

**Third Review Conference of the Parties to the
Convention on the Prohibition of the Development,
Production and Stockpiling of Bacteriological
(Biological) and Toxin Weapons and on their Destruction**

(Geneva, 9-27 September 1991)

FINAL DOCUMENT

Geneva, 1992

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PART I

Organization and Work of the Conference

FINAL DOCUMENT OF THE THIRD REVIEW CONFERENCE OF THE PARTIES TO THE
CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND
ON THEIR DESTRUCTION

1. ORGANIZATION AND WORK OF THE CONFERENCE

Introduction

1. The Final Declaration of the Second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, in the section dealing with the review of Article XII of the Convention, contained the following decision:

"The Conference decides that the Third Review Conference shall be held in Geneva at the request of a majority of States Parties not later than 1991". 1/

2. By resolution 45/57 B, adopted without a vote on 4 December 1990, the General Assembly, inter alia, noted that, at the request of the States Parties, a Third Review Conference of the Parties to the Convention would be held in Geneva in 1991, and that, following appropriate consultations, a Preparatory Committee open to all parties to the Convention had been formed and that the Committee would meet in Geneva from 8 to 12 April 1991.

3. The Preparatory Committee held one session at Geneva from 8 to 12 April 1991. The following 69 States Parties to the Convention participated in the session of the Preparatory Committee: Argentina, Australia, Austria, Bangladesh, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Cuba, Czech and Slovak Federal Republic, Democratic People's Republic of Korea, Denmark, Ethiopia, Finland, France, Germany, Greece, Honduras, Hungary, India, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kenya, Lebanon, Libyan Arab Jamahiriya, Malta, Mexico, Mongolia, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Senegal, Singapore, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, Ukraine, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Viet Nam, Yemen, Yugoslavia and Zimbabwe.

4. At its second meeting on 12 April 1991, the Committee elected by acclamation Ambassador Roberto García Moritán (Argentina) as Chairman of the Committee. Also at its 2nd meeting, the Committee unanimously elected Ambassador Juraj Králík (Czech and Slovak Federal Republic) and Ambassador Hendrik Wagenmakers (Netherlands) as Vice-Chairmen of the Committee. The Committee authorized the Bureau to handle technical and other matters in the period before the Review Conference was convened.

1/ BWC/CONF.II/13

5. The Secretary-General of the United Nations was represented by Mr. Sohrab Kheradi, Chief of the Committee and Conference Branch and Principal Officer, Department for Disarmament Affairs, who opened the session of the Preparatory Committee. Mr. Sammy Kum Buo, Senior Political Affairs Officer, Department for Disarmament Affairs, served as Secretary of the Committee.

6. The Committee decided to take its decisions by consensus.

7. The Committee decided to use Arabic, Chinese, English, French, Russian and Spanish as official languages.

8. The Committee, taking note of their written requests, decided to invite the representatives of five States Signatories of the Convention, namely, Egypt, Gabon, Iraq, Malaysia and the Syrian Arab Republic, to participate in its discussions without the right to take part in the making of decisions.

9. In the course of its session the Committee considered the following questions relating to the organization of the Review Conference:

- (a) Date and duration
- (b) Provisional agenda
- (c) Draft rules of procedure
- (d) Background documentation
- (e) Final document(s)

10. At its third and last meeting, on 12 April 1991, the Preparatory Committee adopted its report, which was issued as a pre-session document of the Conference (BWC/CONF.III/1 and Add.1). The report contained, *inter alia*, the Provisional Agenda and the Draft Rules of Procedure for the Conference (BWC/CONF.III/I, Annexes I and II, respectively). In this connection, the Committee recommended that its Report, without the annexes, be annexed to the Final Document of the Third Review Conference (See Annex II of this document).

11. Pursuant to the request made in United Nations General Assembly resolutions 44/115 C and 45/57 B, the Secretary-General of the United Nations circulated, in May 1991, to the States Parties to the Convention a report on the implementation of the confidence-building measures agreed to in the Final Declaration of the Second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (Report of the Secretary-General of the United Nations: BWC/CONF.III/2 and Add.1, 2 and 3). In this connection, the Preparatory Committee recommended: (a) that the report of the Secretary-General should not be translated in the languages of the Review Conference and should remain in the original languages of submission; and (b) that only a limited number of copies of the report, two per State Party, should be printed.

12. Pursuant to the request of the Preparatory Committee, the following background documents were also issued as pre-session documentation for the Conference:

- (1) Background document on compliance by States Parties with all their obligations under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC/CONF.III/3 and Add.1, 2 and 3);
- (2) Background document on new scientific and technological developments relevant to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BWC/CONF.III/4 and Add.1);
- (3) The 1991 report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament (BWC/CONF.III/5).

Organization of the Conference

13. In accordance with the decision of the Preparatory Committee, the Conference was convened on 9 September 1991 at the Palais des Nations in Geneva for a period of three weeks.

14. At its first meeting on 9 September, the Conference elected by acclamation Ambassador Roberto García Moritán (Argentina) as its President.

15. At the same meeting, a message from the Secretary-General of the United Nations Javier Pérez de Cuéllar, was read out by the Representative of the Secretary-General, Mr. Yasushi Akashi, Under-Secretary-General of the United Nations for Disarmament Affairs.

16. The Conference adopted its agenda as recommended by the Preparatory Committee (BWC/CONF.III/1, Annex I).

17. The Conference took note with appreciation of the Report of the Preparatory Committee (BWC/CONF.III/1 and Add.1).

18. The Conference adopted its Rules of Procedure as recommended by the Preparatory Committee (BWC/CONF.III/1, Annex II). Upon the recommendation of the Drafting Committee, the Rules of Procedure of the Conference are contained in Annex III of this Final Document. The Rules of Procedure provided, inter alia, for (a) a General Committee, chaired by the President of the Conference and composed of the Chairman of the Committee of the Whole, the Chairman of the Drafting Committee, the Chairman of the Credentials Committee, as well as the 20 Vice-Presidents of the Conference; (b) a Committee of the Whole; (c) a Drafting Committee, composed of representatives of the same 24 States Parties represented in the General Committee; and (d) a Credentials Committee composed of a Chairman and Vice-Chairman elected by the Conference and five other members appointed by the Conference on the proposal of the President.

19. The Conference elected by acclamation 20 Vice-Presidents from the following States Parties: Australia, China, Costa Rica, Czech and Slovak Federal Republic, Ethiopia, France, India, Japan, Mexico, Pakistan, Peru, Poland, Romania, Senegal, Sweden, Tunisia, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela. The Conference also elected by acclamation the Chairmen and Vice-Chairmen of the Committee of the Whole, the Drafting Committee and the Credentials Committee, as follows:

Committee of the Whole:	Chairman	Ambassador H. Wagenmakers (Netherlands)
	Vice-Chairman	Mr. V. Koutchinsky (Ukraine)
	Vice-Chairman	Ambassador A.T. Mugomba (Zimbabwe)
Drafting Committee:	Chairman	(Ambassador T. Tóth (Hungary)
	Vice-Chairman	Ambassador E.A. Azikiwe (Nigeria)
Credentials Committee:	Chairman	Ambassador W. Lang (Austria)
	Vice-Chairman	Mr. Han Chung On (Democratic People's Republic of Korea)

The Conference also appointed the following five States Parties as members of the Credentials Committee: Chile, Byelorussian Soviet Socialist Republic, Kenya, New Zealand and Switzerland.

20. The Conference confirmed the nomination of Mr. Sammy Kum Buo as Secretary-General of the Conference. The nomination had been made by the Secretary-General of the United Nations, following an invitation by the Preparatory Committee.

Participation at the Conference

21. Seventy-eight States Parties to the Convention participated in the Conference as follows: Argentina, Australia, Austria, Bangladesh, Belgium, Bhutan, Bolivia, Brazil, Brunei Darussalam, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czech and Slovak Federal Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Ethiopia, Finland, France, Germany, Ghana, Greece, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Libyan Arab Jamahiriya, Luxembourg, Malaysia, Malta, Mexico, Mongolia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Senegal, Singapore, Spain, Sri Lanka, Sweden, Switzerland, Thailand,

Tunisia, Turkey, Ukraine, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia and Zimbabwe.

22. In addition, six States which have signed the Treaty but have not yet ratified it participated in the Conference without taking part in the making of decisions, as provided for in Rule 44, paragraph 1, of the Rules of Procedure: Egypt, Indonesia, Morocco, Myanmar, Syrian Arab Republic and United Arab Emirates.

23. Three States, Algeria, Israel and Oman, neither parties to nor signatories of the Convention, were granted observer status in accordance with rule 44, paragraph 2 (a).

24. The United Nations, including the United Nations Institute for Disarmament Research (UNIDIR) and the United Nations Environment Programme, (UNEP), attended the Conference in accordance with rule 44, paragraph 3.

25. Two specialized agencies of the United Nations system, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO), and one regional intergovernmental organization, the League of Arab States, were granted Observer Agency status in accordance with rule 44, paragraph 4.

26. Eleven non-governmental organizations and research institutes attended the Conference under rule 44, paragraph 5.

27. A list of all delegations to the Conference, including States parties, signatories, observer states, observer agencies and non-governmental organizations, is contained in Annex IV to this document.

28. The Credentials Committee met on 20 and 26 September and on 27 September reported to the Conference on the credentials of the States Parties (BWC/CONF.III/21). At its eighth plenary meeting on 27 September the Conference took note of the report.

Work of the Conference

29. The Conference held 8 plenary meetings between 9 and 27 September, when it concluded its work.

30. The general debate, in which 45 States Parties and one signatory State made statements, took place from the second to the sixth plenary meetings held from 9 to 12 September.

31. The General Committee, at its first meeting on 11 September, considered item 9 of the Agenda entitled "Programme of Work" and decided, *inter alia*, to make the following recommendations to the Conference:

- (1) The Committee of the Whole should undertake the review of the various articles and provisions of the Convention under agenda items 10 (b), 10 (c), as well as consider items 11 and 12, namely:

10. Review of the operation of the Convention as provided for in its Article XII
 - (b) Articles I-XV
 - (c) Preambular paragraphs and purposes of the Convention
11. Consideration of issues identified in the review of Article XII contained in the Final Declaration of the Second Review Conference, and possible follow-up action.
12. Other matters, including the question of future review of the Convention.

(2) The Drafting Committee should undertake the task of preparing and submitting to the plenary the draft Final Document of the Conference, including the Final Declaration.

32. At its fifth plenary meeting on 12 September, the Conference adopted its indicative programme of work which took into account the above recommendations of the General Committee.

33. The Committee of the Whole held 9 meetings between 13 and 19 September, during which it reviewed the provisions of the Convention, article by article, followed by consideration of the Preamble. The Committee also examined agenda items 11 and 12. Its report (BWC/CONF.III/17) was submitted to the Conference at its seventh plenary meeting on 19 September. At the same meeting, the Conference took note of the report.

34. The Drafting Committee held 11 meetings between 19 and 26 September. At its eleventh and final meeting on 26 September, the Committee adopted its report to the Conference (BWC/CONF.III/22 and Add.1, 2 and 3). The Conference at its eighth plenary meeting on 27 September, took note of the report.

Documentation

35. A list of documents of the Conference is contained in Annex I to this document.

Conclusion of the Conference

36. At its eighth and final plenary meeting on 27 September, the Conference adopted by consensus its Final Document as recommended by the Drafting Committee in document BWC/CONF.III/22 and Add.1, 2 and 3. The Final Document consists of four parts and four annexes: I. Organization and work of the Conference; II. Final Declaration and its Annex on Confidence-building measures; III. Report of the Committee of the Whole; IV. Summary Records of Plenary Meetings of the Conference; and Annex I, List of documents of the Conference; Annex II, Report of the Preparatory Committee; Annex III, Rules of Procedure of the Conference; and Annex IV, List of Participants at the Conference.

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PART II

Final Declaration

II. FINAL DECLARATION

THE STATES PARTY TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION, WHICH MET IN GENEVA FROM 9 TO 27 SEPTEMBER 1991 TO REVIEW THE OPERATION OF THE CONVENTION, SOLEMNLY DECLARE:

- Their conviction that the Convention is essential to international peace and security;
- Their reaffirmation of their determination 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 their conviction 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;
- Their continued determination, for the sake of mankind, to exclude completely the possibility of the use of bacteriological (biological) agents and toxins as weapons, and their conviction that such use would be repugnant to the conscience of mankind;
- Their reaffirmation of their firm commitment to the purposes of the preamble and the provisions of the Convention, and of their belief that universal adherence to the Convention would enhance international peace and security;
- Their determination to enhance the implementation and effectiveness of the Convention and to further strengthen its authority, including through the confidence-building measures and organizational arrangements set out below;
- Their recognition that effective verification could reinforce the Convention;
- Their conviction that the full implementation of the provisions of the Convention should not hamper economic and technological development and international cooperation in the field of peaceful biological activities.

The State parties recognize that the important principles contained in this Solemn Declaration can also serve as a basis for further strengthening of the Convention.

PREAMBLE

The Conference reaffirms the importance of the elements in the review of the Preamble to the Convention contained in the Final Declaration of the Second Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

ARTICLE I

The Conference notes the importance of Article I as the article which defines the scope of the Convention and reaffirms its support for the provisions of this Article.

The Conference reaffirms that the Convention prohibits the development, production, stockpiling, other acquisition or retention of microbial or other biological agents or toxins harmful to plants and animals, as well as humans, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

The Conference, conscious of apprehensions arising from relevant scientific and technological developments, inter alia, in the fields of microbiology, genetic engineering and biotechnology, and the possibilities of their use for purposes inconsistent with the objectives and the provisions of the Convention, reaffirms that the undertaking given by the States parties in Article I applies to all such developments. The Conference also reaffirms that the Convention unequivocally covers all microbial or other biological agents or toxins, naturally or artificially created or altered, whatever their origin or method of production.

The Conference notes that experimentation involving open-air release of pathogens or toxins harmful to man, animals or plants that has no justification for prophylactic, protective or other peaceful purposes is inconsistent with the undertakings contained in Article I.

The Conference stresses that States parties should take all necessary safety precautions to protect populations and the environment in relation to activities not prohibited by the Convention.

The Conference emphasizes the vital importance of full implementation by all States parties of all the provisions of the Convention and expresses concern at statements by some States parties that compliance with Articles I, II and III has been, in their view, subject to grave doubt in certain cases and that efforts since the Second Review Conference to resolve these problems have not been successful. The Conference agrees that the application by States parties of a positive approach in questions of compliance in accordance with the provisions of the Convention is in the interest of all States parties and that continued non-compliance with its provisions could undermine confidence in the Convention.

On the basis of the principle that sciences should support quality of life, the Conference appeals through the States parties to their scientific communities to continue to support only activities that have justification under the biological and toxin weapons Convention for prophylactic, protective or other peaceful purposes, and refrain from activities which are in breach of obligations deriving from provisions of the Convention.

ARTICLE II

The Conference notes the importance of Article II and welcomes the statements made by States which have become parties to the Convention since the Second Review Conference that they do not possess agents, toxins, weapons, equipment or means of delivery referred to in Article I of the Convention. The Conference believes that such statements contribute to enhancing confidence in the Convention.

The Conference stresses that States which become parties to the Convention, in implementing the provisions of this Article, shall observe all necessary safety precautions to protect populations and the environment.

ARTICLE III

The Conference notes the importance of Article III and welcomes the statements which States that have acceded to the Convention have made to the effect that they have not transferred agents, toxins, weapons, equipment or means of delivery, specified in Article I of the Convention, to any recipient whatsoever and have not furnished assistance, encouragement or inducement to any State, group of States or international organizations to manufacture or otherwise acquire them. The Conference affirms that Article III is sufficiently comprehensive to cover any recipient whatsoever at international, national or subnational levels. The Conference notes that a number of States parties have already taken concrete measures to give effect to their undertakings under this Article, and calls for appropriate measures by all States parties. Transfers relevant to the Convention should be authorized only when the intended use is for purposes not prohibited under the Convention. The implementation of this Article with respect to such transfers should continue to be the subject of multilateral consideration.

The Conference notes that the provisions of this Article should not be used to impose restrictions and/or limitations on the transfer for purposes consistent with the objectives and the provisions of the Convention of scientific knowledge, technology, equipment and materials under Article X.

ARTICLE IV

The Conference notes the importance of Article IV under which each State party shall, in accordance with its constitutional processes, take any necessary measures to prohibit or prevent any acts or actions which would contravene the Convention.

The Conference notes those measures already taken by some States parties in this regard, for example the adoption of penal legislation, and reiterates its call to any State party that has not yet taken any necessary measures to do so immediately, in accordance with its constitutional processes. Such measures should apply within the territory of a State party, under its jurisdiction or under its control anywhere. The Conference invites each State party to consider, if constitutionally possible and in conformity with international law, the application of such measures to actions taken anywhere by natural persons possessing its nationality.

The Conference notes the importance of:

- Legislative, administrative and other measures designed to enhance domestic compliance with the Convention;
- Legislation regarding the physical protection of laboratories and facilities to prevent unauthorized access to and removal of microbial or other biological agents, or toxins;
- Inclusion in textbooks and in medical, scientific and military educational programmes of information dealing with the prohibition of microbial or other biological agents or toxins and the provisions of the Geneva Protocol of 1925.

The Conference believes that such measures which States parties might undertake in accordance with their constitutional processes would strengthen the effectiveness of the Convention.

The Conference notes that some States parties, as requested by the Second Review Conference, have provided to the United Nations Department for Disarmament Affairs information on and the texts of specific legislation enacted or other measures taken to assure domestic compliance with the Convention. The Conference invites these States parties, and encourages all States parties, to provide such information and texts in the future. In this regard the Conference welcomes agreement by the States parties participating in the Third Review Conference to implement a new confidence-building measure entitled "Declaration of legislation, regulations and other measures". In addition, the Conference invites all States parties to provide any useful information on the implementation of such measures.

The Conference welcomes regional measures such as the Mendoza Declaration as well as other initiatives dealing with the renunciation of weapons of mass destruction, including biological weapons, as concrete positive steps towards the strengthening of the biological and toxin weapons Convention regime.

ARTICLE V

In accordance with the decision of the Second Review Conference, and taking into account views expressed concerning the need to strengthen the implementation of the provisions of Article V, the Conference reviewed the effectiveness of the provisions in Article V for consultation and cooperation and of the cooperative measures agreed in the Final Declaration of the Second Review Conference, and considered whether or not further actions were called for to create further cooperative measures. The Conference came to the following conclusions and recommendations:

The Conference notes the importance of the confidence-building measures agreed upon at the Second Review Conference, as well as the modalities elaborated by the Ad Hoc Meeting of Scientific and Technical Experts from States parties to the Convention held in 1987. The Conference recognizes the

exchange of information that took place on this agreed basis between 1987 and 1991. The Conference urges all States parties to submit information to future rounds of information exchange.

With a view to promoting increased participation and strengthening further the exchange of information, the Conference agrees to reaffirm those measures established at the Second Review Conference with the following improvements: to add a declaration on "Nothing to declare" or "Nothing new to declare"; to amend and extend the exchange of data on research centres and laboratories; to amend the exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins; to amend the measure for the active promotion of contacts; and to add three new confidence-building measures entitled "Declaration of legislation, regulations and other measures"; "Declaration of past activities in offensive and/or defensive biological research development programmes"; and "Declaration of vaccine production facilities".

Accordingly, the Conference, mindful of the provisions of Article V and Article X, and determined to strengthen the authority of the Convention and to enhance confidence in the implementation of its provisions, agrees that the States parties are to implement, on the basis of mutual cooperation, the following measures set out in the annex to this Final Declaration, in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, and in order to improve international cooperation in the field of peaceful bacteriological (biological) activities:

1. Declaration form on "Nothing to declare" or "Nothing new to declare"
2. Confidence-building measure "A":
 - Part 1: Exchange of data on research centres and laboratories;
 - Part 2: Exchange of information on national biological defence research and development programmes.
3. Confidence-building measure "B":
 - Exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins.
4. Confidence-building measure "C":
 - Encouragement of publication of results and promotion of use of knowledge.
5. Confidence-building measure "D":
 - Active promotion of contacts.
6. Confidence-building measure "E":
 - Declaration of legislation, regulations and other measures.

7. Confidence-building measure "F":
 - Declaration of past activities in offensive and/or defensive biological research and development programmes.
8. Confidence-building measure "G":
 - Declaration of vaccine production facilities.

The Conference also agrees that the exchange of information and data, using the revised forms, be sent to the United Nations Department for Disarmament Affairs no later than 15 April on an annual basis and should cover the previous calendar year.

The Conference recognizes that the new and the revised procedures which the States parties have agreed to implement will add further duties to, and will make even greater demands on the time of, the United Nations Department for Disarmament Affairs. The Conference therefore requests the United Nations Secretary-General to allocate the necessary staff resources and other requirements based in the United Nations Department for Disarmament Affairs in Geneva to assist the effective implementation of the relevant decisions of the Third Review Conference, in particular of the confidence-building measures. In that respect the Secretary-General is requested to receive, compile, and make available to States parties information related to the implementation of the Convention and of the decisions of the Third Review Conference. The use of the United Nations Department for Disarmament Affairs computer database system could facilitate this work. The States parties agree to review inter alia the requirement for, and the operation of, these additional arrangements at the Fourth Review Conference.

The Conference notes the importance of Article V and reaffirms the obligation assumed by States parties to consult and cooperate with one another in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention.

The Conference reaffirms the agreement reached at the Second Review Conference, and agrees that in order to strengthen the implementation of the provisions of Article V the following procedures should be adopted:

- A formal consultative meeting could be preceded by bilateral or other consultations by agreement among those States parties involved in the problems which had arisen;
- Requests for the convening of a consultative meeting shall be addressed to the Depositaries, who shall immediately inform all States parties of the request and shall convene within 30 days an informal meeting of interested States parties to discuss the arrangements for the formal consultative meeting, which shall be convened within 60 days of receipt of the request;

- With regard to the taking of decisions, the consultative meeting shall proceed in accordance with rule 28 of the rules of procedure of the Review Conference;
- The costs of the consultative meeting shall be met by the States parties participating in accordance with the United Nations assessment scale prorated to take into account differences between the United Nations membership and the number of States parties participating in the meeting;
- A consultative meeting may consider any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention, suggest ways and means for further clarifying, inter alia, with assistance of technical experts, any matter considered ambiguous or unresolved, as well as initiate appropriate international procedures within the framework of the United Nations and in accordance with its Charter;
- The consultative meeting, or any State party, may request specialized assistance in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention, through, inter alia, appropriate international procedures within the framework of the United Nations and in accordance with its Charter;
- The States parties agree that, should the consultative meeting, or any State party, make use of such procedures within the framework of the United Nations, including lodging a complaint with the Security Council under Article VI of the Convention, the Secretary-General may be kept informed;
- The Conference considers that States parties shall cooperate with the consultative meeting in its consideration of any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention, and in clarifying ambiguous and unresolved matters, as well as cooperate in appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

The Conference reaffirms that 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.

