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**Law No. (51) of 2009 regarding the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and Their Destruction**

We, Hamad bin Isa Al Khalifa, King of the Kingdom of Bahrain.

Having reviewed the Constitution,

The Penal Code promulgated by Legislative Decree No. (15) of 1976, as amended,

Legislative Decree No. (16) of 1976 regarding Explosives, Arms, and Ammunition, as amended,

The Traffic by Law No. (9) of 1979, as amended,

Law No. (5) 1990 regarding Civil Defence,

Legislative Decree No. (21) of 1996 regarding the Environment, amended by Legislative Decree No. (8) of 1997,

Legislative Decree No. (18) of 1997 regarding the Regulation of the Pharmacy Profession and Pharmaceutical Centres,

Legislative Decree No. (10) of 2002 approving the Regulation (Law) of the Unified Customs of the Gulf Cooperation Council,

The Military Penal Code promulgated by Legislative Decree No. (34) of 2002, as amended,

The Criminal Procedures Law promulgated by Legislative Decree No. (46) of 2002, amended by Law No. (41) of 2005,

And Decree No. (6) of 1997 ratifying the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction, signed on 13 January 1993,

The Shura Council and the Council of Representatives have approved the following Law, which we have ratified and enacted:

Article (1)

In applying the provisions of this Law, the following words and expressions shall have the meanings assigned against each unless the context otherwise requires:

- The Convention: The Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and their Destruction.

-The National Committee: The committee responsible for implementing the prohibition of the development, production, stockpiling, and use of chemical weapons and their destruction, established in accordance with the provisions of Article (2) of this Law.

- Non-Prohibited Purposes:

a) Industrial, agricultural, research, medical, pharmaceutical, or other peaceful purposes.

b) Preventive purposes directly related to the protection against toxic chemicals and chemical weapons.

c) Military purposes unrelated to the use of chemical weapons and not dependent on the toxic properties of chemicals as a means of warfare.

d) Purposes related to the implementation of the provisions of this Law, including purposes concerning the control of civil disorder.

- Toxic Chemical: Any chemical that, through its chemical effects on biological processes, can cause death, temporary disability, or permanent harm to humans or animals, regardless of its origin, method of production, or whether it is produced in facilities, munitions, or otherwise.

- Precursor: Any reactive chemical involved in any stage of producing a toxic chemical by any means, including any primary component of a dual-use or multi-component chemical system.

- Chemical Weapons: Shall include all or some of the following:

a) Toxic chemicals and their precursors, except for those intended for non-prohibited purposes, provided that the types and quantities are consistent with those purposes.

b) Munitions and devices specifically designed to cause death or other harm through the toxic properties of the chemicals emitted during their use, as defined in the preceding clause.

c) Any equipment specifically designed for the use of the munitions and devices specified in the prceding clause.

- Discrete Organic Chemicals: Any chemical in the class of compounds consisting of all carbon compounds except oxides, sulfides, and metal carbonates, identifiable by a chemical name and structural formula, if known through its CAS registration number when assigned.

- Chemical Weapons Production Facility: Any equipment, as well as any buildings housing this equipment, designed, constructed, or used as part of the process of producing chemical substances or for the filling of Chemical Weapons, as detailed in the Convention.

- Table No. (1), (2), or (3):

The tables of chemical substances numbered (1), (2), or (3), annexed to the Convention and considered an integral part of this Law.

- Riot Control Agent: Any chemical not listed in one of the tables annexed to the Convention that can rapidly cause sensory irritation or physical incapacitation in persons, with effects dissipating shortly after exposure.

- Production: The formation of a chemical substance through a chemical reaction.

- Preparation: A physical process, such as mixing, extraction, or purification, where the chemical substance does not transform into another chemical substance.

- Consumption: The transformation of a chemical substance into another chemical substance through a chemical reaction.

- Person: Any natural or legal person.

- Organisation: The Organisation for the Prohibition of Chemical Weapons established under the provisions of Article Eight of the Convention.

- State Parties: States that have ratified or acceded to the Convention upon its entry into force for those States.

