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The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022

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What's in News?

The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Bill, 2022 was passed by the Rajya Sabha recently.

Weapons of Mass Destruction:

While there is no single, authoritative definition of a WMD in international law, the expression is usually understood to cover nuclear, biological, and chemical (NBC) weapons.

According to the United States Department of Homeland Security, "A weapon of mass destruction is a nuclear, radiological, chemical, biological, or other device that is intended to harm a large number of people."

Definitions under the Act:

India's 2005 WMD Act defines:

"Biological weapons" as "microbial or other biological agents, or toxins...of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; and weapons, equipment or delivery systems specially designed to use such agents or toxins for hostile purposes or in armed conflict"; and

"Chemical weapons" as "toxic chemicals and their precursors" except where used for peaceful, protective, and certain specified military and law enforcement purposes; "munitions and devices specifically designed to cause death or other harm through the toxic properties of those toxic chemicals"; and any equipment specifically designed for use in connection with the employment of these munitions and devices.

Highlights of the Bill:

The Bill amends the Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005

The 2005 Act prohibits unlawful activities (such as manufacturing, transport, or transfer) related to weapons of mass destruction, and their means of delivery.

Prohibition on financing certain activities: The Bill bars persons from financing any prohibited activity related to weapons of mass destruction and their delivery systems

Powers of the Central Government: (i) To prevent persons from financing such activities, the central government may freeze, seize or attach their funds, financial assets, or economic resources (whether owned, held, or controlled directly or indirectly).

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(ii) It may also prohibit persons from making finances or related services available for the benefit of other persons in relation to any activity which is prohibited.

Need for the Amendment:

aThe existing 2005 legislature is silent on the aspect of financing for Weapons of Mass Destruction

bIt will strengthen India's National security

cIt helps India to adhere to the international obligations because in the recent times, laws pertaining to proliferation of weapons of mass destruction and their delivery systems by international organisations have expanded and that "the United Nations Security Council's targeted financial sanctions and the recommendations of the Financial Action Task Force have legislated against the financing of proliferation of weapons of mass destruction."

dThis helps to strengthen India's credentials and image.

Treaties related to WMD:

Geneva Protocol, 1925 - banned the use of chemical and biological weapons

The Biological Weapons Convention, 1972, and **Chemical Weapons Convention, 1992**, which put comprehensive bans on the biological and chemical weapons respectively.

India has signed and ratified both the 1972 and 1992 treaties.

There are very few non-signatory countries to these treaties, even though several countries have been accused of non-compliance.

The use and proliferation of nuclear weapons is regulated by treaties such as **Nuclear Non-Proliferation Treaty (NPT)** and the **Comprehensive Test Ban Treaty (CTBT)**.

India haven't signed NPT and CTBT.