The Conference, determined to strengthen the effectiveness and improve the implementation of the Convention and recognizing that effective verification could reinforce the Convention, decides to establish an Ad Hoc Group of Governmental Experts open to all States parties to identify and examine potential verification measures from a scientific and technical standpoint.

The Group shall meet in Geneva for the period 30 March to 10 April 1992. The Group will hold additional meetings as appropriate to complete its work as soon as possible, preferably before the end of 1993. In accordance with the agreement reached in the Preparatory Committee, the Group shall be chaired by Ambassador Tibor Tóth (Hungary), who shall be assisted by two Vice-Chairmen to be elected by the States parties participating in the first meeting.

The Group shall seek to identify measures which could determine:

- Whether a State party is developing, producing, stockpiling, acquiring or retaining microbial or other biological agents or toxins, of types and in quantities that have no justification for prophylactic, protective or peaceful purposes;
- Whether a State party is developing, producing, stockpiling, acquiring or retaining weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

Such measures could be addressed singly or in combination. Specifically, the Group shall seek to evaluate potential verification measures, taking into account the broad range of types and quantities of microbial and other biological agents and toxins, whether naturally occurring or altered, which are capable of being used as means of warfare.

To these ends the Group could examine potential verification measures in terms of the following main criteria:

- Their strengths and weaknesses based on, but not limited to, the amount and quality of information they provide, and fail to provide;
- Their ability to differentiate between prohibited and permitted activities;
- Their ability to resolve ambiguities about compliance;
- Their technology, material, manpower and equipment requirements;
- Their financial, legal, safety and organizational implications;
- Their impact on scientific research, scientific cooperation, industrial development and other permitted activities, and their implications for the confidentiality of commercial proprietary information.

In examining potential verification measures, the Group should take into account data and other information relevant to the Convention provided by the States Parties.

The Group shall adopt by consensus a report taking into account views expressed in the course of its work. The report of the Group shall be a

description of its work on the identification and examination of potential verification measures from a scientific and technical standpoint, according to this mandate.

The report of the Group shall be circulated to all States Parties for their consideration. If a majority of States Parties ask for the convening of a conference to examine the report, by submitting a proposal to this effect to the Depositary Governments, such a conference will be convened. In such a case the conference shall decide on any further action. The conference shall be preceded by a preparatory committee.

The Conference stresses the need for all States to deal seriously with compliance issues and emphasizes that failure to do so undermines the Convention and the arms control and disarmament process in general.

The Conference appeals to States Parties to make all possible efforts to solve any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention with a view towards encouraging strict observance of the provisions subscribed to. In this connection, the States Parties agree to provide a specific, timely response to any compliance concern alleging a breach of their obligations under the Convention. Such responses should be submitted through the procedures provided for under the Convention. The Conference further requests that information on such efforts be provided to the Fourth Review Conference.

The Conference welcomes the proposals set out in annex I of United Nations document A/44/561 developed by a group of qualified experts and endorsed by the United Nations General Assembly in 1990 in its resolution 45/57 C for technical guidelines and procedures to guide the United Nations Secretary-General in the timely and efficient investigation of reports of the possible use of chemical and bacteriological (biological) or toxin weapons. The Conference recalls, in this context, United Nations Security Council resolution 620 of 1988, which encouraged the United Nations Secretary-General to carry out prompt investigations, in response to allegations brought to his attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxin weapons. The States Parties agree to consult, at the request of any State Party, regarding allegations of use or threat of use of bacteriological (biological) or toxin weapons and to cooperate fully with the United Nations Secretary-General in carrying out such investigations. The Conference stresses that in the case of alleged use the United Nations is called upon to take appropriate measures, which could include a request to the Security Council to consider action in accordance with the Charter.

Taking into account the specific characteristics of each region, neighbouring States or States belonging to the same region may also adopt measures that are consistent with the aims and objectives of the Convention in order to facilitate or complement the implementation of the decisions of the Third Review Conference with respect to Article V.

ARTICLE VI

The Conference notes that the provisions of this Article have not been invoked.

The Conference reaffirms the importance of Article VI, which, in addition to the procedures contained in Article V, provides that any State Party which finds that any other State Party is acting in breach of its obligations under the Convention may lodge a complaint with the United Nations Security Council. The Conference emphasized the provision of Article VI that such a complaint should include all possible evidence confirming its validity. It stressed that, as in the case of the implementation of all the provisions and procedures set forth in the Convention, the procedures foreseen in Article VI should be implemented in good faith and within the scope of the Convention.

The Conference invites the Security Council to consider immediately any complaint lodged under Article VI and to initiate any measures it considers necessary for the investigation of the complaint. The Conference reaffirms the undertaking of each State Party to cooperate in carrying out any investigations which the Security Council may initiate.

The Conference recalls, in this context, United Nations Security Council resolution 620 of 1988, which encouraged the United Nations Secretary-General to carry out prompt investigations, in response to allegations brought to his attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxin weapons.

The Conference invites the Security Council to inform each State Party of the results of any investigation initiated under Article VI and to consider promptly any appropriate further action which may be necessary.

ARTICLE VII

The Conference notes with satisfaction that these provisions have not been invoked.

The Conference reaffirms the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations 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.

The Conference takes note of desires expressed that, should a request for assistance be made, it be promptly considered and an appropriate response provided. In this context, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties if requested.

The Conference considers that in the event that this Article might be invoked, the United Nations, with the help of appropriate intergovernmental organizations such as the World Health Organization (WHO), could play a coordinating role.

ARTICLE VIII

The Conference reaffirms the importance of Article VIII and stresses the importance 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 17 June 1925.

The Conference reaffirms that nothing contained in the 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. The Conference appeals to all States Parties to the Geneva Protocol of 1925 to fulfil their obligations assumed under that Protocol and urges all States not yet Parties to the said Protocol to accede to it without delay.

The Conference acknowledges that the 1925 Geneva Protocol, by prohibiting the use of bacteriological methods of warfare, forms an essential complement to the biological and toxin weapons Convention.

The Conference stresses the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the biological and toxin weapons Convention.

The Conference notes that the United Nations has taken significant action in support of the Geneva Protocol of 1925 during the period under review, including through Security Council resolution 620 (1988) and General Assembly resolutions 41/58 C, 42/37 C, 43/74 A, 44/115 B and 45/57 C.

The Conference recalls that the participating States at the Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris from 7 to 11 January 1989, solemnly reaffirmed in its Final Declaration the prohibition as established in the Geneva Protocol of 1925 and urged all States which had not done so to accede to it.

ARTICLE IX

The Conference reaffirms the obligation assumed by States Parties to continue negotiations in good faith towards an early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction.

All States Parties participating in the Conference reiterate their strong commitment to this important goal.

The Conference notes with satisfaction the substantial progress made in the negotiations on a convention on chemical weapons in the Conference on Disarmament during the period under review. The Conference also takes note of the bilateral agreement, signed in June 1990, between the Union of Soviet Socialist Republics and the United States of America on destruction and non-production of chemical weapons.

The Conference urges the Conference on Disarmament to exert all possible efforts to implement the mandate for the chemical weapons negotiations as amended on 20 June 1991, and to achieve final agreement by 1992 on the convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction. The Conference notes the statements of intent by many States to become original parties to the chemical weapons convention and calls on all States to adhere early to the convention when concluded so as to ensure its early entry into force.

ARTICLE X

The Conference emphasizes the increasing importance of the provisions of Article X, especially in the light of recent scientific and technological developments in the field of biotechnology, bacteriological (biological) agents and toxins with peaceful applications, which have vastly increased the potential for cooperation between States to help promote economic and social development, and scientific and technological progress, particularly in the developing countries, in conformity with their interests, needs and priorities.

The Conference, while acknowledging what has already been done towards this end, notes with concern the increasing gap between the developed and the developing countries in the field of biotechnology, genetic engineering, microbiology and other related areas. The Conference urges all States Parties actively to promote international cooperation and exchange with States Parties in the peaceful uses of biotechnology, and urges the developed countries possessing advanced biotechnology to adopt positive measures to promote technology transfer and international cooperation on an equal and non-discriminatory basis, in particular with the developing countries, for the benefit of all mankind.

The Conference urges the United Nations and States Parties to take specific measures within their competence for the promotion of the fullest possible international cooperation in this field through their active intervention. Such measures could include, inter alia:

- Transfer and exchange of information concerning research programmes in biosciences, and greater cooperation in international public health and disease control;
- Wider transfer and exchange of information, materials and equipment among States on a systematic and long-term basis;
- Active promotion of contacts between scientists and technical personnel on a reciprocal basis, in relevant fields;
- Increased technical cooperation and assistance, including training programmes to developing countries in the use of biosciences and genetic engineering for peaceful purposes through active association with United Nations institutions, including the International Centre for Genetic Engineering and Biotechnology;

- Facilitating the conclusion of bilateral, regional and multiregional agreements providing, on a mutually advantageous, equal and non-discriminatory basis, for their participation in the development and application of biotechnology;
- Encouraging the coordination of national and regional programmes and working out in an appropriate manner the ways and means of cooperation in this field;
- Cooperation in providing information on their national epidemiological surveillance and data reporting systems, and in providing assistance, on a bilateral level and/or in conjunction with WHO, regarding epidemiological surveillance, with a view to improvements in the identification and timely reporting of significant outbreaks of human and animal diseases.

The Review Conference considers that the establishment of a world data bank under the supervision of the United Nations might be a suitable way of facilitating the flow of information in the field of genetic engineering, biotechnology and other scientific developments.

The Conference urges the use of existing institutional means within the United Nations system and the full utilization of the possibilities provided by the specialized agencies and other international organizations.

The Conference notes that existing institutional ways and means of ensuring multilateral cooperation between the developed and developing countries would need to be developed further in order to promote international cooperation in the field of peaceful activities in such areas as medicine, public health and agriculture.

The Review Conference calls upon the Secretary-General of the United Nations to propose for inclusion on the agenda of a relevant United Nations body, not later than 1993, a discussion and examination of the means of improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information regarding the use of bacteriological (biological) agents and toxins for peaceful purposes.

The Conference recommends that invitations to participate in this discussion and examination should be extended to all States Parties, whether or not they are members of the United Nations or concerned specialized agencies.

The Conference requests the States Parties and the United Nations Secretariat to include in the document materials prepared for the above-mentioned discussion of States Parties, information and suggestions on the implementation of Article X, taking into account the preceding paragraphs. Furthermore, it urges the specialized agencies, *inter alia*, FAO, WHO, UNESCO, WIPO and UNIDO, to participate in this discussion and fully cooperate with the Secretary-General of the United Nations, and requests the Secretary-General to send all relevant information on this Conference to these agencies.

The Conference requests that the Secretary-General collate on an annual basis, and for the information of States Parties, reports on how this Article is being implemented.

The Conference notes that one of the fields of cooperation in microbiology would be the study of the influence of enhanced radioactivity on microorganisms aimed at reducing its potentially harmful effects on humans, plants and animals, to be carried out within the United Nations programme for the minimization of the consequences of the Chernobyl accident.

The Conference welcomes efforts to elaborate an international programme of vaccine development for the prevention of diseases which would involve scientific and technical personnel from developing countries which are States Parties to the Convention. The Conference recognizes that such a programme might not only enhance peaceful international cooperation in biotechnology but will also contribute to improving health care in developing countries and provide transparency in accordance with the Convention.

ARTICLE XI

The Conference notes the importance of Article XI and that since the entry into force of the Convention the provisions of the article have not been invoked. In this context the Conference underlined that the provisions of Article XI should in principle be implemented in such a way as not to affect the universality of the Convention.

ARTICLE XII

The Conference decides that a Fourth Review Conference shall be held in Geneva at the request of a majority of States Parties not later than 1996.

The Conference decides that the Fourth Review Conference shall consider, inter alia:

- The impact of scientific and technological developments relating to the Convention;
- The relevance of the provisions of the chemical weapons convention on the effective implementation of the biological and toxin weapons Convention;
- The effectiveness of coordinated confidence-building measures as agreed in this Final Declaration;
- The report of the Ad Hoc Group of Governmental Experts on Verification, as well as the conclusions of a special conference, if it is convened earlier;
- The requirement for, and the operation of, the requested allocation by the United Nations Secretary-General of staff resources and other

requirements to assist the effective implementation of the relevant decisions of the Third Review Conference, and in particular of the confidence-building measures;

- In the light of these considerations and of the provisions of Article XI, whether or not follow-up action is called for to create further cooperative measures in the context of Article V or legally binding improvements to the Convention, or a combination of both.

The Review Conference recommends that conferences of States Parties to review the operation of the Convention should be held at least every five years.

ARTICLE XIII

The Conference notes the provisions of Article XIII and expresses its satisfaction that no State Party to the Convention has exercised its right to withdraw from the Convention.

ARTICLE XIV

The Conference notes with satisfaction that a significant number of States have ratified or acceded to the Convention since the Second Review Conference and the 1989 Paris Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, and that there are now more than 115 States Parties to the Convention, including all the permanent members of the Security Council of the United Nations.

The Conference calls upon States which have not yet ratified or acceded to the Convention to do so without delay and upon those States which have not signed the Convention to join the States Parties thereto thus contributing to the achievement of universal adherence to the Convention.

In this connection the Conference encourages States Parties to take action to persuade non-parties to accede to the Convention without delay.

The Conference particularly welcomes regional initiatives that would lead to wider accession to the Convention.

The Third Review Conference appeals to those States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons which have not taken part in the Conference to participate in the implementation of provisions contained in the Final Declaration of this Conference, and in particular to implement the agreed confidence-building measures.

ARTICLE XV

The Conference notes the provisions of Article XV.

Annex to Final Declaration on
Confidence-building measures

At the Third Review Conference it was agreed that all States Parties present the following declaration:

1. Declaration form on Nothing to Declare or Nothing New to Declare for use in the information exchange

Measure	Nothing to declare	Nothing new to declare
A, part 1	<input type="checkbox"/>	<input type="checkbox"/>
A, part 2 (i)	<input type="checkbox"/>	<input type="checkbox"/>
A, part 2 (ii)	<input type="checkbox"/>	<input type="checkbox"/>
A, part 2 (iii)	<input type="checkbox"/>	<input type="checkbox"/>
B (i)	<input type="checkbox"/>	<input type="checkbox"/>
B (ii)	<input type="checkbox"/>	<input type="checkbox"/>
C	<input type="checkbox"/>	<input type="checkbox"/>
D	<input type="checkbox"/>	<input type="checkbox"/>
E	<input type="checkbox"/>	<input type="checkbox"/>
F	<input type="checkbox"/>	<input type="checkbox"/>
G	<input type="checkbox"/>	<input type="checkbox"/>

(Please mark the appropriate box(es) for each measure, with a tick.)

Date: _____

State Party to the Convention: _____

2. CONFIDENCE-BUILDING MEASURE "A":

Part 1: Exchange of data on research centres and laboratories

At the Third Review Conference it was agreed that States Parties continue to implement the following:

"Exchange of data, including name, location, scope and general description of activities, on research centres and laboratories that meet very high national or international safety standards established for handling, for permitted purposes, biological materials that pose a high individual and community risk or specialize in permitted biological activities directly related to the Convention."

Modalities

The Third Review Conference agreed that data should be provided by States Parties on each facility, within their territory or under their jurisdiction or control anywhere, which has any maximum containment laboratories meeting those criteria for such maximum containment laboratories as specified in the 1983 WHO Laboratory Biosafety Manual such as those designated as biosafety level 4 (BL4) or P4 or equivalent standards.

Exchange of data on research centres and laboratories 1/

1. Name(s) of facility 2/ _____

2. Responsible public or private organization or company _____

3. Location and postal address _____

4. Source(s) of financing of the reported activity, including indication if the activity is wholly or partly financed by the Ministry of Defence

5. Number of maximum containment units 3/ within the research centre and/or laboratory, with an indication of their respective size (m²)

6. If no maximum containment unit, indicate highest level of protection

7. Scope and general description of activities, including type(s) of micro-organisms and/or toxins as appropriate

1/ The containment units which are fixed patient treatment modules, integrated with laboratories, should be identified separately.

2/ For facilities with maximum containment units participating in the national biological defence research and development programme, please fill in name of facility and mark "Declared in accordance with Form A, part 2 (iii)".

3/ In accordance with the 1983 WHO Laboratory Biosafety Manual, or equivalent.

Part 2: Exchange of information on national biological defence research and development programmes

At the Third Review Conference it was agreed that States Parties are to implement the following:

In the interest of increasing the transparency of national research and development programmes on biological defence, the States Parties will declare whether or not they conduct such programmes. States Parties agreed to provide, annually, detailed information on their biological defence research and development programmes including summaries of the objectives and costs of effort performed by contractors and in other facilities. If no biological defence research and development programme is being conducted, a "null" report will be provided.

States Parties will make declarations in accordance with the attached forms, which require the following information:

- (1) the objective and summary of the research and development activities under way indicating whether work is conducted in the following areas: prophylaxis, studies on pathogenicity and virulence, diagnostic techniques, aerobiology, detection, treatment, toxinology, physical protection, decontamination and other related research;
- (2) whether contractor or other non-defence facilities are utilized and the total funding provided to that portion of the programme;
- (3) the organizational structure of the programme and its reporting relationships; and
- (4) the following information concerning the defence and other governmental facilities in which the biological defence research and development programme is concentrated:
 - (a) location;
 - (b) the floor areas (sqM) of the facilities including that dedicated to each of BL2, BL3 and BL4 level laboratories;
 - (c) the total number of staff employed, including those contracted full time for more than six months;
 - (d) numbers of staff reported in (c) by the following categories: civilian, military, scientists, technicians, engineers, support and administrative staff;
 - (e) a list of the scientific disciplines of the scientific/engineering staff;
 - (f) the source and funding levels in the following three areas: research, development, and test and evaluation; and
 - (g) the policy regarding publication and a list of publicly-available papers and reports.

National biological defence research and development programme Declaration

Is there a national programme to conduct biological defence research and development within the territory of the State Party, under its jurisdiction or control anywhere? Activities of such a programme would include prophylaxis, studies on pathogenicity and virulence, diagnostic techniques, aerobiology, detection, treatment, toxinology, physical protection, decontamination and other related research.

Yes/No

If the answer is Yes, complete Form A, part 2 (ii) which will provide a description of the programme.

Form A, part 2 (ii)

National biological defence research and development programme

Description

1. State the objectives and funding of the programme and summarize the principal research and development activities conducted in the programme. Areas to be addressed shall include: prophylaxis, studies on pathogenicity and virulence, diagnostic techniques, aerobiology, detection, treatment, toxinology, physical protection, decontamination and other related research.

2. State the total funding for the programme and its source.

3. Are aspects of this programme conducted under contract with industry, academic institutions, or in other non-defence facilities?

Yes/No

4. If yes, what proportion of the total funds for the programme is expended in these contracted or other facilities?

5. Summarize the objectives and research areas of the programme performed by contractors and in other facilities with the funds identified under paragraph 4.

6. Provide a diagram of the organizational structure of the programme and the reporting relationships (include individual facilities participating in the programme).

7. Provide a declaration in accordance with Form A, part 2 (iii) for each facility, both governmental and non-governmental, which has a substantial proportion of its resources devoted to the national biological defence research and development programme, within the territory of the reporting State, or under its jurisdiction or control anywhere.

Form A, part 2 (iii)

National biological defence research and development programme

Facilities

Complete a form for each facility declared in accordance with paragraph 7 in Form A, part 2 (ii).

In shared facilities, provide the following information for the biological defence research and development portion only.

1. What is the name of the facility?

2. Where is it located (include both address and geographical location)?

3. Floor area of laboratory areas by containment level:

BL2 _____ (sqM)

BL3 _____ (sqM)

BL4 _____ (sqM)

Total laboratory floor area _____ (sqM)

4. The organizational structure of each facility.

(i) Total number of personnel _____

(ii) Division of personnel:

Military _____

Civilian _____

(iii) Division of personnel by category:

Scientists _____

Engineers _____

Technicians _____

Administrative and support staff _____

(iv) List the scientific disciplines represented in the scientific/engineering staff.

(v) Are contractor staff working in the facility? If so, provide an approximate number.

(vi) What is (are) the source(s) of funding for the work conducted in the facility, including indication if activity is wholly or partly financed by the Ministry of Defence?

(vii) What are the funding levels for the following programme areas:

Research

Development

Test and evaluation

(viii) Briefly describe the publication policy of the facility:

(ix) Provide a list of publicly-available papers and reports resulting from the work during the previous 12 months. (To include authors, titles and full references.)

5. Briefly describe the biological defence work carried out at the facility, including type(s) of micro-organisms * and/or toxins studied, as well as outdoor studies of biological aerosols.

* Including viruses and prions.

3. CONFIDENCE-BUILDING MEASURE "B":

Exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins

At the Third Review Conference it was agreed that States Parties continue to implement the following:

Exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins, and on all such events that seem to deviate from the normal pattern as regards type, development, place, or time of occurrence. The information provided on events that deviate from the norm will include, as soon as it is available, data on the type of disease, approximate area affected, and number of cases.

Modalities

The Third Review Conference agreed the following definition:

An outbreak or epidemic is the occurrence of an unusually large or unexpected number of cases of an illness or health-related event in a given place at a given time. The number of cases considered as unusual will vary according to the illness or event and the community concerned.

Furthermore, reference was made to the following definitions:

An epidemic of infectious disease is defined as the occurrence of an unusually large or unexpected number of cases of a disease known or suspected to be of infectious origin, for a given place and time. It is usually a rapidly evolving situation, requiring a rapid response (WHO internal document CDS/Mtg/82.1).

The occurrence in a community or region of cases of an illness, specific health-related behaviour, or other health-related events clearly in excess of normal expectancy. The community or region, and the time period in which the cases occur, are specified precisely. The number of cases indicating the presence of an epidemic will vary according to the agent, size and type of population exposed, previous experience or lack of exposure to the disease, and time and place of occurrence: epidemicity is thus relative to usual frequency of the disease in the same area, among the specified population, at the same season of the year. A single case of a communicable disease long absent from a population or first invasion by a disease not previously recognized in that area requires immediate reporting and full field investigation: two cases of such a disease associated in time and place may be sufficient evidence to be considered an epidemic. (J.M. Last, A Dictionary of Epidemiology, Oxford University Press, New York, Oxford, Toronto, 1983.)