Article (2)

A committee, named "The National Committee on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and Their Destruction," shall be established by a decision of the Cabinet. The committee shall report to the Ministry of Foreign Affairs, and its composition and operational procedures shall be specified in the decision.

This committee shall be responsible for carrying out the tasks and authorities stipulated in this Law and in Paragraph (4) of Article Seven of the Convention.

Article (3)

It shall be prohibited for any Person to engage in any of the following:

a) The development, production, acquisition, possession by any means, storage, or direct or indirect transfer of Chemical Weapons to any location.

b) Using of Chemical Weapons.

c) Any preparations for the use of Chemical Weapons.

d) Agreeing with any Person to undertake any activities prohibited for State Parties under this Convention, where the crime has occurred based on this agreement.

e) Inciting or assisting any Person to engage in any activities prohibited for State Parties under this Convention.

f) Using Riot Control Agents as a means of warfare.

Article (4)

Subject to the provisions of Article (9) of this Law, no Person shall develop or produce the chemical substances listed in Table (1), nor acquire, possess by any means, transfer, re-transfer, or use them.

The prohibition stipulated in the previous paragraph shall not apply if all of the following conditions are met:

1- The use of the substances referred to is within the territory of any of the State Parties.

2- The use is for research, medical, pharmaceutical, or preventive purposes.

3- The use is limited to the minimum necessary types and quantities of those substances.

4- The total quantities used of those substances do not exceed one metric tonne during the period specified in the licence.

Article (5)

No Person shall transfer any of the chemical substances listed in Table (2) to or from a State that is not a Party to the Convention.

Article (6)

Subject to the provisions of Article (9) of this Law, no Person shall transfer any of the chemical substances listed in Table (3) to a State not Party to the Convention unless a certificate is provided specifying the final use of the transferred substances, including the following information:

A) An undertaking not to use the transferred chemical substances except for Non-Prohibited Purposes.

B) An undertaking by the receiving state not to re-transfer those substances to another state.

C) The types and quantities of those substances.

D) The final use of those substances.

E) The name and address of the end user of those substances.

F) Any other conditions issued by a decision from the National Committee.

Article (7)

Every Person engaged in chemical activities or dealing in chemical substances subject to this Law shall provide the National Committee with any data, information, or documents it requests regarding such activities. It is prohibited to refuse to comply, or to knowingly provide the Committee with misleading or false information.

Article (8)

Every Person who has obtained any confidential data or information from the Kingdom of Bahrain or from any other State Party or from the Organisation in implementation of the provisions of this Law shall maintain its confidentiality and shall not disclose it to others directly or indirectly, except in compliance with an order issued by an investigative authority or a competent court, or in implementation of the provisions of the Convention.

Article (9)

a) No Person shall engage in any activities related to the development, production, acquisition, possession, storage, transfer, or use of the chemical substances listed in Tables (1), (2), and (3), or the development or production of Discrete Organic Chemicals or those containing phosphorus, sulfur, or fluorine, without obtaining a licence from the National Committee in accordance with the provisions of this Law.

b) Application for a licence to engage in any of the activities specified in the previous paragraph shall be submitted to the National Committee using the form prepared for this purpose.

The National Committee shall issue a decision specifying the conditions and procedures for granting and renewing the licence, their validity period, and the specified uses of the chemical substances listed in Tables (1), (2), and (3).

c) The licence shall be personal and may not be assigned to another Person without the approval of the National Committee.

Article (10)

Fees shall be levied on licences issued in accordance with the provisions of this Law and their renewal. The National Committee, with the approval of the Cabinet, shall issue a decision specifying the categories of these fees and the procedures for their collection.

Article (11)

Every Person who develops, produces, acquires, possesses by any means, transfers, stores, or uses toxic chemicals and their Precursors shall observe the following:

a) Notify the National Committee of the chemical substances, facilities, and laboratory locations associated with those substances within fifteen days of undertaking any of the aforementioned actions.

The notification shall be submitted in writing to the National Committee using the form prepared for this purpose.

b) Maintain dedicated records of the chemical substances, facilities, and laboratory locations associated with those substances, as well as their designated purposes.

