minister, and any other Minister who has powers in relation to biological agents or toxins, may make regulations for any purpose for the implementation of this Decree.

(2) Without limiting the generality of subsection (1), regulations made under this section may prescribe-

(a) definitions of 'biological agent', 'microbial agent', 'toxin' and 'equipment' for the purposes of this Decree;

(b) the conditions under which activities referred to in section 9(c) may be carried on, providing for the issue, suspension and cancellation of authorisations governing the carrying on of any such activity and prescribing the fees or the manner of calculating the fees to be paid in respect of any such authorisations;

(c) the means of identifying of microbial or other biological agents, toxins and related equipment for the purposes of sections 9(c) and 14;

(d) the powers, privileges, immunities and obligations of representatives of the responsible authority designated under section 10 and of inspectors;

(e) means of detention, storage, transfer, restoration, forfeiture and disposal - including destruction of things removed by inspectors under this Decree;

(f) for the purposes of Section 30, the means of identifying microbial or other biological agents and toxins and related equipment, and specifying anything that is to be specified by the regulations; and

(g) methods and procedures generally for carrying out the purposes and provisions of the Convention and the Protocol. .

*Saving and transitional arrangement*

**38.** - (1) Except as specifically provided herein, nothing in this Decree affects the validity of any other written laws made prior to the commencement of this Decree, and all such duties and responsibilities shall be carried out in accordance with the laws applying at the time that they were made.

(2) No procedure used to enforce any duties and responsibilities under this Decree shall be invalid by reason of the use of forms and processes applying to the enforcement of powers and seizure prior to the commencement of this Decree, unless a regulation made under this Decree requires the use of other forms or processes.

**GIVEN** under my hand this 28th day of April 2011.

EPELI NAILATIKAU  
President of the Republic of Fiji

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**SCHEDULE**

Text of Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction of 10 April 1972.

*Signed at London, Moscow and Washington on 10 April 1972.*

*Entered into force on 26 March 1975.*

*Depositaries: UK, US and Soviet governments.*

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,

Recognizing 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 June 17, 1925, 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 June 17, 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 realization of the purposes and principles of the United Nations, 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,

Recognizing 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 minimize this risk,

Have agreed as follows:

#### **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 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 organizations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in article I of this 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 cooperate 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 Cooperation 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 cooperate 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 June 17, 1925.

### **ARTICLE IX**

Each State Party to this Convention affirms the recognized 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 cooperate in contributing individually or together with other States or international organizations to the further development and application of scientific discoveries in the field of bacteriology (biology) for 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 cooperation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological (biological) 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 realized. 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 jeopardized 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 jeopardized 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 States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

(3) This Convention shall enter into force 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.
- (5) The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit or each instrument of ratification or of accession and the date of 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 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.

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