The Third Review Conference agreed on the following:

1. In determining what constitutes an outbreak States Parties are recommended to take guidance from the above.

2. Since no universal standards exist for what might constitute a deviation from the normal pattern, States Parties agreed to utilize fully existing national reporting systems on human diseases as well as animal and plant diseases, where possible, and systems within the WHO to provide annual update of background information on diseases caused by organisms which meet the criteria for risk groups II, III and IV according to the classification in the 1983 WHO Laboratory Biosafety Manual, the occurrence of which, in their respective areas, does not necessarily constitute a deviation from normal patterns*.

3. Exchange of data on outbreaks that seem to deviate from the normal pattern is considered particularly important in the following cases:

- when the cause of the outbreak cannot be readily determined or the causative agent** is difficult to diagnose,
- when the disease may be caused by organisms which meet the criteria for risk groups III or IV, according to the classification in the 1983 WHO Laboratory Biosafety Manual,
- when the causative agent is exotic to a given region,
- when the disease follows an unusual pattern of development,
- when the disease occurs in the vicinity of research centres and laboratories subject to exchange of data under item A,
- when suspicions arise of the possible occurrence of a new disease.

4. In order to enhance confidence, an initial report of an outbreak of an infectious disease or a similar occurrence that deviate from the normal pattern should be given promptly after cognizance of the outbreak and should be followed up by annual reports.

To enable States Parties to follow a standardized procedure, the Conference has agreed that Form B (ii) should be used, to the extent information is known and/or applicable, for the exchange of initial as well as annual information.

5. In order to improve international cooperation in the field of peaceful bacteriological (biological) activities and in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, States Parties are encouraged to invite experts from other States Parties to assist in the handling of an outbreak, and to respond favourably to such invitations.

* This information should be provided in accordance with Form B (i).

** It is understood that this may include organisms made pathogenic by molecular biology techniques, such as genetic engineering.

Background information on outbreaks of reportable
infectious diseases

Disease	Number of cases per year				
	1988	1989	1990	1991	1992

Form B (ii)

Information on outbreaks of infectious diseases and similar occurrences, that seem to deviate from the normal pattern

1. Time of cognizance of the outbreak
2. Location and approximate area affected
3. Type of disease/intoxication
4. Suspected source of disease/intoxication
5. Possible causative agent(s)
6. Main characteristics of systems
7. Detailed symptoms, when applicable
 - respiratory
 - circulatory
 - neurological/behavioural
 - intestinal
 - dermatological
 - nephrological
 - other
8. Deviation(s) from the normal pattern as regards
 - type
 - development
 - place of occurrence
 - time of occurrence
 - symptoms
 - virulence pattern

- drug resistance pattern	.....
- agent(s) difficult to diagnose	.....
- presence of unusual vectors	.....
- other	.....
9. Approximate number of primary cases	.....
10. Approximate number of total cases	.....
11. Number of deaths	.....
12. Development of the outbreak	.....
13. Measures taken	.....

4. CONFIDENCE-BUILDING MEASURE "C":

- Encouragement of publication of results and promotion of use of knowledge

At the Third Review Conference it was agreed that States parties continue to implement the following:

"Encouragement of publication of results of biological research directly related to the Convention, in scientific journals generally available to States parties, as well as promotion of use for permitted purposes of knowledge gained in this research."

Modalities

The Third Review Conference agreed on the following:

1. It is recommended that basic research in biosciences, and particularly that directly related to the Convention should generally be unclassified and that applied research to the extent possible, without infringing on national and commercial interests, should also be unclassified.
2. States parties are encouraged to provide information on their policy as regards publication of results of biological research, indicating, inter alia, their policies as regards publication of results of research carried out in research centres and laboratories subject to exchange of information under item A and publication of research on outbreaks of diseases covered by item B, and to provide information on relevant scientific journals and other relevant scientific publications generally available to States parties.
3. The Third Review Conference discussed the question of cooperation and assistance as regards the safe handling of biological material covered by the Convention. It concluded that other international forums were engaged in this field and expressed its support for efforts aimed at enhancing such cooperation.

5. CONFIDENCE-BUILDING MEASURE "D":

- Active promotion of contacts

At the Third Review Conference it was agreed that States parties continue to implement the following:

"Active promotion of contacts between scientists, other experts and facilities engaged in biological research directly related to the Convention, including exchanges and visits for joint research on a mutually agreed basis."

Modalities

The Third Review Conference agreed on the following:

In order to actively promote professional contacts between scientists, joint research projects and other activities aimed at preventing or reducing the occurrence of ambiguities, doubts and suspicions and at improving international cooperation in the field of peaceful bacteriological (biological) activities, States parties are encouraged to provide information, to the extent possible:

- on planned international conferences, seminars, symposia and similar events dealing with biological research directly related to the Convention,
- on other opportunities for exchange of scientists, joint research or other measures to promote contacts between scientists engaged in biological research directly related to the Convention.

To enable States parties to follow a standardized procedure, the Third Review Conference has agreed that Form D should be used for exchange of information under this item.

Form D

Active promotion of contacts

1. Planned international conferences, symposia, seminars, and other similar forums for exchange

For each such event, the following information should be provided:

- name of the conference, etc.
- arranging organization(s), etc.
- time
- place
- main subject(s) for the conference, etc.
-
- conditions for participation
-
- point of contact for further information, registration, etc.
-
-

2. Information regarding other opportunities

.....
.....
.....

6. CONFIDENCE-BUILDING MEASURE "E"

- Declaration of legislation, regulations and other measures

At the Third Review Conference the States parties agreed to implement the following:

As an indication of the measures which they have taken to implement the Convention, States parties shall declare whether they have legislation, regulations or other measures:

- (a) to prohibit the development, production, stockpiling, acquisition or retention of microbial or other biological agents, or toxins, weapons, equipment and means of delivery, specified in Article I of the Convention, within their territory or anywhere under their jurisdiction or control;
- (b) in relation to the export or import of micro-organisms pathogenic to man, animals and plants or of toxins in accordance with the Convention;

States parties shall complete the attached form (Form E) and shall be prepared to submit copies of the legislation or regulations, or written details of other measures on request to the United Nations Department for Disarmament Affairs or to an individual State party. On an annual basis States parties shall indicate, also on the attached form, whether or not there has been any amendment to their legislation, regulations or other measures.

Form E

Declaration of legislation, regulations and other measures

<u>Relating to</u>	<u>Legislation</u>	<u>Regulations</u>	<u>Other measures</u>	<u>Amended since last year</u>
(a) Development, production stockpiling, acquisition or retention of microbial or other biological agents, or toxins, weapons, equipment and means of delivery specified in Article I	YES/NO	YES/NO	YES/NO	YES/NO
(b) Exports of micro-organisms* and toxins	YES/NO	YES/NO	YES/NO	YES/NO
(c) Imports of micro-organisms* and toxins	YES/NO	YES/NO	YES/NO	YES/NO

* Micro-organisms pathogenic to man, animals and plants in accordance with the Convention.

7. CONFIDENCE-BUILDING MEASURE "F":

- Declaration of past activities in offensive and/or defensive biological research and development programmes

In the interest of increasing transparency and openness, States parties shall declare whether or not they conducted any offensive and/or defensive biological research and development programmes since 1 January 1946.

If so, States parties shall provide information on such programmes, in accordance with Form F.

Form F

Declaration of past activities in offensive and/or defensive biological research and development programmes

1. Date of entry into force of the Convention for the State party.
2. Past offensive biological research and development programmes:
 - YES - NO
 - Period(s) of activities
 - Summary of the research and development activities indicating whether work was performed concerning production, test and evaluation, weaponization, stockpiling of biological agents, the destruction programme of such agents and weapons, and other related research.
3. Past defensive biological research and development programmes:
 - YES - NO
 - Period(s) of activities
 - Summary of the research and development activities indicating whether or not work was conducted in the following areas: prophylaxis, studies on pathogenecity and virulence, diagnostic techniques, aerobiology, detection, treatment, toxinology, physical protection, decontamination, and other related research, with location if possible.

8. CONFIDENCE-BUILDING MEASURE "G"

- Declaration of vaccine production facilities

To further increase the transparency of biological research and development related to the Convention and to broaden scientific and technical knowledge as agreed in Article X, each State party will declare all facilities, both governmental and non-governmental, within its territory or under its jurisdiction or control anywhere, producing vaccines licensed by the State party for the protection of humans. Information shall be provided on Form G attached.

Form G

Declaration of vaccine production facilities

1. Name of facility:
2. Location (mailing address):
3. General description of the types of diseases covered:

**Third Review Conference of the Parties to the Convention
on the Prohibition of the Development, Production and
Stockpiling of Bacteriological (Biological) and Toxin
Weapons and on their Destruction**

Final Document

PART III

Report of the Committee of the Whole

REPORT OF THE COMMITTEE OF THE WHOLE

1. At its first plenary meeting on 9 September, the Review Conference decided, in accordance with rule 35 of its Rules of Procedure, to establish a Committee of the Whole to consider in detail the substantive issues relevant to the Convention with a view to facilitating the work of the Conference.

2. At its third plenary meeting on 10 September, the Conference elected by acclamation Ambassador Hendrik Wagenmakers (Netherlands) as Chairman of the Committee of the Whole, and Mr. Valeri Koutchynsky (Ukraine) and Ambassador A.T. Mugomba (Zimbabwe) as Vice-Chairmen.

3. At its fifth plenary meeting on 12 September, the Conference, on the recommendation of the General Committee, decided that the Committee of the Whole should undertake the review of the various articles and provisions of the Convention under agenda items 10 (b), 10 (c), as well as to consider items 11 and 12, as follows:

10. Review of the operation of the Convention as provided for in its Article XII

(b) Articles I-XV

(c) Preambular paragraphs and purposes of the Convention

11. Consideration of issues identified in the review of Article XII contained in the Final Declaration of the Second Review Conference, and possible follow-up action

12. Other matters, including the question of future review of the Convention

4. At its first meeting on 13 September, at the suggestion of the Chairman, the Committee of the Whole approved its method of work, clustering items as follows: Articles I-II; Articles III-IV; Article V; Articles VI-IX; Article X; and Articles XI-XV, including the Preamble. The Committee also examined agenda items 11 and 12.

5. The Committee of the Whole held nine meetings during the period from 13 to 19 September. In addition, the Committee held a series of informal consultations. Mr. F. Calderón (Peru), acting as Friend of the Chairman, coordinated technical consultations on the issue of confidence-building measures and Mr. S. Gizowski (Poland), acting as the Focal Point for verification issues, coordinated consultations on this matter.

6. In the course of the work of the Committee a number of proposals were presented on the Articles of the Convention. These proposals appear in Annex I of this report. The Chairman of the Committee of the Whole, at his responsibility, introduced a Chairman's Paper on the "Possible Framework for Structuring the Proposals Pertaining to Articles I to XV", contained in document BWC/CONF.III/Misc.4, annexed to this report (see Annex II). At its ninth and final meeting on 19 September 1991, the Committee of the Whole adopted its report.

7. The following is the Chairman's summary of the various views expressed during the deliberations of the Committee.

Preamble

8. Speakers reaffirmed the continued validity of the purposes and objectives of the Convention. There was general agreement to focus attention on the operative part of the Convention and leave further discussion on the contents of the Preamble to the Drafting Committee.

Articles I-II

9. Participants reaffirmed their commitment to the original undertaking not to develop, produce, stockpile or otherwise acquire or retain biological weapons and expressed their strong support for the strengthening of the regime established by the Convention.

10. At the same time, some participants felt that the scope of the Convention needed expansion, particularly in light of recent developments in the fields of biotechnology and genetic engineering. Within this context several delegations made suggestions on improved definitions of agents, toxins and equipment relevant to the Convention. Other delegations considered that the present scope of the Convention was adequate, and covered all scientific and technological developments relevant to the Convention. Some delegations considered the absence of the prohibition of use of biological weapons in the Convention as a serious shortcoming and made specific proposals on this issue.

11. Within the context of Article II, it was noted with satisfaction that those countries that had become parties to the Convention since the Second Review Conference had made statements to the effect that they did not possess agents, toxins, weapons, equipment or the means of delivery referred to in Article I.

Articles III-IV

12. The importance of Article III was emphasized by delegations. Some delegations recognized the necessity to strengthen the regime of non-proliferation. In this context, suggestions were made regarding, inter alia, the establishment of strict national export control systems and the creation of a system of safeguards concerning end-use. A number of other delegations, however, considered that there was no need for additional restrictions. They pointed out that a narrow interpretation of Article III and the introduction of strict national export control systems would have a restricting effect on cooperation between States in the field of transfer for peaceful purposes of scientific knowledge, technology, equipment and materials.

13. Concerning Article IV, participants welcomed the recent declaration by a group of countries reaffirming their renunciation of the acquisition of chemical and biological weapons. In the context of this Article, some States parties supported the necessity of enacting of national laws and criminal legislation with a view to assuring domestic compliance. Participants called on States parties to declare their activities in this area annually.

Article V

14. The Conference reviewed the effectiveness of Article V dealing with consultation and cooperation. It was noted that the provisions of this Article encompass several important aspects which merited independent consideration. On this undertaking, the Committee created informal groups dealing with the issues of verification, confidence-building measures. Many delegations held the view that the establishment of procedures for the verification of compliance was of fundamental importance in strengthening confidence with respect to the Convention.

It was generally recognized that in order to strengthen the provision of Article V, transparency and openness in the implementation of the Convention should be enhanced. To that end, delegations emphasized the need to review the confidence-building measures agreed to at the Second Review Conference, and elaborated at the follow-up meeting of experts in 1987.

A considerable number of proposals were put forward with respect to various aspects of Article V with a view to improving consultation and cooperation procedures, promoting confidence, increasing openness and exchanges of information.

15. With respect to verification questions, the Committee entrusted to Mr. Gizowski of Poland the task of coordinating the consideration of a possible mandate for an ad hoc group of governmental experts. The Coordinator presented a report contained in the Chairman's informal paper (see Annex II). While all delegations again noted the lack of a verification mechanism of the Convention, some delegations stressed that such a mechanism should have a non-discriminatory and transparent character, taking into consideration economic and social development concerns. Many underlined the need for further study by experts on the scientific and technical feasibility as well as the modalities of a possible verification and compliance regime. Some States parties pointed to the complex nature of the issue, feeling that it would require careful study.

16. While welcoming the participation of States parties in the exchange of information to promote confidence in the implementation of the Convention, it was recognized that participation in that exchange had not met the expectations of most States parties. In the view of delegations, there was a need to improve or broaden the existing measures. Due to the technical nature of those measures, Mr. Felix Calderón of Peru was requested as a Friend of the Chair to coordinate a group of technical experts to discuss the different proposals put forward. The Coordinator presented to the Committee a set of proposals considered by the technical group (see Annex II). The Committee welcomed the work accomplished by the technical group. Many delegations stressed the need for finalizing the improved and new confidence-building measures during the Conference. However, some delegations felt that there could be a task for a possible follow-up mechanism in this respect. Many delegations pointed to the need for Secretariat support in the exchange of information among States parties.

17. Many delegations stressed the need for the establishment of an inter-sessional body to assist States parties in the implementation of the provisions of the Convention. Different views were expressed as to the size and the task of this inter-sessional body. Some parties advocated a group of an open-ended character, while others spoke out in favour of a limited composition.

Articles VI-IX

18. Underlining the importance of Article VI for strengthening compliance procedures, States parties noted with satisfaction that the provisions of this Article had not been invoked. Referring to the actual measures contained in the Article, some delegations expressed the view that the United Nations Security Council should act without delay if and when a complaint on the use of biological weapons, or any other violation of the Convention, is lodged with it. Moreover, these delegations noted the Security Council resolutions encouraging the United Nations Secretary-General to investigate any allegations of use of bacteriological and toxin weapons.

Other participants held the opinion that the Secretary-General of the United Nations should be empowered with the right to initiate any investigation through a Consultative Committee of Experts when complaints are lodged with him. The results of any such investigation should then be conveyed to the Security Council for action.

The importance of the voluntary nature of cooperation from States in the carrying out of any investigation by the Security Council was repeatedly stressed.

19. The Committee noted with satisfaction that the provisions of Article VII had not been invoked. One delegation suggested that the United Nations should be considered as a centre for providing the assistance stipulated in this Article since the text of the Convention does not mention any specific machinery for this purpose.

20. In reaffirming the importance of the Geneva Protocol of 1925, participants acknowledged that, by prohibiting the use of bacteriological methods of warfare, the Protocol forms an essential complement to the Biological Weapons Convention. States parties reiterated their conviction that nothing in the Biological Weapons Convention should be interpreted as limiting or detracting from the obligations assumed under the Geneva Protocol in any way. States parties welcomed the withdrawal, by some States, of their reservations to the Geneva Protocol and called on those States that had not yet done so to do likewise. Participants also took note of the Paris Conference of 1989.

21. States parties reaffirmed the obligation assumed, under Article IX, to continue negotiations in good faith, with a view to reaching early agreement on effective measures for the prohibition of the development, production and

stockpiling of chemical weapons and on their destruction. Speakers welcomed the significant progress made recently in the negotiations on this issue at the Conference on Disarmament. They expressed their support for the appeal by the President of the CD and the Chairman of the Ad Hoc Committee on Chemical Weapons to States outside the framework of the CD to take practical actions for the earliest possible adherence to the convention banning chemical weapons once it is concluded.

In the context of this Article some delegations noted the bilateral agreement signed between the United States of America and the USSR on the destruction and non-production of chemical weapons.

Article X

22. Article X commanded considerable attention from States parties. Many delegations stressed the necessity of increased cooperation between the scientifically advanced and the developing countries especially in light of recent developments in the fields of biotechnology and genetic engineering. In this connection, delegations referred to possible institutional ways and means of assuring this cooperation. The United Nations and the Secretary-General were often mentioned as an instrument to facilitate the fullest possible exchange of equipment, materials and scientific-technological information. Within this context, it was suggested that this issue be included in the agenda of a relevant United Nations body by 1992.

Some delegations underlined the view that any restriction on cooperation in the field of peaceful bacteriological (biological) activities might not only be detrimental to the participants and run contrary to the humanitarian purposes of this Article and the prevailing trends in the world, but would also have a negative effect on attaining the universality of the Convention. It was felt by those delegations that ever-widening and deepening cooperation is a key factor to increased adherence to the Convention by countries presently outside its framework.

Some delegations stressed the importance of this Article for promoting economic and social development, particularly in light of the results of the United Nations Conference on the Relationship between Disarmament and Development of 1987.

Articles XI-XV

23. In the discussions on Article XI, the proposal was made that any proposed amendment to the Convention must be done by the "qualified majority of States parties".

24. In referring to Article XII delegations stressed the importance of Review Conferences, especially at a time when the pace of scientific and technological developments has quickened considerably. It was suggested therefore that such conferences should be given the status of regularity and be organized at least every five years.

25. No proposals were put forward in relation to Article XIII.

26. In connection with Article XIV delegations overwhelmingly reiterated their call for universal adherence to the Convention. They expressed satisfaction at the growing number of States parties since the Second Review Conference. Some delegations suggested that an appeal should be included in the Final Declaration urging States that had not yet done so to adhere to the Convention as soon as possible. Participants expressed their strong support for any regional arrangements that would contribute to assuring universal adherence to the Convention.

ANNEX I

PROPOSALS PUT BEFORE THE COMMITTEE OF THE WHOLE

ANNEX I

PROPOSALS PUT BEFORE THE COMMITTEE OF THE WHOLE

PROPOSALS

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CLUSTER 1

Article I

Article II

UNITED KINGDOM/UNITED STATES OF AMERICA

17 September 1991

Article I - Compliance

The Conference emphasizes the vital importance of full implementation by all States parties of all the provisions of the Convention and expresses concern at statements by some States parties that compliance with Articles I, II and III [is] [has been], in their view, subject to grave doubt in some cases and that efforts since the Second Review Conference, when similar concerns were expressed, to resolve these concerns have not been successful.

[The Conference also notes the statements by other States parties that such doubts ...]

The Conference agrees that the application by State parties of a positive approach in questions of compliance in accordance with the provisions of the Convention is in the interest of all States parties and that continued non-compliance with its provisions could undermine confidence in the Convention.

UNITED STATES OF AMERICA

16 September 1991

Article I - Proposal

The States parties reaffirm that the Convention prohibits the development, production, stockpiling, other acquisition or retention of biological agents or toxins which have been altered with the intent to enhance their weapons capabilities and have no justification for prophylactic, protective or other peaceful purposes.

BULGARIA

16 September 1991

Article I

The significance of Article I has to be reaffirmed. It should be also emphasized that this Article covers scientific and technological developments relating to the Convention. It embraces unambiguously all natural and

artificially-created microbial and other biological agents and toxins regardless of the way they are produced. All biologically-produced chemical substances, regardless of their origin and way of production, and in quantities that cannot be justified by arguments for purported production for prophylactic, protective and other peaceful goals, are to be included in the notion "other biological agents and toxins". The same should be valid also for all other toxins be they of proteinaceous or non-proteinaceous, microbial, animal or vegetal origin, and their synthetically obtained analogues.

NEW ZEALAND/PERU, CHILE AND VENEZUELA
(REDRAFT)

17 September 1991

Article I - Proposal on plants and animals

The Conference reaffirms that the Convention prohibits the development, production, stockpiling, other acquisition or retention of microbial or other biological agents or toxins harmful to plants and animals, as well as humans, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

NIGERIA

16 September 1991

Article I - Proposal for the Final Declaration

The Review Conference notes that although the scope of the activities prohibited in Article I is extensive, the omission of the prohibition of use is a serious gap which the Geneva Protocol of 1925 does not satisfactorily cover. The Review Conference should welcome the prohibition of use in the draft Convention on Chemical Weapons and therefore give consideration to developing a Memorandum of Understanding on the explicit prohibition of use, as part of its Final Declaration. Text of such a Memorandum is as follows: "Each State party to this Convention undertakes never under any circumstances to use or threaten to use biological weapons as provided for in Article I of the Convention".

CZECH AND SLOVAK FEDERAL REPUBLIC, POLAND,
AUSTRALIA, FINLAND, VENEZUELA, ROMANIA,
NEW ZEALAND AND SWEDEN

13 September 1991

Article I or Article VIII - Proposal

The Conference calls upon all parties to the Geneva Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare, to withdraw their reservations to this international instrument if they have not yet done so.

HUNGARY

13 September 1991

Article I

1. States parties have taken note with satisfaction of and welcome as positive steps the withdrawal of the reservations made to the Geneva Protocol of 1925 by a number of States parties and they encourage other States parties to take similar action.

2. States parties solemnly declare that they consider the prohibition of the use of bacteriological (biological) and toxin weapons embodied in the Geneva Protocol of 1925 unconditional and reaffirm their determination not to admit the use of these weapons under any circumstances.