The National Committee shall issue rules regulating these records, specifying their quantity, formats, and the information required to be documented.

c) Prepare annual reports derived from the records referred to in the preceding clause, covering the chemical substances, facilities, and laboratory locations. These reports must include the data and information specified by a decision of the National Committee.

These reports must be sent to the National Committee within three months from the end of the financial year of the establishment.

Article (12)

a) Inspectors, whether members of the National Committee or others designated by its Chairperson, shall have the authority to carry out inspections and verify compliance with the provisions of this Law and its implementing decisions. Their powers include:

1- Access premises and establishments related to the undertaking of any activities subject to the provisions of this Law.

2- Review documents and records relevant to the inspection duties.

3- Request the data and information necessary to carry out the inspection activities.

b) Persons subject to the provisions of this Law, their representatives, and those responsible for their actual management must enable the inspectors of the National Committee to perform their inspection duties and must not obstruct them in carrying out this task.

c) The National Committee shall cooperate with the Technical Secretariat of the Organisation in carrying out the verification measures stipulated in the Convention.

d) Employees designated by the Minister of Justice and Islamic Affairs, in agreement with the National Committee, shall have the status of judicial officers concerning the crimes stipulated in this Law that occur within their jurisdictions.

The reports prepared regarding these crimes shall be referred to the Public Prosecution by a decision from the Chairperson of the National Committee.

Article (13)

The provisions of this Law shall not prejudice any conditions, permits, licences, or other obligations set forth in any other law.

Article (14)

The provisions laid down in the Convention and its annexes shall apply to matters not specifically addressed in this Law, including those relating to the controls on the production and transfer of the chemical substances listed in Tables (1) and (2) within the framework of the system established by the Convention.

Article (15)

Without prejudice to any harsher penalties stipulated by the Penal Code or any other law, the penalties specified in the following articles shall apply to the crimes defined therein.

Article (16)

Anyone who commits any of the acts specified in Article (3) of this Law shall be punished with imprisonment for a term of not less than seven years, and a fine not less than ten thousand dinars and not exceeding fifty thousand dinars.

The penalty shall be death or life imprisonment if any of these acts results in the death of one or more persons, causes serious harm to the environment or public health, or disrupts a public utility.

Article (17)

Anyone who violates the provisions of Article (4) of this Law shall be punished with imprisonment for a term not less than five years and a fine not less than five thousand dinars and not exceeding twenty thousand dinars.

Article (18)

Anyone who violates any of the provisions of Articles (5), (6), and (9) of this Law shall be punished with imprisonment and a fine not less than one thousand dinars and not exceeding five thousand dinars.

Article (19)

Anyone who violates any of the provisions of Articles (7), (8), and (11), and Paragraph (b) of Article (12) of this Law shall be punished with imprisonment and a fine not less than five hundred dinars and not exceeding one thousand dinars, or with either of these penalties.

Article (20)

The penalties stipulated in the first paragraph of Article (16) and Articles (17), (18), and (19) of this Law shall be doubled in cases of recidivism.

Article (21)

Without prejudice to the liability of natural persons in accordance with the provisions of this Law, a legal Person shall be punished with a fine not exceeding fifty thousand dinars if one of the crimes stipulated in the Law is committed with its knowledge or for its benefit.

In the case of a conviction, the court may order the legal person to be barred from participating in public projects, to close its premises where the crime occurred, or to be dissolved.

If any of these crimes are committed intentionally, the penalty shall be a fine not less than fifty thousand dinars and not exceeding two hundred thousand dinars, and the legal person shall be ordered to be dissolved and its premises and all its branches closed.

Article (22)

In the case of a conviction, the court shall order the confiscation, destruction, or demolition of the weapons and chemical substances subject to the crime, as well as other facilities for the production of Chemical Weapons, equipment, and items specifically designed for use in committing the crime.

Article (23)

The National Committee shall issue the necessary decisions to implement the provisions of this Law.

Article (24)

The Prime Minister and the Ministers—each within their jurisdiction—shall implement this Law, and it shall come into force from the day following the date of its publication in the Official Gazette.

King of the Kingdom of Bahrain

Hamad bin Isa Al Khalifa

Issued at Riffa Palace

On:

19 Ramadan 1430 AH

Corresponding to:

9 September 2009