GERMANY

Version
13 September 1991

Final Document
(Draft)

Article I, paragraph 6

[(New) The Conference notes that several States parties consider that experimentation involving open-air release of pathogens or toxins harmful to man by explosives or other military devices is inconsistent with the undertakings contained in Article I and recommends that the States parties not conduct such experimentation.]

UNITED KINGDOM

13 September 1991

Article I
(to replace 1986 second paragraph)

The Conference, having considered the question of new scientific and technological developments relevant to the Convention, concludes that all such developments continue to be covered by the Scope of Article I which provides a comprehensive prohibition of bacteriological (biological) and toxin weapons, whatever their origin or method of production.

NEW ZEALAND

13 September 1991

Article 1 - Proposal on plants and animals

The Conference reaffirms that the Convention prohibits the development, production, stockpiling, other acquisition or retention of biological agents and toxins harmful to plants and animals, as well as humans, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

USSR

13 September 1991

Article I - Proposal

Add to the text of the Final Document of the Second Review Conference as new paragraph 3:

The Conference believes that an effort should be made to elaborate definitions of the subjects of prohibition as well as lists and appropriate threshold values of the agents, facilities and equipment that may be used for the BW purposes. This would be useful for clarifying the borderline between the prohibited and non-prohibited activities under the Convention.

PERU, VENEZUELA AND CHILE

13 September 1991

Article I

The Conference reaffirms the undertakings of States parties to take all necessary safety precautions to protect populations and the environment in relation to activities permitted by the Convention.

INDIA

Article I

- that the scope of Article I of the BW Convention covers scientific and technological developments relevant to the Convention;
- that the application by the States parties of a positive approach in regard to questions of compliance in accordance with the provisions of the Convention is in the interest of all and would serve to promote confidence among States parties;
- that apropos the apprehensions from relevant scientific and technological developments, inter alia, in the field of microbiology, genetic engineering and biotechnology and the possibility of their use inconsistent with the objectives and the provisions of the Convention, the undertaking given by States parties in Article I applies to all such developments;
- that the Convention unequivocally applies to all natural or artificially created microbial or other biological agents or toxins whatever their origin or method of production. Consequently, toxins (both proteinaceous and non-proteinaceous) of microbial, animal or vegetable nature or their synthetically produced analogues are covered by Article I. The suggestion made by the distinguished Ambassador of the United Kingdom of going through paragraphs under Article I of the Second Review Conference and inserting the new ideas is worthwhile.

PERU, CHILE, PANAMA AND VENEZUELA

13 September 1991

Article I - Proposals

1. The Review Conference should reaffirm that the creation, by any means, of biological agents or toxins with altered properties that might increase their usefulness as weapons agents is not justified under the BW Convention for any military purpose.
2. The Review Conference should reaffirm that all biologically produced chemicals, whatever their origin or method of production, of types and in quantities not justified for prophylactic, protective or other peaceful purposes are covered by the BW Convention.
3. The Review Conference should affirm that all microbial and other biological agents and toxins deleterious to plants, animals and humans are included under the agents covered by this Convention.

FRANCE

13 September 1991

Article II

The Conference notes the importance of Article II and welcomes the statements made by States which have become parties to the Convention since the Second Review Conference that they do not possess agents, toxins, weapons, equipment or means of delivery referred to in Article I of the Convention. The Conference believes that such statements contribute to enhancing confidence in the Convention.

BULGARIA

16 September 1991

Article II

The importance of this Article should be duly noted. In this respect there should be a few welcoming words about the declarations of those States which have joined the Convention after the Second Review Conference, to the effect that they do not possess microbic or other biological agents or toxins and weapons or means for their delivery, as indicated in Article I.

CLUSTER 2

Article III, Article IV

ROMANIA

16 September 1991

Proposal for the Final Declaration

Article III

The Conference calls upon all States parties to take steps to control export to non-parties of biological weapons related equipment and technologies which could be used for production of biological and toxin weapons. A concrete measure to preventing biological and toxin proliferation could be the establishment of a system of licences for export or import for re-exporting of any biological agents, related equipment and technologies. To this end, States parties would take into consideration the biological agents, related equipment and technologies, listed in the Annex.

ANNEX

List of biological agents, related equipment
and technologies which are subject to export
controls for preventing biological and toxin
weapons proliferation

A.

1. Biological agents adapted for use in war to produce casualties in humans or animals, or to damage crops.
2. Equipment specially designed and intended for the dissemination of the materials specified in head (1).
3. Equipment specially designed and intended for defence against the materials specified in head (1) and for their detection and identification.
4. Components specially designed for the items specified in head (2) or (3).
5. Biopolymers specially designed or processed for detection and identification of chemical warfare (CW) agents specified in head (1) and the cultures of specific cells used to produce them.

6. Biocatalysts for decontamination and degradation of CW agents, and biological systems therefore, the following:

(a) biocatalysts, specially designed for decontamination and degradation of CW agents specified in head (1), resulting from directed laboratory selection or genetic manipulation of biological systems;

(b) biological systems, the following: expression vectors, viruses or cultures of cells containing the genetic information specific to the production of biocatalysts specified in sub-head (6 a).

7. Technology, the following:

(a) technology for the development, production and use of biological agents, related equipment and components specified in heads (1) to (4);

(b) technology for the development, production and use of biopolymers and the cultures of specific cells used to produce them specified in head (5);

(c) technology exclusively for the incorporation of biocatalysts specified in sub-head (6 a) into military carrier substances or military material.

B.

Equipment and technology for the production equipment of items specified in Group A (heads (1) to (6)):

1. Specially designed or modified production equipment for the production of products specified in Group A.

2. Specially designed environmental test facilities and specially designed equipment therefore, for the certification, qualification or testing of products specified in Group A.

3. Production technology, even if the equipment with which such technology is to be used is not specified in Groups A or B.

4. Technology specific to the design of, the assembly of components into, and the operation, maintenance and repair of complete production installations even if the components themselves are not specified in Groups A or B.

HUNGARY

16 September 1991

Article III

The Conference stresses the importance of the non-proliferation of biological (toxin) weapons. It supports efforts and multilateral cooperation

aimed at developing an international reporting system and at establishing appropriate safeguards concerning the end-use of dual purpose technologies, equipment and materials.

BULGARIA

16 September 1991

Article III

The importance of Article III should be noted, with due emphasis on the control measures in exports as applied at the national level by an ever-increasing number of countries, so as not to allow an unchecked proliferation of agents and means indicated in Article I.

This Third Review Conference should be able to accept the view that States-participants to the Convention must not transfer to States that are not parties to the Convention any biological agents or toxins, or any other materials, equipment or information indicated in Article I that are under their jurisdiction or control, even for permitted purposes. Also, no agreements should be passed or allowed with States outside the Convention on scientific exchange, joint activities or cooperation dealing with activities that are otherwise permitted under the Convention. (This last para. could be related also to Art. V.)

CANADA, NORWAY, UNITED KINGDOM,
UNITED STATES OF AMERICA

17 September 1991

Article III - Proposal

The Conference calls upon States parties to establish national systems of control to facilitate the effective implementation of Article III. Relevant transfers should only be authorized when the State party is satisfied that the intended use is permitted under the Convention.

PROPOSAL BY NIGERIA FOR
THE FINAL DECLARATION

13 September 1991

Article III

The Review Conference decides that the provisions of Article III should apply as regards non-proliferation only to non-States parties. Bearing in mind the obligations undertaken by States parties under Articles I and II of the Convention, Article III should be implemented in a manner to allow States parties to have unimpeded access to exchange or transfer of microbials, biological agents and toxins, equipment and other materials for peaceful purposes in consonance with Article X.

ROMANIA

13 September 1991

To be included in the text proposed by Chile, Panama,
Peru and Venezuela, Article III, after the first
sentence of paragraph 1

A concrete measure in this sense could be the establishment of a system of licences for export or import for re-exporting of any such biological agents or toxins. To this effect one can take into consideration the list of biological agents, related equipment and technologies which are subject to export controls for preventing biological and toxin weapons proliferation that is given in Annex I.

UKRAINE

13 September 1991

Article III

The Conference stresses that the provisions of this Article should not be used to impose any restrictions and/or limitations on the transfer for purposes consistent with the objectives and the provisions of the Convention of scientific knowledge, technology, equipment and materials to States parties. Such transfers should be accompanied with measures of openness and transparency so that to exclude their diversion for the BW purposes.

PERU, CHILE, PANAMA AND VENEZUELA

13 September 1991

Article III - Proposal

1. The Review Conference should agree that the States parties will take steps to control transfers to non-parties of any biological agents or toxins or any material, equipment or information under their jurisdiction or control that is relevant to prohibited biological activities directly related to the Convention. They will not undertake with any State any personnel transfer, cooperative activity or other collaboration involving not permitted activities directly related to the Convention.

ARGENTINA AND BRAZIL

13 September 1991

Article III

1. The Conference noted with satisfaction the wish of the States parties to strengthen the controls related to the implementation of article III. In this context, it reaffirmed that this article is sufficiently comprehensive so as to cover the whole range of questions related to possible transfers of agents, toxins, weapons, equipment or means of delivery. It further stressed that the

issue of transfers control in this field should be kept under continuous multilateral consideration, on the basis of the undertakings contained in article III of the Convention.

PERU, CHILE, PANAMA, AND VENEZUELA

13 September 1991

Article IV - Proposal

1. The Review Conference should agree that States parties will declare annually what actions they have taken to assure domestic compliance with the Convention.

UKRAINE

16 September 1991

Article IV

To put the first subparagraph of paragraph 4 of the 1986 Final Document in conformity with the wording of the Convention so that it would read:

"- legislative, administrative and other measures designed effectively to guarantee compliance with the provisions of the Convention within the territory of a State party, under its jurisdiction or under its control anywhere".

VENEZUELA

16 September 1991

Article IV

The Conference welcomed also with satisfaction the initiative of the Government of Peru dealing with the renunciation by all members of the "Rio group" of weapons of mass destruction, including biological weapons, with a view to encompassing all the countries of the region in the future.

BULGARIA

16 September 1991

Article IV

Article IV should be duly noted as furnishing the legal basis of the Convention. There should be a renewed appeal to remaining States parties to the Convention to undertake the necessary measures, in accordance with their constitutional procedures, not to allow any activities running counter to the Conventions provisions.

This Review Conference should stress the importance of submitting information in accordance with the decisions of First and Second Review Conferences.

The Conference ought to agree that States parties should inform on an annual basis about:

- their legislative, administrative, and other actions undertaken to guarantee effectively the observance of the Convention on the territory under jurisdiction and control of their States;
- their legislation with regard to the physical protection of laboratories and production sites to prevent unauthorized access and deviation of pathogenic and toxic materials;
- publicizing the Convention's provisions by disseminating information on the prohibition of bacteriological (biological) and toxin weapons and the provisions of the 1925 Geneva Protocol, including in medical, scientific, and military educational programmes.

In the submission of the Bulgarian delegation the above-listed measures will strengthen the prestige and efficiency of this Convention.

UNITED STATES OF AMERICA

17 September 1991

Article IV - Proposal

The Conference calls upon each State party to examine its record in taking any necessary measures required by Article IV of the Convention. The Conference urges each State party to take concrete measures and, if they have not yet done so, to consider enacting criminal legislation, consistent with its constitutional processes, to enhance the objectives of Article IV. Such legislation, in conformity with international law, shall also extend, if possible, to relevant activities as are undertaken beyond their national territory by natural persons possessing its nationality.

UNITED STATES OF AMERICA

17 September 1991

Article IV - Proposal

In this regard, the Conference calls on States parties to report annually on actions taken to enact criminal legislation, to include:

- (a) what legislation or other legal measures had been enacted;

(b) what enforcement measures had been taken pursuant to the legal measures; and

(c) what prosecution or other punitive action had been taken against violators of the legal measures.

ARGENTINA, BRAZIL, CHILE AND URUGUAY

13 September 1991

Article IV - Proposal

COMMITTEE OF THE WHOLE

The Conference warmly welcomed the Declaration of Mendoza by which Argentina, Brazil, Chile and Uruguay reaffirmed their renunciation of the acquisition of chemical and biological weapons. The Declaration was seen as a concrete positive step towards the strengthening of the BWC regime.

CLUSTER 3

Article V

UNITED KINGDOM

17 September 1991

Article V - Consultations

The Conference reaffirms the agreement reached at the Second Review Conference, and agrees that in order to strengthen the implementation of the provisions of Article V the following procedures should be adopted:

- requests by any State party for the convening of a consultative meeting shall be addressed to the depositaries who shall immediately inform all States parties of the request and shall convene a meeting of States parties within [60] days of receipt of the request;
- the meeting could be preceded by bilateral or other consultations by agreement of those States parties involved in the problems which had arisen;
- with regard to the taking of decisions, the consultative meeting shall proceed in accordance with Rule 28 of the Rules of Procedure of the Review Conference;
- a consultative meeting may consider any problems which may arise in relation to the objective of, or in the application of the provisions of the Convention, suggest ways and means for further clarifying, inter alia, with assistance of technical experts, any matter considered ambiguous or unresolved, as well as initiate appropriate international procedures within the framework of the United Nations and in accordance with its Charter;
- the consultative meeting, or any State party, may request specialized assistance in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention, through, inter alia, appropriate international procedures within the framework of the United Nations and in accordance with its Charter;
- the States parties agree that, should the consultative meeting, or any State party, make use of such procedures within the framework of the United Nations, to include lodging a complaint with the Security Council under Article VI of the Convention, the Secretary-General may be kept informed;
- the States parties also agree that such specialized assistance as may be sought for solving problems which may arise in relation to the Convention could include a request by the consultative meeting,

or any State party, for assistance from the United Nations Security Council or United Nations Secretary-General in investigating or clarifying the facts following procedures available to him;

- the Conference considers that States parties shall cooperate with the consultative meeting in its consideration of any problems which may arise in relation to the objective of, or in the application of the provisions of the Convention, and in clarifying ambiguous and unresolved matters, as well as cooperate in appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

UNITED KINGDOM/UNITED STATES

17 September 1991

Article V - Compliance/Allegations of Use

(1986 Unchanged)

1. The Conference stresses the need for all States to deal seriously with compliance issues and emphasizes that the failure to do so undermines the Convention and the arms control process in general.

(1986 Modified)

2. The Conference appeals to States parties to make all possible efforts to solve any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention with a view towards encouraging strict observance of the provisions subscribed to. In this connection, the States parties agree to provide a specific, timely response to any compliance concern alleging a breach of its obligations under the Convention. Such response should be submitted through the mechanisms provided for under the Convention. The Conference further requests the information on such efforts to be provided to the Fourth Review Conference.

(New)

3. The Conference welcomes the proposals in United Nations document A/44/561, Annex 1, developed by a group of qualified experts and endorsed by the United Nations General Assembly in 1990 in its resolution 45/57 C for technical guidelines and procedures to guide the United Nations Secretary-General in the timely and efficient investigation of use of chemical and bacteriological or toxin weapons. The Conference recalls, in this context, United Nations Security Council resolution 620 of 1988 which encouraged the United Nations Secretary-General to carry out prompt investigations into alleged use of chemical and bacteriological or toxin weapons. The States parties agree to consult, at the request of any State party, regarding allegations of use of biological or toxin weapons and to cooperate fully with the United Nations Secretary-General in carrying out such investigations.

UNITED KINGDOM

Article V - Chapeau

In accordance with the decision of the Second Review Conference, and taking into account views expressed concerning the need to strengthen the implementation of the provisions of Article V, the Conference reviewed the effectiveness of the provisions in Article V for consultation and cooperation and of the cooperative measures agreed in the Final Declaration of the Second Review Conference and considered whether or not further actions were called for to create further cooperative measures in the context of Article V, or legally binding improvements to the Convention in the context of Article XI, or a combination of both. The Conference came to the following conclusions and recommendations:

[paragraphs to follow on discreet subjects]

UNITED STATES OF AMERICA
AND CANADA

17 September 1991

Article V - Proposal

The Conference notes declarations by States parties of their intention to consider individually the application of sanctions against any State which uses biological or toxin weapons as well as to consider individually appropriate measures, including sanctions, in response to any violations of the Convention. Such measures might include cessation of scientific and technical collaboration on any biological activity, trade restrictions or denial of economic assistance.

GERMANY/NETHERLANDS/CANADA

17 September 1991

Article V: (a) Confidence-building measures

...

To improve the awareness of States parties and to improve the participation in, and quality of, the exchange of information under Article V the Conference recommends the consideration of an indicative list of micro-organisms, viruses and toxins which are capable by their very nature of being used as a means of warfare in Annex [] for the preparation of their reports under the confidence-building measures to UNDDA, especially those for CBM B.

The Conference agrees that the attached list in Annex [] in no way will diminish or reduce the scope of Article 1 of the Convention.

Biological agents (micro-organisms, viruses and toxins), regardless of their origin and mode of production, which are capable, by their very nature, of being used as a means of warfare:

(a) capable, by their very nature are:

(i) pathogens with several of the following properties:

- the onset of a severe disease or a severe injury;
- a high rate of disease following infection;
- resistance against environmental influences;

(ii) toxins which are highly poisonous and resistant against environmental influences.

(b) capable, by their very nature are, above all, the following pathogens:

- *Pseudomonas mallei*;
- *Pseudomonas pseudomallei*;
- *Bacillus anthracis*;
- *Brucella* spp;
- *Francisella tularensis*;
- *Yersinia pestis*;
- *Coxiella burnetii*;
- *Chlamydia psittaci*;
- *Rickettsia* spp;
- Orthopox viruses;
- Viruses causing any type of haemorrhagic fever;
- Viruses causing any type of encephalitis or encephalomyelitis.

(c) capable, by their very nature are above all, the following toxins:

- Clostridial toxins;
- Staphylococcal toxins;
- Saxitoxin;
- Ricin.

UNITED KINGDOM

13 September 1991

CONFIDENCE-BUILDING MEASURE ON DECLARATION OF LEGISLATION,
REGULATIONS AND OTHER MEASURES

As an indication of the measures which they have taken to implement in particular Articles III and IV of the Convention, States parties shall declare whether they have legislation, regulations or other measures:

(a) to prohibit the development, production, stockpiling acquisition or retention of biological warfare agents, toxins, weapons equipment and means of delivery, specified in Article I, within their territory or anywhere under their jurisdiction or control;

(b) to monitor or control the export or import of micro-organisms and toxins pathogenic to man;

(c) to control activities involving genetic manipulation, experimentation, handling or transport of micro-organisms or toxins pathogenic to man.

States parties shall annually complete the attached form and shall be prepared to submit copies of the legislation, or regulations or written details of other measures on request to the UNDDA or to an individual State party.

FORM FOR DECLARATION OF LEGISLATION, REGULATIONS AND OTHER MEASURES

Tick box where applicable

CONTROL OF	LEGISLATION	REGULATIONS	OTHER MEASURES	AMENDED SINCE LAST YEAR
(a) Development, production, stockpiling, acquisition or retention of BW agents, toxins, weapons, equipment, and means of delivery specified in Article I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Exports of micro-organisms and toxins pathogenic to man	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Imports of micro-organisms and toxins pathogenic to man	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Genetic manipulation of micro-organisms pathogenic to man	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Experimentation on micro-organisms pathogenic to man	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Handling of micro-organisms and toxins pathogenic to man	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Transport of micro-organisms and toxins pathogenic to man	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

UNITED KINGDOM

CONFIDENCE-BUILDING MEASURE A

Data should be provided by States parties on each facility, excluding patient treatment modules, within territory under their jurisdiction or control, which has any maximum containment laboratories meeting those criteria for such maximum containment laboratories as specified in the 1983 WHO Laboratory Biosafety Manual such as those designated as biosafety level 4 (BL4) or P4 or equivalent standards.

FRANCE

13 September 1991

CONFIDENCE-BUILDING MEASURES PROPOSED BY FRANCE

1. Epidemiological surveillance:

With a view to improve the exchange of information on all outbreaks of infectious diseases and similar occurrences caused by toxins that seem to deviate from the normal pattern, States parties shall exchange information on the organization of their national data reporting systems regarding infectious man, animal and plant diseases.

(To be inserted under Article X: The Conference calls upon States parties to cooperate in providing information or assistance, on a bilateral level, regarding their national systems of epidemiological surveillance, with a view to improvements in the identification and timely reporting of significant outbreaks of diseases in human and animal populations.)

2. Reciprocal visits to biological defence research and development facilities: (see revision dated 17 September 1991)

In the interest of strengthening confidence and transparency on national research and development programmes on biological defence and in the context of the active promotion of contacts between scientists engaged in biological research directly related to the Convention, States parties shall encourage, on a bilateral or multilateral basis, reciprocal visits of their national biological defence research and development facilities by members of the staff engaged in such programmes. States parties shall report to other States on such visits (, through the Intersessional Committee or at the next Review Conference).

3. Exchange of information on past activities:

In the interest of increasing transparency, States parties shall declare whether or not, before they became parties to the BW convention, they conducted any offensive and/or defensive research and development programme, from (a date to be decided).

If they did, States parties shall provide information on such programme.

4. Declaration of regular military vaccination programmes:

States parties shall provide information on the regular pattern of military vaccination programmes for troops as prescribed by their military health authorities.

FRANCE

13 September 1991

NON-PAPER
CONFIDENCE-BUILDING MEASURES

1. Improvement of existing CBMs

1.1 Exchange of data on research centres and laboratories:

- Extend the scope of such declarations by downgrading the level of containment of the facilities concerned to P.2;
- Provide more extensive information in the declaration.

1.2 Information on outbreaks of infectious diseases:

- Extend the scope of the information to animal and plant diseases;
- Provide more extensive information in the reports.

2. New CBMs

- Exchange of detailed information on national BW defence research facilities and programmes (a draft proforma will be submitted).
- Reciprocal visits of BW defence research facilities.
- Exchange of information on past offensive and defensive activities (before the entry into force of the Convention).
- Declaration of regular peacetime military vaccination programmes for troops.
- Exchange of information on national epidemiological surveillance and data reporting system.

WORKING PAPER OF THE USSR DELEGATION

on further openness on and strengthening
confidence-building measures

The modalities for the exchange of data among States parties to the Convention on the Prohibition of Biological Weapons worked out in 1987 by the Ad Hoc Meeting of Scientific and Technical Experts do not, on the whole, cause fundamental objections.

At the same time we support the idea that it is inappropriate to continue the exchange of the information on unusual outbreaks of infectious diseases. Such data are presented by each State party to the World Health Organization where they can be easily obtained.

The Soviet Union supports imparting a politically or legally binding character to confidence-building measures agreed upon or confirmed by the Conference.

The Conference might agree on the following new measures of furthering openness.

1. Agreement on annual submission of information on national programmes of work in the area of protection against biological weapons, comprising, inter alia, the following data:

- main orientations of work carried out by a State party to the Convention;
- a list of institutions carrying out such work;
- a volume of financing of such work by main orientations of the programme.

2. Agreement on annual submission of information on facilities with P4 containment level as well as on facilities with a lower level of containment in case they carry out research and development in the area of protection against biological weapons or implement other activities on orders of the Ministry of Defence in the areas related to the protection against biological weapons.

Such information could comprise the following data on each such facility within the territory of a State party, under its jurisdiction or under its control anywhere:

- name;
- postal address, geographic location and a diagram of the facility with appropriate explanations;
- nature and main orientation of work;
- general data on organizational structure and number of scientific staff;
- a list of micro-organisms and toxins, including pathogenic micro-organisms;
- main methods of research;
- a level of biological protection of laboratories;
- safety rules in force at the facility, including those dealing with vaccinations, observation and quarantines;

- a list of scientific publications by staff members of the facility over the previous year;
- national and international cooperation.

On the basis of the submitted information "a national biological register" could be drawn up on each State party to the Convention with indication of all facilities declared by the State and a corresponding international data bank set up.

The above-mentioned confidence-building measures could be also supplemented by exchanges of scientists. To that aim States parties would provide annual information on their possibilities and terms for receiving scientists at their biological facilities included in "national biological registers" and on units of the facilities where scientists could work.

Other States parties could forward a request that their scientist(s) be received at the indicated facilities. A State party having received such a request is expected to consider it favourably, inter alia, taking into account the principle of reciprocity and interests of non-proliferation of technologies which can be used for creating biological weapons. Other possible forms of the exchange of scientists, including holding joint research, could also be envisaged.

PROPOSAL BY
ITALY

17 September 1991

Article V

Add to the text of article V in the Final Document a new paragraph:

"Consultations among States parties for the implementation of the Convention may also lead to the adoption of sanctions in case of a serious breach of the Convention."

FRANCE

Article V

Proposal for an Intersessional Committee

1. The Conference decides to establish an Intersessional Committee to operate during the period between the Third and the Fourth Review Conferences, in order to provide guidance to the United Nations Department for Disarmament Affairs in carrying out the tasks which it has been asked to carry out by the Conference, and to ensure that the decisions of the Conference regarding measures of cooperation and consultation are effectively implemented.

2. The responsibilities of the Intersessional Committee shall include:

- to promote and assist the implementation of the confidence-building measures;
- to promote and assist the United Nations Department for Disarmament Affairs in carrying out its administrative and secretarial duties;
- to make arrangements (in conjunction with the depositaries) for consultative meetings requested by States parties;
- to provide a channel to facilitate any protective or humanitarian assistance approved by States parties;
- to provide the retention and distribution as appropriate by the United Nations Department for Disarmament Affairs of any scientific and technical information relevant to the Convention.

(...)

3. The Intersessional Committee shall comprise [to be decided]. It shall be chaired by,* with the assistance of two Vice-Chairmen to be elected by the members of the Committee. It shall meet at least once a year in Geneva, Switzerland. Additional meetings may be requested by its Chairman, one of its Vice-Chairmen, one of the depositaries, or the majority of its members. The Intersessional Committee shall take its decisions by consensus. Its meetings, notified by the Chairman to all States parties with at least 10 days' notice, may be attended by representatives of interested States parties. The Intersessional Committee may request its Chairman, its Vice-Chairmen or any of its members to carry out or supervise any of the tasks assigned to it.

YUGOSLAVIA

16 September 1991

Article V

1. The Conference considers the more politically or legally binding system of control in the implementation of confidence-building measures by States parties. These obligations should encompass an exchange of information among States parties or compliance with the BWC. The States should be bound to submit national reports and to exchange information on national legislations, which exist or are to be adopted, in order to strengthen mutual confidence among States parties and credibility of the Convention.

* To be decided in accordance with the relevant provisions of the Report of the Preparatory Committee of the Third Review Conference.

In this regard the Conference recommends to the United Nations Secretary-General to establish a unit within the framework of the United Nations Secretariat that would follow up the fulfilment of the obligations of States parties undertaken on the basis of confidence-building measures, recommended within the context of this Conference and the meetings to follow.

2. The Conference decides that States parties should submit routine annual declarations of all relevant facilities carrying out research and activities relevant to the BWC. These routine annual declarations could be harmonized in the above-mentioned unit of the United Nations Secretariat with the purpose of strengthening mutual confidence and compliance to the BWC.

3. The focus of the new confidence-building measures should be on fundamental research and development activities. In this regard, the Conference considers that it would be advisable to establish protein and nucleotide sequence libraries to prepare software for database analysis, to have an exchange of data on "high risk" research centres and to compile data lists of reports published by military or civil research laboratories and centres, within the regional and United Nations context (within the scope of future activities of the United Nations Secretariat unit).

NIGERIA

16 September 1991

Proposals for the Final Declaration

Article V

A. Confidence-building measures

The Review Conference welcomes and decides to adopt the use of a simplified format of information exchange aimed at facilitating nil-declaration and other relevant data in connection with the Convention, thereby contributing favourably to increased participation and thus promoting greater openness and confidence with its compliance.

B. Verification

The Conference notes the importance of this article as well as the need to further improve and strengthen it and other procedures to enhance greater confidence in the Convention. The Conference therefore decides to convene open-ended meetings of governmental experts from States parties to study and elaborate for consideration of the Fourth Review Conference, a verification regime, in an additional protocol to the Convention. The verification regime should be non-discriminatory, transparent and should not in any way jeopardize the economic and social developments of States parties. The first of such meetings shall be held not later than March 1992.

C. Sanctions

The Conference welcomes the importance that States parties attach to the issue of compliance with the provisions of the Convention. It notes that the absence of a provision on measures to redress an established violation or non-compliance has a negative impact on the Convention.

The Conference therefore decides that the governmental experts group on verification should also be entrusted with the task of identification of violations according to minor and major breaches, with appropriate sanctions and measures stipulated for such breaches.

CHINESE DELEGATION

16 September 1991

Article V - Proposal

The Conference considers it appropriate to take the following measures to improve the exchange of information related to the Convention:

- I. All States parties should be encouraged to participate;
- II. Efforts should be made to appropriately improve the content and format of the exchange of information, which may include, among other things, legislations, regulations or other measures enacted or adopted by States parties for the implementation of the Convention, and reports on the outbreaks of infectious diseases and similar occurrences caused by toxins;
- III. In the interval between this Review Conference and the next, any State party may put forward new proposals on the further improvement of the exchange of information, which shall be transmitted by the Department for Disarmament Affairs of the United Nations to all States parties for study and, if necessary, can be submitted for deliberation at the First Committee of the United Nations.

CHILE, PANAMA, VENEZUELA AND PERU

13 September 1991

Article V - Proposals

1. The Review Conference should declare that any State party has the right to request the Secretary-General of the United Nations to conduct a timely fact-finding inquiry into compliance concerns and should stress the obligation of States parties to cooperate with such an inquiry. The Conference should request the General Assembly to pass a resolution enabling the Secretary-General to respond to such requests.

2. The Review Conference should agree that each State party will declare annually:

- all facilities, governmental and private, under its jurisdiction or control anywhere, that are involved in activities not prohibited by the BWC. (Facilities with maximum containment - BL4 - units, as defined in the 1983 WHO Laboratory Bio-Safety Manual, or equivalent);
- all programmes conducted for prophylactic or protective purposes against the possible use of biological or toxin weapons.

FINLAND

13 September 1991

Article V

Proposal for a confidence-building measure

Vaccine production facilities

Declarations should be provided for all facilities producing vaccines against toxins and/or pathogenic micro-organisms whether for human or animal use, excluding very small production (e.g. production under 10,000 doses).

Declarations should include:

- (1) Name of the facility
- (2) Location of the facility
- (3) Responsible public or private organization or company
- (4) Vaccines produced
 - name of the agent
 - type of the vaccine (live, inactivated, toxoid, recombinant, subunit etc.).

CANADA

Revision
16 September 1991

CBM (NEW): Declaration of vaccine production facilities

To further increase the transparency of biological research and development related to the Convention, each State party will declare all institutions, both civil and governmental, producing vaccines for the protection of humans and animals. Information shall be provided on the form attached.

1. Name of Institution:
2. Location (mailing address):
3. General description of the vaccine development programme of the facility:
4. Source(s) of funding and annual amount:
5. Gross area of production facility:
_____ m²
6. Area(s) of containment:
BL2 _____ m² BL3 _____ m² BL4 _____ m²
7. Vaccines produced:
 Name:
 Agent:
 Type (live, attenuated, recombinant, etc.):
 Quantity:
8. List of annual publications and reports regarding vaccine production, research or development:

CANADA

Revision
2-13 September 1991

Declaration of National Biological Defence
Research and Development Programme

In the interest of increasing the transparency of national research and development programmes on biological defence, the States parties will declare whether or not they conduct such programmes. States parties agreed to provide, annually, detailed information on their biological defence research and development programmes including summaries of the objectives and costs of effort performed by contractors and in other facilities. If no biological defence research and development programme is being conducted, a "null" report will be provided.

States parties will make declarations in accordance with the attached forms, which require the following information:

- (1) The objective and summary of the research and development activities under way indicating whether work is conducted in the following areas: prophylaxis, diagnostic techniques, detection, treatment, toxinology, physical protection, decontamination, and other related research;
- (2) Whether contractor or other non-defence facilities are utilized and the total funding provided to that portion of the programme;
- (3) The organizational structure of the programme and its reporting relationships; and
- (4) The following information concerning the defence and other governmental facilities in which the biological defence research and development programme is concentrated:
 - (a) location;
 - (b) the floor areas (m²) of the facilities including that dedicated to each of BL-2, BL-3 and BL-4 level laboratories;
 - (c) the total number of staff employed, including those contracted full-time for more than six months;
 - (d) numbers of staff reported in (c) by the following categories: civilian, military, scientists, technicians, engineers, support and administrative staff;
 - (e) a list of the scientific disciplines of the scientific/engineering staff;
 - (f) the source and funding levels in the following three areas: research, development, and test and evaluation; and
 - (g) the policy regarding publication and a list of publicly available papers and reports.

Form 1

NATIONAL BIOLOGICAL DEFENCE RESEARCH AND
DEVELOPMENT PROGRAMME DECLARATION

(1) Is there a national programme to conduct biological defence research and development within the territory of the State party, under its jurisdiction or control anywhere? Activities of such a programme would include prophylaxis, diagnostic techniques, detection, treatment, toxinology, physical protection, decontamination and other related research.

Yes/No

If the answer to (1) is Yes, complete Form 2 which will provide a description of the programme.

NATIONAL BIOLOGICAL DEFENCE RESEARCH
AND DEVELOPMENT PROGRAMME

II. Description

1. State the objectives and costs of the programme and summarize the principal research and development activities conducted in the programme. Areas to be addressed include: prophylaxis, diagnostic techniques, detection, treatment, toxinology, physical protection, decontamination and other related research.

2. State the total funding for the programme and its source.

3. Are aspects of this programme conducted under contract with industry, academic institutions, or in other non-defence facilities?

Yes/No

4. If yes, what proportion of the total funds for the programme is expended in these contracted or other facilities?

5. Provide a diagram of the organizational structure of the programme and the reporting relationships (include those individual facilities declared on Form 3).

6. Provide a declaration for each defence and other governmental facility in which the biological defence research and development programme is concentrated, in accordance with Form 3.

NATIONAL BIOLOGICAL DEFENCE RESEARCH
AND DEVELOPMENT PROGRAMME

III. Facilities

Complete one form for each facility

In shared facilities, provide the following information for the biological defence research and development portion only.

1. What is the name of the facility?
2. Where is it located (include both address and geographical location)?
3. Floor area of laboratory areas by containment level:
BL2 (m²)
BL3 (m²)
BL4 (m²)
Total laboratory floor area (m²)
4. The organizational structure of each facility and how it reports to Governments/Ministries.
 - I. Total number of personnel
 - II. Division of personnel
 - Military
 - Civilian
 - III. Division of personnel by category:
Scientists
 - Engineers
 - Technicians
 - Admin. and support staff

IV. List the scientific disciplines represented in the scientific/engineering staff.

V. Are contractor staff working in the facility? If so, provide an approximate number.

VI. What is (are) the source(s) of funding for the work conducted in the facility, including indication if activity is wholly or partly financed by the Ministry of Defence?

VII. What are the funding levels for the following programme areas:

Research	.....
Development	.....
Test and evaluation	.....

VIII. Briefly describe the publication policy of the facility:

IX. Provide a list of publically available papers and reports resulting from the work during the previous 12 months. (To include authors, titles and full references.)

5. Briefly describe the biological defence work carried out at the facility.

CANADA

13 September 1991

To further increase the transparency of biological research and development related to the Convention, each State party will declare all institutions, both civil and governmental, which are capable of performing the following functions:

- (a) the production of vaccines for protection of humans and animals [against those agents identified on the List of Concern];
- (b) the fermentation/production of bacteria, rickettsiae, viruses or toxins in volumes greater than 1,000 litres per production run (the present use of these facilities will be identified); and
- (c) the investigation of aerosols of micro-organisms, toxins or vaccines.

FINLAND

13 September 1991

Article V

Proposal for a confidence-building measure

MILITARY VACCINATION PROGRAMMES

Declaration should be provided for standard and/or regular peacetime vaccination programmes concerning active-duty military personnel, including conscripts, but excluding ad hoc, short-notice vaccinations for military personnel on special assignment (such as United Nations peace-keeping duties). Declarations would consist of lists of vaccines (agent/disease) used in implementing these programmes.

CHILE AND BRAZIL

16 September 1991

Article V

We consider it fundamental to adopt a follow-up mechanism which would specifically address the elaboration of verification measures, which, due to their complexity, require a special study.

In this context, we consider that verification needs to be examined in an independent way, i.e. in a separate group, different from the group on confidence-building measures.

PROPOSAL BY
ITALY

16 September 1991

Article V

Add to the text of article V in the Final Document in a new paragraph:

"Neighbouring States or States belonging to the same regions may adopt selected measures in order to facilitate the implementation of the above provisions among themselves or to complement them."

HUNGARY

16 September 1991

Proposal for Article V (CBMs)

The Conference considers that confidence-building measures have an important role to play not only in facilitating the elaboration of the verification system, but also in ensuring the implementation of the Convention itself. The Conference welcomes the initiative by which States parties - which are ready to do so - wish to open their declared facilities, on a reciprocal basis to verify on-site the information provided in their respective national reports. Such voluntary undertakings would greatly enhance efforts aimed at elaborating a verification regime and would also represent a means of demonstrating compliance. Should such an initiative gather wider support from States parties, it could possibly form a basis for a multilateral confidence-building measure.

BWC 3. RC
Expert Group on CBMs

Informal paper

Hungary

Suggestions for revising the data exchange

- I. (a) Modifying the format of national reports in a way where laboratories would be classified according to the nature of the microbiological research conducted (human, animal and plant pathogens),
- (b) Changing the structure of the reporting system in order to make it easily adaptable to computerized data processing, providing for such processing and granting access to its results for each State party,
- II. (c) Widening the scope of declared facilities beyond the P4 level,
- (d) Taking into account equipment and materials used in declared facilities,

- (e) Declaring laboratories and institutions handling pathogens directly hazardous to humans along with those handling pathogens endangering humans indirectly (e.g. through destroying or damaging plants and animals),
- III. (f) Declaring BW-related activities not prohibited under the Convention (defence research programmes, military vaccination programmes, etc.),
- (g) Declaring whether or not training of defence against BW warfare is practised in the armed forces,
- (h) Considering the possibility of inviting observers to military exercises where BW/CW defence activities are practised,
- (i) Declaring civilian facilities that execute military contracts,
- (j) Promoting direct contacts among the declared facilities, e.g. providing the telephone-telefax numbers of the facilities in the national report in order to facilitate direct communication among them,
- (k) Providing easier access to scientific data stored in international data systems.

GERMANY

Second revised version
13 September 1991

CBM B (improved)

B. Exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins

Exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins, and on all such events that seem to deviate from the normal pattern as regards type, development, place or time of occurrence. The information provided on events that deviate from the norm will include, as soon as it is available, data on the type of disease, approximate area affected, and number of cases.

Modalities

The following definition was agreed:

An outbreak or epidemic is the occurrence of an unusually large or unexpected number of cases of an illness or health-related event in a given place at a given time. The number of cases considered as unusual will vary according to the illness or event and the community concerned.

Furthermore, reference was made to the following definitions:

An epidemic of infectious disease is defined as the occurrence of an unusually large or unexpected number of cases of a disease known or suspected to be of infectious origin, for a given place and time. It is usually a rapidly evolving situation, requiring a rapid response. (WHO internal document CDS/Mtg/82.1).

The occurrence in a community or region of cases of an illness, specific health-related behaviour, or other health-related events clearly in excess of normal expectancy. The community or region, and the time period in which the cases occur, are specified precisely. The number of cases indicating the presence of an epidemic will vary according to the agent, size and type of population exposed, previous experience or lack of exposure to the disease, and time and place of occurrence: epidemicity is thus relative to usual frequency of the disease in the same area, among the specified population, at the same season of the year. A single case of a communicable disease long absent from a population or first invasion by a disease not previously recognized in that area requires immediate reporting and full field investigation: two cases of such a disease associated in time and place may be sufficient evidence to be considered an epidemic. (Last, J. M., A Dictionary of Epidemiology, Oxford University Press, New York, Oxford, Toronto, 1983).

The Conference agreed on the following:

1. In determining what constitutes an outbreak States parties are recommended to take guidance from the above.
2. Since no universal standards exist for what might constitute a deviation from the normal pattern, States parties agreed to fully utilize existing national reporting systems and systems within the WHO to provide annual update of background information on diseases caused by organisms which meet the criteria for risk groups II, III and IV according to the classification in the 1983 WHO Laboratory Biosafety Manual, the occurrence of which, in their respective areas, does not necessarily constitute a deviation from normal patterns.*
3. Exchange of data on outbreaks that seem to deviate from the normal pattern is considered particularly important in the following cases:
 - when the cause of the outbreak cannot be readily determined or the causative agent** is difficult to diagnose,

* This information should be provided in accordance with Form [].

** It is understood that this may include organisms made pathogenic by molecular biology techniques, such as genetic engineering.

- when the disease may be caused by organisms which meet the criteria for risk group III or IV, according to the classification in 1983 WHO Laboratory Biosafety Manual,
- when the causative agent is exotic to a given region,
- when the disease follows an unusual pattern of development,
- when the disease occurs in the vicinity of research centres and laboratories subject to exchange of data under item A,
- when suspicions arise of the possible occurrence of a new disease.

4. In order to enhance confidence, an initial report of an outbreak of an infectious disease or a similar occurrence that deviate from the normal pattern should be given promptly after cognizance of the outbreak and should be followed up by annual reports.

To enable States parties to follow a standardized procedure, the Conference has agreed that Form [] should be used, to the extent information is known and/or applicable, for the exchange of initial as well as annual information.

5. In order to improve international cooperation in the field of peaceful bacteriological (biological) activities and in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, States parties are encouraged to invite experts from other States parties to assist in the handling of an outbreak, and to respond favourably to such invitations.

Form []

Background information on outbreaks of
reportable infectious diseases

Disease	Number of cases per year				
	1988	1989	1990	1991	1992

Form []

Information on outbreaks of infectious diseases and similar occurrences, that seem to deviate from the normal pattern.

1. Time of cognizance of the outbreak
2. Location and approximate areas affected
3. Type of disease/intoxication
4. Suspected source of disease/intoxication
5. Possible causative agent(s)
6. Main characteristics of systems
7. Detailed symptoms, when applicable
 - respiratory
 - circulatory
 - neurological/behavioural
 - intestinal
 - dermatological
 - nephrological
 - other
8. Deviation(s) from the normal pattern as regards:
 - type
 - development
 - place of occurrence
 - time of occurrence
 - symptoms
 - virulence pattern
 - drug resistance pattern
 - agent(s) difficult to diagnose
 - presence of unusual vectors
 - other
9. Approximate number of primary cases
10. Approximate number of total cases
11. Number of deaths
12. Development of the outbreak
13. Measures taken

GERMANY

Version
13 September 1991

CBM on open-air release

Exchange of information on open-air release of micro-organisms and viruses or simulants for defence hazard assessment, testing of detection equipment and decontamination procedures/equipment.

Modalities:

To enable States parties to follow a standardized procedure the Conference has agreed that Form [] should be used for the exchange of initial as well as annual information.

Form []

Information on open-air release of micro-organisms, viruses or simulants:

1. Location and approximate area affected.
2. Type of micro-organism, virus or simulant.
3. Purpose of release (hazard assessment, test of detection equipment, decontamination procedure).

FRANCE

17 September 1991

CBM D

Revised point 2 of Proposal of 13 September 1991

Active promotion of contact between scientists and other experts, engaged in biological defence R & D programme, including on a mutually agreed basis:

- exchanges for joint research;
- exchanges of visits facilities declared under such a programme.

SWEDEN

16 September 1991

Article V

Proposed mandate for an ad hoc group on CBMs and verification

The Conference, determined to strengthen the effectiveness of the Convention, decides to establish an open-ended ad hoc group of Governmental experts of States parties to examine the implementation and further improvements of agreed confidence-building measures, complaints procedures, and the technical feasibility and possible modalities of a verification regime.

The Chairman of the Drafting Committee of the Third Review Conference shall preside over the Group's meetings. The Group shall submit a final consensus report to States parties well before the Fourth Review Conference.

PROPOSAL BY
BRAZIL

19 September 1991

Article V

The Conference agreed that a verification regime will strengthen the BWC.

The ad hoc group of Governmental Experts shall:

- identify types of microbial or other biological agents or toxins that have no justification for prophylactic, protective or other peaceful purposes;
- define the quantities of microbial or other biological agents or toxins that have no justification for prophylactic, protective or other peaceful purposes;
- identify verification measures that can protect confidential information and proprietary data and that do not impair scientific research and industrial development;
- study the financial costs associated with the verification regime;
- propose verification techniques capable of serving the purposes of the BWC.

USSR

16 September 1991

Article V

The Conference recognizes that the implementation of the agreed confidence-building measures contributes a political obligation of the States parties and calls on all of them to fulfil it.

Article V

The Conference notes the lack of an elaborated verification mechanism in the Biological Weapons Convention and decides to begin the negotiating process with a view to rectifying this shortcoming. To this end the Conference sets up appropriate machinery with the following mandate: (to be elaborated)

UNITED KINGDOM

Article V

Compliance/Allegations of use

The Conference welcomes the proposals in United Nations document A/44/561, Annex 1, developed by a group of qualified experts and endorsed by the United Nations General Assembly in 1990 in its resolution 45/57 C for technical guidelines and procedures to guide the United Nations Secretary-General in the timely and efficient investigation of use of chemical and bacteriological or toxin weapons. The Conference recalls, in this context, United Nations Security Council resolution 620 of 1988 which encouraged the United Nations Secretary-General to carry out prompt investigations into alleged use of chemical and bacteriological or toxin weapons. The Conference calls upon all States to cooperate fully with the United Nations Secretary-General in carrying out such investigations.

FRANCE

18 September 1991

Article V

CBM A

Past activities

In the interest of increasing transparency and openness, States parties shall declare whether or not they conducted any offensive and/or defensive biological research and development programmes during a period of 20 years before they became parties to the Convention.

If they did, States parties shall provide information on such programmes, in accordance with the attached form.

PAST ACTIVITIES

1. Date of adhesion to the Convention
2. Past offensive biological R & D programmes:
 - YES - NO
 - Period(s) of activities
 - Summary of the R & D activities
 - Information concerning the defence and other governmental facilities in which the programme was concentrated:
 - * location
 - * types of facilities
 - * types of activities
3. Past defensive biological R & D programmes:
 - YES - NO
 - Period(s) of activities
 - Objectives and summary of the R & D activities indicating whether or not work was conducted in the following areas: prophylaxis, diagnostic techniques, detection, treatment, toxinology, physical protection, decontamination, and other related research
 - Information concerning the defence and other governmental facilities in which the programme was concentrated:
 - * location
 - * types of facilities
 - * types of activities

HUNGARY

16 September 1991

Article V

The Review Conference considered the need to have a forum of States parties to provide continuous support to the Convention, to address possible problems and concerns arising with regard to the implementation of the Convention and also to work out measures to strengthen this legal instrument.

The Conference agreed:

(a) to hold meetings of States parties that will take place between the Third and Fourth Review Conferences in order to deal with the issue of the possibility of verification and with further development of confidence-building measures. Accordingly, it has been decided to establish an open-ended working group of governmental scientific and technical experts which would assess technical, organizational, financial and other aspects of verification. It has been agreed to carry on, as well, with the participation of governmental scientific and technical experts, the development of confidence-building measures.

(b) to set up a Bureau of the Meetings of States Parties between the Third and Fourth Review Conferences. The functions of this Bureau shall incorporate the providing of support and guidance for the activities of the meetings of States parties, including the working group(s) mandated by the Third Review Conference, and also performing duties necessitated by the continuous implementation of the Convention.

The composition of the Bureau of the Meetings of States Parties between the Third and Fourth Review Conferences shall be the following:

- the Chairman of the Meetings of States Parties between the Third and Fourth Review Conferences,
- the Chairperson(s) of the working group(s) of experts,
- the representatives of the Depositaries, and
- the Friends of the Chairman of the Meetings of States Parties.

UNITED KINGDOM

13 September 1991

Article V

Secretariat support

The Conference expresses its appreciation to the Secretary-General of the United Nations for the support provided to the parties to the Convention by the United Nations Department for Disarmament Affairs in receiving, compiling and distributing the declarations provided in accordance with the 1986 confidence-building measures.

The Conference recognizes that the revised procedures which the States parties have agreed to implement will make even greater demands on the time of the United Nations Department for Disarmament Affairs. The Conference therefore requests the United Nations Secretary-General to allocate additional staff resources up to the equivalent of one Professional and one General Services to support the States parties in their exchanges of information related to the Convention and to allocate the costs of such resources directly to the States parties in accordance with the cost-sharing arrangements agreed for the financing of the Third Review Conference.

SWEDEN

Revised
18 September 1991

NON-PAPER

Proposals for improved confidence-building measures to be included under Article V in the Final Declaration of the Third Review Conference

The Conference noted the importance of the confidence-building measures agreed upon at the Second Review Conference to strengthen the Convention, as well as the modalities elaborated by the Ad Hoc Meeting of Technical Experts in 1987 to make its implementation more effective.

After five rounds of information exchange the Conference noted with regret the low level of participation in this exchange. The Conference urged all States parties to submit information to future rounds of the information exchange. In order to promote increased participation and strengthen the confidence-building measures the Conference decided that the following improvements to the recommendations of the Second Review Conference referred to above be made:

- For States parties with nothing to declare, or nothing new to declare since the last information exchange, a separate simplified form shall be used (Annex ...)
- For States parties having new information to supply declarations shall be provided concerning the following items (Annexes ...):

1. (a) Each facility, within the territory of a State party or under its jurisdiction or control anywhere, which has any maximum containment laboratories meeting those criteria for such maximum containment laboratories as specified in the 1983 WHO Laboratory Biosafety Manual such as those designated as biosafety level 4 (BL4) or P4 or equivalent standards.

(b) Any national programme to conduct biological defence research and development within the territory of the State party, under its jurisdiction or control, including relevant facilities.

2. Outbreaks of infectious diseases and similar occurrences caused by toxins, and on all such events that seem to deviate from the normal pattern as regards type, development, place, or time of occurrence. The information provided on events that deviate from the norm will include, as soon as it is available, data on the type of disease, approximate area affected, and number of cases.

3. Encouragement of publication of results of biological research directly related to the Convention, in scientific journals generally available to States parties, as well as promotion of use for permitted purposes of knowledge gained in the research.

4. Active promotion of contacts between scientists engaged in biological research directly related to the Convention, including exchanges for joint research on a mutually agreed basis.

SWEDEN

WORKING PAPER

Proposals for improvements and refinements of forms for the information exchange for which guidelines were elaborated by the Ad Hoc Meeting of Scientific and Technical Experts in April 1987, and forms of nil-declaration and for national research and development activities/programmes concerning defence against biological and toxin warfare

PROPOSALS BY SWEDEN FOR IMPROVED AND NEW CONFIDENCE-BUILDING MEASURES

Swedish proposal for a nil-declaration form
for use in the information exchange

There is no relevant information to report in accordance with forms

1. (a) _____

1. (b) _____

2. _____

3. _____

(Please mark relevant form, if there is information to submit on one or more forms)

Prepared by the Ad Hoc Meeting of Scientific and Technical Experts from States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

Date _____

State party to the Convention _____

Signature _____

SWEDEN

DISCUSSION PAPER

Items to be declared annually in accordance with the
Final Declaration of the Second Review Conference of
the Biological and Toxin Weapons Convention

State party _____ Date _____

Signature _____

Yes No

I. Information given in previous data exchange _____

If yes, please continue to II.

If no, please continue to III.

II. Is there new information to be supplied compared with
previous data exchange? _____

If the answer to the above question is no, return the form to United Nations
Department for Disarmament Affairs in New York.

If the answer is yes, please continue to III.

III.

1. Information on research centres and laboratories
within the territory of a State party under its
jurisdiction or control anywhere:

(a) which have maximum containments units (BL4) _____

(b) which specialize in research and development
for prophylactic or protective purposes
against biological or toxin warfare _____

2. Information on outbreaks of infectious diseases
and similar occurrences that seem to deviate
from the normal pattern _____

3. Information on planned conferences, symposia
and other similar forums for exchanges directly
related to the Convention _____

Research centres or laboratories according to 1 (a) and 1 (b) should be
declared also if these are intended only for work on animal pathogenic
organisms. If the answer to any of the above questions is yes, fill in the
corresponding form (1, 2 or 3). For item 1 one form has to be filled in for
each research centre.

(Forms 1, 2 and 3 as elaborated by the Expert Meeting in 1987)

SWEDEN

DISCUSSION PAPER

FORM 4

Exchange of information on national research and development activities/programmes concerning defence against biological and toxin warfare

Yes No

National research and development activities/programmes concerning defence against biological and toxin warfare

List of funding ministries/organizations and respective annual budgets

General description of activities

Are the following items included in the above-mentioned activities/programmes?

Yes No

Work concerning aerosols with pathogenic micro-organisms or toxins in laboratories

Outdoor experiments with biological aerosols

Work with pathogenic micro-organisms in fermentors (100 l or larger volume)

Work involving recombinant DNA techniques/genetic engineering techniques with pathogenic micro-organisms

Work involving potent toxins (LD₅₀ 1 ug/kg body weight)

CLUSTER 4

Article VI

Article VII, (w/o assistance),
Article VIII, Article IX

UNITED KINGDOM

17 September 1991

Article VI

The Conference notes that in its consideration of the consequences of use of chemical weapons in its resolution 620 (1988) the Security Council encouraged the United Nations Secretary-General also to investigate any allegation of use of bacteriological (biological) and toxin weapons.

The Conference invites the Security Council to consider immediately any complaints lodged under article VI; to take all necessary measures for the investigation of a complaint; and to inform each State Party of the results of the investigation.

PROPOSAL BY
ITALY

16 September 1991

Article VI

Add at the end of elements on Article VI:

"The Conference requests the Security Council to ascertain whether the breach of obligations object of a complaint by a State party constitutes a threat to the peace, a breach of the peace or an act of aggression and to act accordingly".

ISLAMIC REPUBLIC OF IRAN

16 September 1991

Article VI

The Conference stresses that the cases of violation and a non-compliance can be divided into two categories: the first category is the case of the use of biological weapons which requires a very prompt, urgent action; and the second one is the violations concerning production, development, stockpile and transfer of biological agents and toxins for military purposes.

It is evident that the process of verification vis-à-vis those two categories would be carried out in a different sense. In the case of the use of biological weapons the time factor is very important in the manner that

as soon as a State lodges a complaint with the Security Council of the United Nations that such weapon has been used, the Security Council must immediately without any delay, take appropriate measures including the dispatch of an inspection team to the region.

NIGERIA

16 September 1991

Proposal for the Final Declaration

Article VI

The Conference recognizes the importance of an effective compliance procedure for the Biological Weapons Convention and the need for such a procedure to attract greater confidence and eliminate possible political controversy on its application.

The Conference notes the views expressed by States parties on the need for an effective arrangement that would separate the fact-finding stage of the complaints procedure from the stage of political consideration and decision by the Security Council.

The Conference therefore agrees that the complaints of violations should be lodged with the Secretary-General of the United Nations who should initiate investigations through a consultative Committee of Experts to be appointed by him. The result of such investigations should be conveyed to States parties and to the Security Council for consideration and decision.

UNITED KINGDOM

16 September 1991

Article VI

The Conference notes that in its consideration of the consequences of use of chemical weapons in its resolution 620 (1988) the Security Council encouraged the United Nations Secretary-General also to investigate any allegation of use of bacteriological (biological) and toxin weapons.

CUBA

16 September 1991

Article VI

To add after paragraph I, article VI, of the 1986 Final Document:

"Such a complaint should include all possible evidence confirming its validity. Each State party undertakes not to abuse the procedures foreseen in article VI and to act always in good faith and within the scope of article I of the Convention."

PROPOSAL BY CANADA

16 September 1991

Article VI

The Conference also notes the importance of article VI, which in addition to the procedures contained in article V, provides for any State party, which finds that any other State party is acting in breach of its obligations under the Convention, to lodge a complaint with the United Nations Security Council and under which each State party undertakes to cooperate in carrying out any investigation which the Security Council may initiate. The Conference notes that the provisions of this article have not been invoked.

NIGERIA

16 September 1991

Proposal for the Final Declaration

Article VII

The Conference reaffirms the importance of article VII and underlines the need for its effective implementation.

The Conference therefore decides that the investigation of a situation giving rise to a request for assistance should be initiated by the Secretary-General of the United Nations, through a Committee of Experts to be appointed by him. The result of such investigations should be conveyed to States parties and to the Security Council for consideration and decision on the request.

ISLAMIC REPUBLIC OF IRAN

16 September 1991

Article VII

The Review Conference notes that, since no specific mechanism for providing the assistance has been stipulated in this article, the United Nations can be considered as a centre for such operation. The United Nations and its specialized agencies can prepare a list of potential assistance which different countries would provide, for emergency times. In other words the United Nations and related agencies should organize in advance these assistances in an operational term.

THE NETHERLANDS

16 September 1991

Proposal for Article VII, paragraph 1 of the Final Declaration

The Conference notes with satisfaction that these provisions have not been invoked.

ROMANIA

16 September 1991

Proposal for the Final Declaration

Article VIII

In the last line of paragraph 2 of article VIII of the Final Declaration of the Second Review Conference, replace the words "at the earliest possible date" with the following text: "without further delay and without reservations".

WORKING PAPER SUBMITTED BY
AUSTRIA

16 September 1991

Proposal for insertion in Article VIII

The Conference acknowledges that the 1925 Geneva Protocol by prohibiting the use of bacteriological methods of warfare forms an essential complement to the BWC.

In this context, the Conference calls upon all States Parties to the BWC to withdraw reservations to the Geneva Protocol as they are likely to limit or detract from the obligations assumed under the Protocol.

UNITED KINGDOM

16 September 1991

Article VIII

The Conference notes that the United Nations has taken significant action in support of the 1925 Geneva Protocol during the period under review, including through Security Council resolution 620 (1988) and General Assembly resolution 41/58C, 42/37C, 43/74A, 44/115B and 45/57C.

PROPOSAL BY CZECH AND SLOVAK FEDERAL REPUBLIC,
POLAND, AUSTRALIA, FINLAND, VENEZUELA, ROMANIA,
NEW ZEALAND AND SWEDEN

13 September 1991

Article I or Article VIII

The Conference calls upon all Parties to the Geneva Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare, to withdraw their reservations to this international instrument if they have not yet done so.

PROPOSAL BY
FRANCE

16 September 1991

Article VIII

The Conference acknowledges that the 1925 Geneva Protocol, by prohibiting the use of bacteriological methods of warfare, forms an essential complement to the Biological Weapons Convention.

The Conference recalls that the participating States to the Conference of the States party to the 1925 General Protocol and other interested States, held in Paris on 7-11 January 1989, solemnly reaffirmed in its Final Declaration the prohibition as established in the 1925 Geneva Protocol and urged all States which had not done so to accede to it.

INDIA

16 September 1991

Article VIII

The Conference reaffirms the importance of article VIII and stresses the importance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous and other Gases and of Bacteriological Methods of Warfare. The Conference reaffirms that nothing contained in the Convention shall be interpreted 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 17 June 1925. The Conference reaffirms that the Biological Weapons Convention supplements and strengthens the Geneva Protocol of 1925 for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare and that the absence of a specific prohibition of the use of bacteriological (biological) and toxins weapons in the Convention is covered by the non-use obligation, which is part of the 1925 Geneva Protocol. The Conference invites all States which have not done so to become parties to the 1925 Geneva Protocol.

WORKING PAPER SUBMITTED BY
AUSTRALIA AND AUSTRIA

17 September 1991

Add to the proposal of Australia, Austria, Canada, Netherlands and the United States of America related to article VIII the following sentence:

"Thus the renunciation of bacteriological methods of warfare would become unconditional."

BULGARIA

16 September 1991

Article VIII

The Conference ought to reaffirm that nothing in this Convention should be interpreted as in any way limiting or detracting from the obligations assumed 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 17 June 1925.

The Conference welcomes the withdrawal on the part of States parties to the Convention of their reservations on the 1925 Geneva Protocol, as well as the respective procedures initiated by certain other States.

The Conference may also refer to the 1989 Paris Convention of States parties to the 1925 Geneva Protocol and other interested parties, and its Final Document.

PROPOSAL BY
AUSTRALIA, AUSTRIA, CANADA, NETHERLANDS
THE UNITED STATES OF AMERICA

17 September 1991

Article VIII

In this context, the Conference would welcome the withdrawal by all States parties to the Biological and Toxin Weapons Convention of their reservations to the 1925 Geneva Protocol that relate to this Convention.

UNITED STATES OF AMERICA/
UNION OF SOVIET SOCIALIST REPUBLICS

16 September 1991

Article IX proposal

(1986 Final Declaration language amended)

The Conference notes with satisfaction the substantial progress made in the negotiations on a Convention on Chemical Weapons in the Conference on Disarmament during the period under review. The Conference also takes note of the bilateral agreement, signed in June 1990, between the Union of Soviet Socialist Republics and the United States of America on Destruction and Non-Production of Chemical Weapons.

NIGERIA

16 September 1991

Proposal for the Final Declaration

Article IX

All States parties reiterate their strong commitment to the important goal of an early conclusion of an agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction.

The Conference therefore welcomes the significant progress made recently in the negotiations on a Convention on the prohibition of chemical weapons in the Conference on Disarmament.

The Conference in this regard urges the Conference on Disarmament to keep up the intense pace of negotiations on the chemical weapons convention in order to conclude the Convention next year as provided for in the revised mandate of the ad hoc Committee on Chemical Weapons.

The Conference also calls on all States to adhere early to the Convention when concluded so as to ensure its early entry into force.

GERMANY, AUSTRIA, NETHERLANDS

Article IX, paragraph 4

The Conference urges the Conference on Disarmament to exert all possible efforts to implement the mandate for the CW negotiations as amended on 20 June 1991, and to achieve a final agreement by 1992 on the Convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction. The Conference notes with satisfaction the statements of intent by many States to become original parties to the Chemical Weapons Convention and urges those which have not yet done so to make similar statements.

CLUSTER 5

Article X

YUGOSLAVIA

17 September 1991

Article X

The Conference emphasizes once again the increasing importance of the provisions of article X, especially in the light of recent scientific and technological developments in the field of biotechnology, bacteriological (biological) agents and toxins for peaceful purposes. The existing discrepancy between developed and developing countries in their level of knowledge, technology, scientific experience and equipment indispensable for research and development activities is widening and such a tendency in the future should be diminished.

The Conference calls upon the States parties to stimulate research, for peaceful and humanitarian purposes, in the field of medicine (as for example, in diagnosis, treatment and protection of human life against different diseases) and other disciplines. All efforts should be invested to make sure that the achievement in this field are not monopolized. Due to the fact that it is difficult to differentiate between offensive and defensive research, development and production programmes, the Conference recommends that such activities should be carried out within the framework and under the control of the United Nations.

In this regard, the Conference recommends that the United Nations Secretariat Unit should include in its activities supervision and support of all international cooperation in this field, thus contributing to the goals of non-proliferation policy in the context of the implementation and compliance of the BWC, and strengthening mutual trust based on the responsibilities of each State party.

NIGERIA

17 September 1991

Proposal for the Final Declaration

Article X

The Conference reaffirms the importance of this article not only in terms of its potentials for fostering cooperation between States but also for enhancing adherence to the Convention, and contributing to the cherished goal of its universality.

The Conference therefore notes with grave concern that due to the poor implementation of this article the gap between the developed and the developing countries has continued to widen in the field of biotechnology, genetic engineering microbiology and other related areas.

The Conference in this connection reiterates that, as identified by the Second Review Conference, cooperation would best be achieved through improved institutionalized direction and coordination.

The Conference therefore calls upon the Secretary-General of the United Nations to initiate action for a discussion and examination, by a relevant United Nations body, of the means for improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological agents and toxins for peaceful purposes. The Conference also recommends that invitations for participation in this discussion and examination should be extended to all States parties.

The Conference also requests, that, in the meantime, the Secretary-General should collate on an annual basis, and for the information of State parties, how this article is being implemented.

UKRAINE AND BYELORUSSIA

17 September 1991

Revised text of the Ukrainian proposal on Article X
(16 September 1991) to be read as

UKRAINE AND BYELORUSSIA
(to be inserted in Article X)

The Conference notes that one of the fields of cooperation in microbiology would be the study of the influence of enhanced radioactivity on micro-organisms aimed at reducing its harmful effects on humans, as well as plants and animals to be carried out within the programme of minimization of the consequences of the Chernobyl disaster.

CHILE, PANAMA, VENEZUELA AND PERU

13 September 1991

Article X - Proposal

1. The Review Conference should agree to request the Secretary-General of the United Nations to propose for inclusion on the agenda of a relevant United Nations body not later than 1992, a discussion and examination of the means for improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes.

UKRAINE

16 September 1991

Article X

One of the principal objectives of the cooperation in the field of biotechnology should be the study of impact of radionucleids or micro-organisms aimed at reducing their harmful effects on human health in the framework of the programme of liquidation of the Chernobyl Power Plant disaster after affects.

ISLAMIC REPUBLIC OF IRAN

16 September 1991

Article X

The Review Conference stresses that the establishment of a world data bank under the supervision of the United Nations is a suitable way for smoothing the flow of information in the field of genetical engineering, biotechnology and other scientific developments in this respect.

CHINA

16 September 1991

Article X - Proposal

The Conference emphasizes that no State party should in any way restrict or hinder the international cooperation and exchange among States parties in the peaceful uses of biotechnology, and calls upon the developed countries possessing advanced biotechnology to adopt positive measures to promote technological transfer and international cooperation in this field.

THAILAND

17 September 1991

Article X - Proposal

Add to the text of article X in the Final Document the following paragraph:

"The United Nations and States parties with advanced technologies are called upon to provide for technical assistance, for instance by providing training courses to all interested parties, both in the field of verification and confidence building measures as well as in the use of bacteriological agents and toxins for peaceful purposes."

INDIA

17 September 1991

Article X

1. Retain paragraphs 1, 2, 3, 4, 5, 9 and 10 of the 1986 Second Review Conference declaration.
2. Add an additional dash in para 3 of the 1986 Second Review Conference declaration as follows:
 - actively associating with institutions such as the International Centre for Genetic Engineering and Biotechnology in New Delhi for contributing to the further development of scientific discoveries in biotechnology.
3. Replace paragraph 6 in the 1986 Second Review Conference declaration with the following: The Conference noted that attention will have to be devoted to seeking institutional ways and means of assuring cooperation between the developed and developing countries through the active intervention of the States parties to the Convention in order to promote international cooperation in the field of peaceful activities in such areas as medicine, public health and agriculture.
4. Retain paragraph 8 of the 1986 Second Review Conference declaration except for the last phrase which may be amended as follows: "... Particularly in the light of the results of the United Nations Conference on the Relationship between Disarmament and Development, which was held in 1987".

FRANCE

17 September 1991

Article X - Proposal

The Conference calls upon States parties to cooperate in providing information on their national epidemiological surveillance and data reporting systems, and in providing assistance, on a bilateral level, regarding epidemiological surveillance, with a view to improvements in the identification and timely reporting of significant outbreaks of human and animal diseases.

CLUSTER 6

Article XI, Article XII, Article XIII,
Article XIV, Article XV

ISLAMIC REPUBLIC OF IRAN

16 September 1991

Article XI

The Conference notes that any proposed amendment must be approved by a qualified majority (2/3) of the States parties to the Convention.

CHILE, PANAMA, VENEZUELA AND PERU

13 September 1991

Article XII - Proposal

1. The Review Conference decides that conferences of States parties to review the operation of the Convention should be held at least every five years.

BULGARIA

18 September 1991

Article XII

The Conference decides that the Fourth Review Conference should be held upon request from a majority of States parties no later than 1996.

The Third Review Conference agrees in substance on the subject-matters of the Fourth Review Conference. In this regard the Bulgarian delegation suggests the following:

- the impact of scientific and technological developments relating to the Convention;
- the efficiency of coordinated confidence-building measures as stipulated in Article V;
- the necessity of additional measures for cooperation in the context of Articles V and X (separately or jointly);
- the influence of the chemical weapons ban (providing the respective Convention is concluded) on the effectiveness and scope of the Biological Convention.

THE NETHERLANDS, BELGIUM, ITALY

17 September 1991

Article XIV, in addition to paragraph 2 of the text
of the Final Declaration of 1986

In this connection the Conference encourages States parties to take action to persuade non-parties, especially non-parties in regions of tension and conflict, to adhere to the Convention without delay.

The Conference particularly welcomes regional initiatives that would lead to wider adherence to the Convention.

BULGARIA

18 September 1991

Article XIV

The Conference notes with satisfaction the increasing number of States ratifying or joining the Biological Convention after the Second Review Conference and the 1989 Paris Conference, that presently the total number of States parties has reached the figure of ... States, which includes all the permanent members of the United Nations Security Council.

The Third Review Conference appeals again to all States which have not yet ratified or joined the Biological Convention to do so without further delay, in order to achieve the Convention's universality.

The Third Review Conference appeals to those States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons which have not taken part in the Conference, to implement the agreed confidence-building measures and thus to make their contribution to the enhancement of the Convention's prestige.

The Concluding Document of the Third Review Conference should call upon all States parties to participate in the future activities it provides for, in particular to participate in a series of ad hoc meetings on the expansion of confidence-building measures or for drafting an Inspection Protocol.

ANNEX II

POSSIBLE FRAMEWORK FOR STRUCTURING THE PROPOSALS
PERTAINING TO ARTICLES I TO XV

Chairman's paper

Committee of the Whole

Article I

(Scope)

(1986, first para.)

The Conference notes the importance of Article I as the Article which defines the scope of the Convention and reaffirms its support for the provisions of this Article.

(United Kingdom: to replace 1986, second para.)

The Conference, having considered the question of new scientific and technological developments relevant to the Convention, concludes that all such developments continue to be covered by the Scope of Article I which provides a comprehensive prohibition of bacteriological (biological) and toxin weapons, whatever their origin or method of production.

(India, third para. edited)

The Conference notes apprehensions about relevant scientific and technological developments, inter alia, in the field of microbiology genetic engineering and biotechnology and the possibility of their use inconsistent with the objectives and the provisions of the Convention. The Conference recognizes the undertaking given by States parties that Article I applies to all such developments.

(Biologically produced chemicals)

(Chile, Panama, Venezuela, Peru, second para. edited)

The Review Conference reaffirms that all biologically produced chemicals, whatever their origin or method of production, of types and in quantities not justified for prophylactic, protective or other peaceful purposes are covered by the Biological Weapons Convention.

(Plants and animals)

(New Zealand)

The Conference reaffirms that the Convention prohibits the development, production, stockpiling, other acquisition or retention of biological agents

and toxins harmful to plants and animals, as well as humans, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

(Chile, Panama, Peru, Venezuela, third para. edited)

The Review Conference should reaffirm that all microbial and other biological agents and toxins deleterious to plants, animals and humans are included under the agents covered by this Convention.

(Genetic manipulation)

(1986, paras. four and five)

The Conference, conscious of apprehensions arising from relevant scientific and technological developments, inter alia, in the fields of microbiology, genetic engineering and biotechnology, and the possibilities of their use for purposes inconsistent with the objectives and the provisions of the Convention, reaffirms that the undertaking given by the States parties in Article I applies to all such developments.

The Conference reaffirms that the Convention unequivocally applies to all natural or artificially created microbial or other biological agents or toxins whatever their origin or method of production. Consequently, toxins (both proteinaceous and non-proteinaceous) of a microbial, animal or vegetable nature and their synthetically produced analogues are covered.

(Chile, Panama, Peru, Venezuela, para. one, edited)

The Review Conference reaffirms that the creation by any means, of biological agents or toxins with altered properties that might increase their usefulness as weapons agents is not justified under the BWC for any military purpose.

(United States of America)

The States parties reaffirm that the Convention prohibits the development, production, stockpiling, other acquisition or retention of biological agents or toxins which have been altered with the intent to enhance their weapons capabilities and have no justification for prophylactic, protective or other peaceful purposes.

(Definition of Scope)

(USSR)

The Conference believes that an effort should be made to elaborate definitions of the subject of prohibition as well as lists and appropriate threshold values of the agents, facilities and equipment that may be used for biological weapons purposes. This would be useful for clarifying the borderline between the prohibited and non-prohibited activities under the Convention.

(Prohibited Activities/Aerosols)

(Germany)

The Conference notes that several States parties consider that experimentation involving open-air release of pathogens or toxins harmful to men by explosives or other military devices is inconsistent with the undertakings contained in Article I and recommends that the States parties do not conduct such experimentation.

(Environment)

(Peru, Venezuela, Chile)

The Conference reaffirms the undertakings of States parties to take all necessary safety precautions to protect populations and the environment in relation to activities permitted by the Convention.

(Prohibition of use)

(Nigeria)

The Review Conference notes that although the scope of the activities prohibited in Article I is extensive, the omission of the prohibition of use is a serious gap which the Geneva Protocol of 1925 does not satisfactorily cover. The Review Conference should welcome the prohibition of use in the draft Convention on Chemical Weapons and therefore give consideration to developing a Memorandum of Understanding of the explicit prohibition of use, as part of its Final Declaration. Text of such a Memorandum is as follows: "Each State party to this Convention undertakes never under any circumstances to use or threaten to use biological weapons as provided for in Article I of the Convention."

(Czech and Slovak Federal Republic, Poland, Australia, Finland, Venezuela, Romania, New Zealand)

(Article I or Article VIII)

The Conference calls upon all parties to the Geneva Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare, to withdraw their reservations to this international instrument if they have not yet done so.

(Hungary)

States parties have taken note with satisfaction of and welcome as positive steps the withdrawal of the reservations made to the Geneva Protocol of 1925 by a number of States parties and they encourage other States parties to take similar action.

States parties solemnly declare that they consider the prohibition of the use of bacteriological (biological) and toxin weapons embodied in the Geneva Protocol of 1925 unconditional and reaffirm their determination not to admit the use of these weapons under any circumstances.

(Compliance)

(1986, para. three)

The Conference notes statements by some States parties that compliance with Articles I, II and III was, in their view, subject to grave doubt in some cases and that efforts to resolve those concerns had not been successful. The Conference notes the statements by other States parties that such a doubt was unfounded and, in their view, not in accordance with the Convention. The Conference agrees that the application by States parties of a positive approach in questions of compliance in accordance with the provisions of the Convention was in the interest of all States parties and that this would serve to promote confidence among States parties.

(United Kingdom and United States of America)

The Conference emphasizes the vital importance of full implementation by all States parties of all the provisions of the Convention and expresses concern at statements by some States parties that compliance with Articles I, II and III [is] [has been], in their view, subject to grave doubt in some cases and that efforts since the Second Review Conference, when similar concerns were expressed, to resolve these concerns have not been successful.

[The Conference also notes the statements by other States parties that such doubts]

The Conference agrees that the application by States parties of a positive approach in questions of compliance in accordance with the provisions of the Convention is in the interest of all States parties and that continued non-compliance with its provisions could undermine confidence in the Convention.

Article II

(1986, first para.)

The Conference notes the importance of Article II and welcomes the statements made by States which have become parties to the Convention since the First Review Conference that they do not possess agents, toxins, weapons, equipment or means of delivery referred to in Article I of the Convention. The Conference believes that such statements enhance confidence in the Convention.

(France, modification of 1986, para. one)

The Conference notes the importance of Article II and welcomes the statements made by States which have become parties to the Convention since the Second Review Conference that they do not possess agents, toxins, weapons, equipment or means of delivery referred to in Article I of the Convention. The Conference believes that such statements contribute to enhancing confidence in the Convention.

(1986, para. two)

The Conference stresses that States which become parties to the Convention, in implementing the provisions of this Article, shall observe all necessary safety precautions to protect populations and the environment.

Article III

(1986, para. one)

The Conference notes the importance of article III and welcomes the statements which States that have acceded to the Convention have made to the effect that they have not transferred agents, toxins, weapons, equipment or means of delivery, specified in Article I of the Convention, to any recipient whatsoever and have not furnished assistance, encouragement or inducement to any State, group of States or international organizations to manufacture or otherwise acquire them. The Conference affirms that Article III is sufficiently comprehensive so as to cover any recipient whatsoever at international, national or sub-national levels.

(Licensing)

(Chile, Panama, Peru, Venezuela)

The Review Conference should agree that the States parties will take steps to control transfers to non-parties of any biological agents or toxins or any material equipment or information under their jurisdiction or control that is relevant to prohibited biological activities directly related to the Convention.

(Romania)

The Conference calls upon all States parties to take steps to control export to non-parties of biological weapons-related equipment and technologies which could be used for production of biological and toxin weapons. A concrete measure to preventing biological and toxin proliferation could be the establishment of a system of licences for export or import for re-exporting of any biological agents, related equipment and technologies. To this end, States parties would take into consideration the biological agents, related equipment and technologies, listed in the Annex.

Annex to Romania

LIST OF BIOLOGICAL AGENTS, RELATED EQUIPMENT AND TECHNOLOGIES WHICH
ARE SUBJECT TO EXPORT CONTROLS FOR PREVENTING BIOLOGICAL AND TOXIN
WEAPONS PROLIFERATION

A.

1. Biological agents adapted for use in war to produce casualties in humans or animals, or to damage crops.
2. Equipment specially designed and intended for the dissemination of the materials specified in head (1).
3. Equipment specially designed and intended for defence against the materials specified in head (1) and for their detection and identification.
4. Components specially designed for the items specified in head (2) or (3).
5. Biopolymers specially designed or processed for detection and identification of chemical warfare (CW) agents specified in head (1) and the cultures of specific cells used to produce them.
6. Biocatalysts for decontamination and degradation of CW agents, and biological systems therefor, the following:
 - (a) biocatalysts, specially designed for decontamination and degradation of CW agents specified in head (1), resulting from directed laboratory selection or genetic manipulation of biological systems.
 - (b) biological systems, the following: expression vectors, viruses or cultures of cells containing the genetic information specific to the production of biocatalysts specified in sub-head (6 (a)).
7. Technology, the following:
 - (a) technology for the development, production and use of biological agents, related equipment and components specified in heads (1) to (4).
 - (b) technology for the development, production and use of biopolymers and the cultures of specific cells used to produce them specified in head (5).
 - (c) technology exclusively for the incorporation of biocatalysts specified in sub-head (6 (a)) into military carrier substances or military material.

B.

Equipment and technology for the production equipment of items specified in Group A (heads (1) to (6)):

1. Specially designed or modified production equipment for the production of products specified in Group A.
2. Specially designed environment test facilities and specially designed equipment therefor, for the certification, qualification or testing of products specified in Group A.
3. Production technology, even if the equipment with which such technology is to be used is not specified in Group A or B.
4. Technology specific to the design of, the assembly of components into, and the operation, maintenance and repair of complete production installations even if the components themselves are not specified in Group A or B.

(Chile, Panama, Peru, Venezuela, continued from above-mentioned proposal, edited)

States parties will not undertake with any State any personnel transfer, cooperative activity or other collaboration involving not permitted activities directly related to the Convention.

(Argentina, Brazil)

The Conference noted with satisfaction the wish of the States parties to strengthen the controls related to the implementation of Article III. In this context, it reaffirmed that this article is sufficiently comprehensive so as to cover the whole range of questions related to possible transfers of agents, toxins, weapons, equipment or means of delivery. It further stressed that the issue of transfers control in this field should be kept under continuous multilateral consideration, on the basis of the undertakings contained in Article III of the Convention.

(Canada, Norway, United Kingdom, United States of America)

The Conference calls upon States parties to establish national systems of control to facilitate the effective implementation of Article III. Relevant transfers should only be authorized when the State party is satisfied that the intended use is permitted under the Convention.

(Application)

(Nigeria)

The Review Conference decides that the provisions of Article III should apply as regards non-proliferation only to non-States parties.

Bearing in mind the obligations undertaken by States parties under Articles I and II of the Convention, Article III should be implemented in a manner to allow States parties to have unimpeded access of transfer of microbials, biological agents and toxins, equipment and other materials for peaceful purposes in consonance with Article X.

(Ukraine, edited)

The Conference stresses that the provisions of this Article should not be used to impose any restrictions and/or limitations on the transfer for purposes consistent with the objectives and the provisions of the Convention of scientific knowledge, technology, equipment and materials to States parties. Such transfers should be accompanied by measures of openness and transparency so as to exclude their diversion for BW-related purposes.

(1986, para. two)

The Conference notes that the provisions of this Article should not be used to impose restrictions and/or limitations on the transfer for purposes consistent with the objectives and the provisions of the Convention of scientific knowledge, technology, equipment and materials to States parties.

(Transparency)

(United Kingdom)

The Conference invites States parties to provide to the United Nations Department for Disarmament Affairs copies of national legislation and administrative regulations controlling exports and imports of micro-organisms and toxins, together with any lists of such items controlled. The United Nations Department for Disarmament Affairs should make copies of such information available to other States parties, upon request, to guide them in drawing up such instruments and in coordinating their activities in this regard.

Article IV

(1986, para. one)

The Conference notes the importance of Article IV, under which each State party shall, in accordance with its constitutional processes, take any necessary measures to prohibit or prevent any acts or actions which would contravene the Convention.

(United States of America)

The Conference calls upon each State party to examine its record in taking any necessary measures required by Article IV of the Convention. The Conference urges each State party to take concrete measures and, if they have

not yet done so, to consider enacting criminal legislation, consistent with its constitutional processes, to enhance the objectives of Article IV. Such legislation, in conformity with international law, shall also extend, if possible, to relevant activities as are undertaken beyond their national territory by natural persons possessing its nationality.

(1986, para. three)

The Conference notes that States parties, as requested by the First Review Conference, have provided to the United Nations Department for Disarmament Affairs information on and the texts of specific legislation enacted or other regulatory measures taken by them, relevant to this Article. The Conference invites States parties to continue to provide such information and texts to the United Nations Department for Disarmament Affairs for purposes of consultation.

(Chile, Panama, Venezuela and Peru)

The Review Conference should agree that States parties will declare annually what actions they have taken to assure domestic compliance with the Convention.

(1986, para. four)

The Conference notes the importance of:

(Ukraine)

- legislative, administrative and other measures designed effectively to guarantee compliance with the provisions of the Convention within the territory of a State party, under its jurisdiction or under its control anywhere.

(1986, para. four, second and third tiret)

- legislation regarding the physical protection of laboratories and facilities to prevent unauthorized access to and removal of pathogenic or toxic material, and
- inclusion in textbooks and in medical, scientific and military educational programmes of information dealing with the prohibition of bacteriological (biological) and toxin weapons and the provisions of the Geneva Protocol

and believes that such measures which States might undertake in accordance with their constitutional process would strengthen the effectiveness of the Convention.

(United States proposal)

In this regard, the Conference calls on States parties to report annually on actions taken to enact criminal legislation, to include:

- (a) what legislation or other legal measures had been enacted;
- (b) what enforcement measures had been taken pursuant to the legal measures; and
- (c) what prosecution or other punitive action had been taken against violators of the legal measures.

(Bulgaria)

Article IV should be duly noted as furnishing the legal basis of the Convention. There should be a renewed appeal to remaining States parties to the Convention to undertake the necessary measures, in accordance with their constitutional procedures, not to allow any activities running counter to the Convention's provisions.

This Review Conference should stress the importance of submitting information in accordance with the decisions of the First and Second Review Conferences.

The Conference ought to agree that States parties should inform on an annual basis about:

- their legislative, administrative, and other actions undertaken to guarantee effectively the observance of the Convention on the territory under jurisdiction and control of their State;
- their legislation with regard to the physical protection of laboratories and production sites to prevent unauthorized access and deviation of pathogenic and toxic materials;
- publicizing the Convention's provisions by disseminating information on the prohibition of bacteriological (biological) and toxin weapons and the provisions of the 1925 Geneva Protocol, including in medical, scientific, and military educational programmes;
- in the submission of the Bulgarian delegation the above-listed measures will strengthen the prestige and efficiency of this Convention.

(Argentina, Brazil, Chile, Uruguay)

The Conference warmly welcomed the Declaration of Mendoza by which Argentina, Brazil, Chile and Uruguay reaffirmed their renunciation of the acquisition of chemical and biological weapons. The Declaration was seen as a concrete positive step towards the strengthening of the BWC regime.

(Venezuela)

The Conference welcomed also with satisfaction the initiative of the Government of Peru dealing with the renunciation by all members of the "Rio Group" of weapons of mass destruction, including biological weapons, with a view to encompassing all the countries of the region in the future.

Article V

(United Kingdom)

(Chapeau)

In accordance with the decision of the Second Review Conference, and taking into account views expressed concerning the need to strengthen the implementation of the provisions of Article V, the Conference reviewed the effectiveness of the provisions in Article V for consultation and cooperation and of the cooperative measures agreed in the Final Declaration of the Second Review Conference and considered whether or not further actions were called for to create further cooperative measures in the context of Article V, or legally binding improvements to the Convention in the context of Article XI, or a combination of both. The Conference came to the following conclusions and recommendations:

A. Confidence-building measures

(United Kingdom)

The Conference noted that the Second Review Conference had agreed that States parties should implement four distinct series of measures, in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, and in order to improve international cooperation in the field of peaceful bacteriological (biological) activities. The Conference further notes that, in accordance with a decision of the Second Review Conference, an ad hoc meeting of scientific and technical experts was held in Geneva from 31 March-15 April 1987, with the participation of representatives from 39 States parties to prepare appropriate forms to enable States parties to follow a standardized procedure for the exchange of information.

The Conference welcomes the fact that [35] States parties participated in an exchange of information on this agreed basis in the course of the years 1987-1991 inclusive whilst regretting that this number represents less than one third of all States parties.

(Yugoslavia)

1. The Conference considers the more politically or legally binding system of control in the implementation of confidence-building measures by States parties. These obligations should encompass an exchange of information among States parties or compliance with the BWC. The States should be bound to submit national reports and to exchange information on national legislations, which exist or are to be adopted, in order to strengthen mutual confidence among State parties and credibility of the Convention.

In this regard the Conference recommends to the United Nations Secretary-General to establish a unit within the framework of the United Nations Secretariat that would follow up the fulfilment of the obligations of States parties undertaken on the basis of confidence-building measures, recommended within the context of this Conference and the meetings to follow.

2. The Conference decides that States parties should submit routine annual declarations of all relevant facilities carrying out research and activities relevant to the BWC. These routine annual declarations could be harmonized in the above-mentioned unit of the United Nations Secretariat with the purpose of strengthening mutual confidence and compliance with the BWC.

3. The focus of the new confidence-building measures should be on fundamental research and development activities. In this regard, the Conference considers that it would be advisable to establish protein and nucleotide sequence libraries to prepare software for database analysis, to have an exchange of data on "high risk" research centres and to compile data lists of reports published by military or civil research laboratories and centres, within the regional and United Nations context (within the scope of future activities of the United Nations Secretariat unit).

(Nigeria)

The Review Conference welcomes and decides to adopt the use of a simplified format of information exchange aimed at facilitating nil-declaration and other relevant data in connection with the Convention, thereby contributing favourably to increased participation and thus promoting greater openness and confidence with its compliance.

(Germany, Netherlands, Canada, edited)

To improve the awareness of States parties and the participation in, and quality of, the exchange of information under Article V, the Conference recommends the consideration of an indicative list of micro-organisms, viruses and toxins which are capable by their very nature of being used as a means of warfare in Appendix A for the preparation of their reports under the confidence-building measures to the United Nations Department for Disarmament Affairs, especially those for CBM B.

The Conference agrees that the attached list in Appendix A in no way will diminish or reduce the scope of Article I of the Convention.

(China)

The Conference considers it appropriate to take the following measures to improve the exchange of information related to the Convention:

I. All States parties should be encouraged to participate;

II. Efforts should be made to appropriately improve the content and format of the exchange of information, which may include, among other things, legislations, regulations or other measures enacted or adopted by States parties for the implementation of the Convention, and reports on the outbreaks of infectious diseases and similar occurrences caused by toxins;

III. In the interval between this Review Conference and the next, any State party may put forward new proposals on the further improvement of the exchange of information, which shall be transmitted by the Department for Disarmament Affairs of the United Nations to all States parties for study, and if necessary, can be submitted for deliberation at the First Committee of the United Nations.

(France)

In the interest of increasing transparency and openness, States parties shall declare whether or not they conducted any offensive and/or defensive biological research and development programmes during a period of 20 years before they became parties to the Convention.

If they did, States parties shall provide information on such programmes, in accordance with the attached form.

1. Date of adhesion to the Convention
2. Past offensive biological R & D programmes:
 - YES - NO
 - Period(s) of activities
 - Summary of the R & D activities
 - Information concerning the defence and other governmental facilities in which the programme was concentrated:
 - * location
 - * types of facilities
 - * types of activities
3. Past defensive biological R & D programmes:
 - YES - NO
 - Period(s) of activities
 - Objectives and summary of the R & D activities indicating whether or not work was conducted in the following areas: prophylaxis, diagnostic techniques, detection, treatment, toxinology, physical protection, decontamination, and other related research
 - Information concerning the defence and other governmental facilities in which the programme was concentrated:
 - * location
 - * types of facilities
 - * types of activities

(Chile, Panama, Venezuela and Peru)

(Annual declarations)

The Review Conference should agree that each State party will declare annually:

- all facilities, governmental and private, under its jurisdiction or control anywhere, that are involved in activities not prohibited by the BWC (facilities with maximum containment -BL4- units, as defined in the 1983 WHO Laboratory Bio-Safety Manual, or equivalent).
- all programmes conducted for prophylactic or protective purposes against the possible use of biological or toxin weapons.

(Finland)

(Vaccine production facilities)

Declarations should be provided for all facilities producing vaccines against toxins and/or pathogenic micro-organisms whether for human or animal use, excluding very small production (e.g. production under 10,000 doses).

Declarations should include:

1. Name of the facility
2. Location of the facility
3. Responsible public or private organization or company
4. Vaccines produced
 - name of the agent
 - type of the vaccine (live, inactivated, toxoid, recombinant, sub-unit, etc.).

(Finland)

(Military vaccination programme)

Declarations should be provided for standard and/or regular peacetime vaccination programmes concerning active-duty military personnel, including conscripts, but excluding ad hoc, short-notice vaccinations for military personnel on special assignment (such as United Nation peace-keeping duties). Declarations would consist of lists of vaccines (agent/disease) used in implementing these programmes.

(Italy)

(Regional measures)

Neighbouring States or States belonging to the same regions may adopt selected measures in order to facilitate the implementation of the above provisions among themselves or to complement them.

(Hungary)

(CBMs and verification)

The Conference considers that confidence-building measures have an important role to play not only in facilitating the elaboration of the verification system but also in ensuring the implementation of the Convention itself. The Conference welcomes the initiative by which States parties which are ready to do so - wish to open their declared facilities on a reciprocal basis to verify on-site the information provided in their respective national reports. Such voluntary undertakings would greatly enhance efforts aimed at elaborating a verification regime and would also represent a means of demonstrating compliance. Should such an initiative gather wide support from States parties, it could possibly form a basis for a multilateral confidence-building measure.

(Sweden)

(BWC/CONF.III/COW/WP.1)

Proposals for improvements and refinements of forms for the information exchange for which guidelines were elaborated by the Ad Hoc Meeting of Scientific and Technical Experts in April 1987, and forms of nil-declaration and for national research and development activities/programmes concerning defence against biological and toxin warfare.

(see Appendix B)

B. Secretariat support

(United Kingdom)

The Conference expresses its appreciation to the Secretary-General of the United Nations for the support provided to the parties to the Convention by the United Nations Department for Disarmament Affairs in receiving, compiling and distributing the declarations provided in accordance with the 1986 Confidence-Building Measures.

The Conference recognizes that the revised procedures which the States parties have agreed to implement will make even greater demands on the time of the United Nations Department for Disarmament Affairs. The Conference therefore requests the United Nations Secretary-General to allocate additional staff resources up to the equivalent of one Professional and one General Services to support the States parties in their exchanges of information

related to the Convention and to allocate the costs of such resources directly to the States parties in accordance with the cost-sharing arrangements agreed for the financing of the Third Review Conference.

C. Intersessional Committee

(Hungary)

The Review Conference considered the need to have a forum of States parties to provide continuous support to the Convention, to address possible problems and concerns arising with regard to the implementation of the Convention and also to work out measures to strengthen this legal instrument.

The Conference agreed:

(a) to hold meetings of States parties that will take place between the Third and Fourth Review Conferences in order to deal with the issue of the possibility of verification and with further development of confidence-building measures. Accordingly, it has been decided to establish an open-ended working group of governmental scientific and technical experts which would assess technical, organizational, financial and other aspects of verification. It has been agreed to carry on, as well, with the participation of governmental scientific and technical experts, the development of confidence-building measures.

(b) to set up a Bureau of the meetings of States parties between the Third and Fourth Review Conferences. The functions of this Bureau shall incorporate the providing of support and guidance for the activities of the meetings of States parties, including the working group(s) mandated by the Third Review Conference, and also performing duties necessitated by the continuous implementation of the Convention.

The composition of the Bureau of the Meetings of States parties between the Third and Fourth Review Conference shall be the following:

- the Chairman of the Meetings of States parties between the Third and Fourth Review Conferences,
- the Chairperson(s) of the working group(s) of experts,
- the representatives of the Depositaries, and
- the Friends of the Chairman of the Meetings of States Parties.

(France)

(Proposal for an Intersessional Committee)

1. The Conference decides to establish an Intersessional Committee to operate during the period between the Third and Fourth Review Conferences, in order to provide guidance to the United Nations Department for Disarmament Affairs in carrying out the tasks which it has been asked to carry out by the Conference, and to ensure that the decisions of the Conference regarding measures of cooperation and consultation are effectively implemented.

2. The responsibilities of the Intersessional Committee shall include:
- to promote and assist the implementation of the confidence-building measures;
 - to promote and assist the United Nations Department for Disarmament Affairs in carrying out its administrative and secretarial duties;
 - to make arrangements (in conjunction with the Depositaries) for consultative meetings requested by States parties;
- to provide a channel to facilitate any protective or humanitarian assistance approved by States parties;
- to provide the retention and distribution as appropriate by the United Nations Department for Disarmament Affairs of any scientific and technical information relevant to the Convention.

3. The Intersessional Committee shall comprise [to be decided]. It shall be chaired by,* with the assistance of two Vice-Chairmen to be elected by the members of the Committee. It shall meet at least once a year in Geneva, Switzerland. Additional meetings may be requested by its Chairman, one of its Vice-Chairmen, one of the Depositaries, or the majority of its members. The Intersessional Committee shall take its decisions by consensus. Its meetings, notified by the Chairman to all States parties with at least 10 days' notice, may be attended by representatives of interested States parties. The Intersessional Committee may request its Chairman, its Vice-Chairmen or any of its members to carry out or supervise any of the tasks assigned to it.

D. Consultations

(1986, para. one)

The Conference notes the importance of Article V and reaffirms the obligation assumed by States parties to consult and cooperate with one another in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention.

(United Kingdom)

The Conference reaffirms the agreement reached at the Second Review Conference, and agrees that in order to strengthen the implementation of the provisions of Article V the following procedures should be adopted:

- requests by any State party for the convening of a consultative meeting shall be addressed to the depositaries who shall immediately inform all States parties of the request and shall convene a meeting of States parties within [60] days of receipt of the request;

* To be decided in accordance with the relevant provisions of the Report of the Preparatory Committee of the Third Review Conference.

- the meeting could be preceded by bilateral or other consultations by agreement of those States parties involved in the problems which had arisen;
- with regard to the taking of decisions, the consultative meeting shall proceed in accordance with Rule 28 of the Rules of Procedure of the Review Conference;
- a consultative meeting may consider any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention, suggest ways and means for further clarifying, inter alia, with assistance of technical experts, any matter considered ambiguous or unresolved, as well as initiate appropriate international procedures within the framework of the United Nations and in accordance with its Charter;
- the consultative meeting, or any State party, may request specialized assistance in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention, through, inter alia, appropriate international procedures within the framework of the United Nations and in accordance with its Charter;
- the States parties agree that, should the consultative meeting, or any State party, make use of such procedures within the framework of the United Nations, including lodging a complaint with the Security Council under Article VI of the Convention, the Secretary-General may be kept informed;
- the States parties also agree that such specialized assistance as may be sought for solving problems which may arise in relation to the Convention could include a request by the consultative meeting, or any State party, for assistance from the United Nations Security Council or United Nations Secretary-General in investigating or clarifying the facts in accordance with available procedures;
- the Conference considers that States parties shall cooperate with the consultative meeting in its consideration of any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention, and in clarifying ambiguous and unresolved matters, as well as cooperate in appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

(1986, para. two)

The Conference reaffirms that 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.

E. Verification

(Proposed mandate for an ad hoc group of governmental experts on verification issues, submitted by the Focal Point)

The Conference, determined to strengthen the effectiveness of the Convention, decides to establish an Ad Hoc Group of Governmental Experts open to all States parties to examine scientific and technical aspects of verification including possible modalities for verification and compliance procedures. The Group shall meet in Geneva for the period 30 March to 10 April 1992 under the Chairmanship of The Chairman of the Group will be assisted by two Vice-Chairmen to be elected by the States parties participating in the meeting. The meeting may decide to hold additional sessions as it deems necessary to complete its work. The Group should complete its work as soon as possible but in any case no later than the end of 1993. The final report of the meeting containing the results of the examination shall be communicated to all States parties for their consideration. On the basis of recommendations worked out by the Group, the Depositary Governments shall consult States parties on the possible follow-up procedures to review the experts' report. If the majority of States parties would ask for the convening of a special conference to examine the report such a conference shall be convened as soon as possible.

(Nigeria)

The Conference notes the importance of this article as well as the need to further improve and strengthen it and other procedures to enhance greater confidence in the Convention. The Conference therefore decides to convene open-ended meetings of Governmental Experts from States parties to study and elaborate for consideration of the Fourth Review Conference, a verification regime, in an additional Protocol to the Convention. The verification regime should be non-discriminatory, transparent and should not in any way jeopardize the economic and social developments of States parties. The first of such meetings shall be held not later than March 1992.

(Sweden)

(Proposed mandate for an ad hoc group on CBMs and verification)

The Conference, determined to strengthen the effectiveness of the Convention, decides to establish an open-ended Ad Hoc Group of Governmental Experts of States parties to examine the implementation and further improvements of agreed confidence-building measures, complaints procedures, and the technical feasibility and possible modalities of a verification regime.

The Chairman of the Drafting Committee of the Third Review Conference shall preside over the Group's meetings. The Group shall submit a final consensus report to States parties well before the Fourth Review Conference.

(USSR)

The Conference notes the lack of an elaborated verification mechanism in the Biological Weapons Convention and decides to begin the negotiating process with a view to rectifying this shortcoming. To this end the Conference sets up appropriate machinery with the following mandate: (to be elaborated).

(Chile and Brazil, edited)

The Conference considers it fundamental to adopt a follow-up mechanism which would specifically address the elaboration of verification measures, which, due to their complexity, require a special study.

In this context, the Conference considers that verification needs to be examined in an independent way, i.e. in a separate group, different from the group on confidence-building measures.

F. Compliance - allegations of use

(1986, para. four)

The Conference stresses the need for all States to deal seriously with compliance issues and emphasizes that the failure to do so undermines the Convention and the arms control process in general.

(1986, para. five, modified, United Kingdom)

The Conference appeals to States parties to make all possible efforts to solve any problems which may arise in relation to the objective of, or in the application of the provisions of the Convention with a view towards encouraging strict observance of the provisions subscribed to. In this connection, the States parties agree to provide a specific, timely response to any compliance concern alleging a breach of its obligations under the Convention. Such response should be submitted through the mechanisms provided for under the Convention. The Conference further requests that information on such efforts be provided to the Fourth Review Conference.

(United Kingdom, investigation by the United Nations Secretary-General)

The Conference welcomes the proposals in United Nations document A/44/561, Annex 1, developed by a group of qualified experts and endorsed by the United Nations General Assembly in 1990 in its resolution 45/57 C for technical guidelines and procedures to guide the United Nations Secretary-General in the timely and efficient investigation of use of chemical and bacteriological or toxin weapons. The Conference recalls, in this context, United Nations Security Council resolution 620 (1988) which encouraged the United Nations Secretary-General to carry out prompt investigations into alleged use of chemical and bacteriological or toxin weapons. The States parties agree to consult, at the request of any State party, regarding allegations of use of biological or toxin weapons and to cooperate fully with the United Nations Secretary-General in carrying out such investigations.

(United States of America and Canada, consideration of sanctions)

The Conference notes declarations by States parties of their intention to consider individually the application of sanctions against any State which uses biological or toxin weapons as well as to consider individually appropriate measures, including sanctions, in response to any violations of the Convention. Such measures might include cessation of scientific and technical collaboration on any biological activity, trade restrictions or denial of economic assistance.

(Italy, sanctions)

Consultations among States parties for the implementation of the Convention may also lead to the adoption of sanctions in case of a serious breach of the Convention.

(Nigeria, sanctions)

The Conference welcomes the importance that States parties attach to the issue of compliance with the provisions of the Convention. It notes that the absence of a provision on measures to redress an established violation or non-compliance has a negative impact on the Convention.

The Conference therefore decides that the Governmental Experts group on verification should also be entrusted with the task of identification of violations according to minor and major breaches, with appropriate sanctions and measures stipulated for such breaches.

(Chile, Panama, Venezuela and Peru, request for fact-finding)

The Review Conference should declare that any State party has the right to request the Secretary-General of the United Nations to conduct a timely fact-finding inquiry into compliance concerns and should stress the obligation of States parties to cooperate with such an inquiry. The Conference should request the General Assembly to pass a resolution enabling the Secretary-General to respond to such requests.

Article VI

(1986, para. one)

The Conference also notes the importance of Article VI, which in addition to the procedures contained in Article V, provides for any State party, which finds that any other State party is acting in breach of its obligations under the Convention, to lodge a complaint with the United Nations Security Council and under which each State party undertakes to cooperate in carrying out any investigation which the Security Council may initiate.

(Cuba, addition)

Such a complaint should include all possible evidence confirming its validity. Each State party undertakes not to abuse the procedures foreseen in Article VI and to act always in good faith and within the scope of Article I of the Convention.

(United Kingdom, investigation of alleged use)

The Conference notes that in its consideration of the consequences of use of chemical weapons in its resolution 620 (1988) the Security Council encouraged the United Nations Secretary-General also to investigate any allegation of use of bacteriological (biological) and toxin weapons.

The Conference invites the Security Council to consider immediately any complaints lodged under Article VI; to take all necessary measures for the investigation of the complaint; and to inform each State party of the results of the investigation.

(Italy)

The Conference requests the Security Council to ascertain whether the breach of obligations, object of a complaint by a State party, constitutes a threat to the peace, a breach of the peace or an act of aggression and to act accordingly.

(Islamic Republic of Iran, violation of the Convention, edited)

The Conference stresses that the cases of violation and of non-compliance with the Convention can be divided into two categories:

- the first category concerns the use of biological weapons which requires very prompt, urgent action;
- the second one concerns violations in relation to production, development, stockpiling and transferring of biological agents and toxins for military purposes.

The Conference considered it evident that the process of verification vis-à-vis those two categories would be carried out in a different manner. In the case of use of biological weapons, the time factor is very important since as soon as a State lodges a complaint with the Security Council of the United Nations that such weapon has been used, the Security Council must, immediately and without any delay, take appropriate measures, including the dispatch of an inspection team to the region.

(Nigeria, investigation by the United Nations Secretary-General)

The Conference recognizes the importance of an effective compliance procedure for the Biological Weapons Convention and the need for such a procedure to attract greater confidence and eliminate possible political controversy on its application.

The Conference notes the views expressed by States parties on the need for an effective arrangement that would separate the fact-finding stage of the complaints procedure from the stage of political consideration and decision by the Security Council.

The Conference therefore agrees that the complaints of violations should be lodged with the Secretary-General of the United Nations who should initiate investigations through a consultative Committee of Experts to be appointed by him. The result of such investigations should be conveyed to States parties and to the Security Council for consideration and decision.

(Canada)

The Conference also notes the importance of Article VI, which in addition to the procedures contained in Article V, provides for any State party, which finds that any other State party is acting in breach of its obligations under the Convention, to lodge a complaint with the United Nations Security Council and under which each State party undertakes to cooperate in carrying out any investigation which the Security Council may initiate. The Conference notes that the provisions of this Article have not been invoked.

Article VII

(1986, amended by the Netherlands)

The Conference notes with satisfaction that these provisions have not been invoked.

(Nigeria)

The Conference reaffirms the importance of Article VII and underlines the need for its effective implementation.

The Conference therefore decides that the investigation of a situation giving rise to a request for assistance should be initiated by the Secretary-General of the United Nations, through a Committee of Experts to be appointed by him. The result of such investigations should be conveyed to States parties and to the Security Council for consideration and decision on the request.

(Islamic Republic of Iran)

The Review Conference notes that, since no specific mechanism for providing the assistance has been stipulated in this article, the United Nations can be considered as a centre for such operation. The United Nations and its specialized agencies can prepare a list of potential assistance which different countries would provide, for emergency times. In other words the United Nations and related agencies should organize in advance these assistances in an operational term.

Article VIII

(1986, paras. one and two)

The Conference reaffirms the importance of Article VIII and stresses the importance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare.

The Conference reaffirms that nothing contained in the 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 17 June 1925. Noting the report of the Security Council (S/17911), the Conference appeals to all States parties to the Geneva Protocol of 1925 to fulfil their obligations assumed under that Protocol and urges all States not yet parties to the said Protocol to adhere to it at the earliest possible date.

N.B., proposal by Romania to change the underlined part into "without further delay and without reservations".

(France)

The Conference acknowledges that the 1925 Geneva Protocol, by prohibiting the use of bacteriological methods of warfare, forms an essential complement to the Biological Weapons Convention.

(Addition suggested by Australia, Austria, Canada, Netherlands and United States of America)

In this context, the Conference would welcome the withdrawal by all States parties to the Biological and Toxin Weapons Convention of their reservations to the 1925 Geneva Protocol that relate to this Convention.

(Addition suggested by Austria)

Thus the renunciation of bacteriological methods of warfare would become unconditional.

(Czech and Slovak Federal Republic, Poland, Australia, Finland, Venezuela, Romania, New Zealand and Sweden, suggested for either Article I or Article VIII)

The Conference calls upon all parties to the Geneva Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare, to withdraw their reservations to this international instrument if they have not yet done so.

(United Kingdom)

The Conference notes that the United Nations has taken significant action in support of the 1925 Geneva Protocol during the period under review, including through Security Council resolution 620 (1988) and General Assembly resolutions 41/58 C, 42/37 C, 43/74 A, 44/115 B and 45/57 C.

(France)

The Conference recalls that the participating States to the Conference of the States Party to the 1925 Geneva Protocol and other interested States, held in Paris on 7-11 January 1989, solemnly reaffirmed in its Final Declaration the prohibition as established in the 1925 Geneva Protocol and urged all States which had not done so to accede to it.

(India)

The Conference reaffirms the importance of Article VIII and stresses the importance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare. The Conference reaffirms that nothing contained in the Convention shall be interpreted 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 17 June 1925. The Conference reaffirms that the Biological Weapons Convention supplements and strengthens the Geneva Protocol of 1925 for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare and that the absence of a specific prohibition of the use of bacteriological (biological) and toxins weapons in the Convention is covered by the non-use obligation, which is part of the 1925 Geneva Protocol. The Conference invites all States which have not done so to become parties to the 1925 Geneva Protocol.

(Bulgaria)

The Conference ought to reaffirm that nothing in this Convention should be interpreted as in any way limiting or detracting from the obligations assumed 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 17 June 1925.

The Conference welcomes the withdrawal on the part of States parties to the Convention of their reservations on the 1925 Geneva Protocol, as well as the respective procedures initiated by certain other States.

The Conference may also refer to the 1989 Paris Conference of States Parties to the 1925 Geneva Protocol and other interested Parties, and its Final Document.

Article IX

(1986, paras. one and two)

The Conference reaffirms the obligation assumed by States parties to continue negotiations in good faith towards an early agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction.

All States parties participating in the Conference reiterate their strong commitment to this important goal.

(1986, para. three as amended by the United States of America and the USSR)

The Conference notes with satisfaction the substantial progress made in the negotiations on a Convention on Chemical Weapons in the Conference on Disarmament during the period under review. The Conference also takes note of the bilateral agreement, signed in June 1990, between the Union of Soviet Socialist Republics and the United States of America on Destruction and Non-Production of Chemical Weapons.

(Germany, Austria, Netherlands)

The Conference urges the Conference on Disarmament to exert all possible efforts to implement the mandate for the CW negotiations as amended on 20 June 1991, and to achieve a final agreement by 1992 on the Convention on the complete and effective prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction. The Conference notes with satisfaction the statements of intent by many States to become Original Parties to the Chemical Weapons Convention and urges those which have not yet done so to make similar statements.

(Nigeria)

All States parties reiterate their strong commitment to the important goal of an early conclusion of an agreement on effective measures for the prohibition of the development, production and stockpiling of chemical weapons and for their destruction.

The Conference therefore welcomes the significant progress made recently in the negotiations on a convention on the prohibition of chemical weapons in the Conference on Disarmament.

The Conference in this regard urges the Conference on Disarmament to keep up the intense pace of negotiations on the chemical weapons convention in order to conclude the Convention next year as provided for in the revised mandate of the Ad Hoc Committee on Chemical Weapons.

The Conference also calls on all States to adhere early to the Convention when concluded so as to ensure its early entry into force.

Article X

(1986, paras. one, two, three, four and five)

The Conference emphasizes the increasing importance of the provisions of Article X, especially in the light of recent scientific and technological developments in the field of biotechnology, bacteriological (biological) agents and toxins with peaceful applications, which have vastly increased the potential for cooperation between States to help promote economic and social development, and scientific and technological progress, particularly in the developing countries, in conformity with their interests, needs and priorities.

The Conference, while acknowledging what has already been done towards this end, notes with concern the increasing gap between the developed and the developing countries in the field of biotechnology, genetic engineering, microbiology and other related areas. The Conference accordingly urges States parties to provide wider access to and share their scientific and technological knowledge in this field, on an equal and non-discriminatory basis, in particular with the developing countries, for the benefit of all mankind.

The Conference urges that States parties take specific measures within their competence for the promotion of the fullest possible international cooperation in this field through their active intervention. Such measures could include, inter alia:

- transfer and exchange of information concerning research programmes in bio-sciences;
- wider transfer and exchange of information, materials and equipment among States on a systematic and long-term basis;
- active promotion of contracts between scientists and technical personnel on a reciprocal basis, in relevant fields;
- increased technical cooperation, including training opportunities to developing countries in the use of bio-sciences and genetic engineering for peaceful purposes;
- facilitating the conclusion of bilateral, regional and multiregional agreements providing on a mutually advantageous, equal and non-discriminatory basis, for their participation in the development and application of biotechnology;
- encouraging the coordination of national and regional programmes and working out in an appropriate manner the ways and means of cooperation in this field.

(Addition suggested by India)

- actively associating with institutions such as the International Centre for Genetic Engineering and Biotechnology in New Delhi for contributing to the further development of scientific discoveries in biotechnology.

The Conference calls for greater cooperation in international public health and disease control.

The Conference urges that cooperation under Article X should be actively pursued both within the bilateral and the multilateral framework and further urges the use of existing institutional means within the United Nations system and the full utilization of the possibilities provided by the specialized agencies and other international organizations.

(France, epidemiological surveillance)

The Conference calls upon States parties to cooperate in providing information on their national epidemiological surveillance and data reporting systems, and in providing assistance, on a bilateral level, regarding epidemiological surveillance, with a view to improvements in the identification and timely reporting of significant outbreaks of human and animal diseases.

(Yugoslavia, scientific research)

The Conference emphasizes once again the increasing importance of the provisions of article X, especially in the light of recent scientific and technological developments in the field of biotechnology, bacteriological (biological) agents and toxins for peaceful purposes. The existing discrepancy between developed and developing countries in their level of knowledge, technology, scientific experience and equipment indispensable for research and development activities is widening and such a tendency in the future should be diminished.

The Conference calls upon the States parties to stimulate research, for peaceful and humanitarian purposes, in the field of medicine (as for example, in diagnosis, treatment and protection of human life against different diseases) and other disciplines. All efforts should be invested to make sure that the achievements in this field are not monopolized. Due to the fact that it is difficult to differentiate between offensive and defensive research, development and production programmes, the Conference recommends that such activities should be carried out within the framework and under the control of the United Nations.

In this regard, the Conference recommends that the United Nations Secretariat Unit should include in its activities supervision and support of all international cooperation in this field, thus contributing to the goals of non-proliferation policy in the context of the implementation and compliance of the BWC, and strengthening mutual trust based on the responsibilities of each State party.

(Nigeria, facilitating exchanges between developed and underdeveloped countries)

The Conference reaffirms the importance of this article not only in terms of its potentials for fostering cooperation between States but also for enhancing adherence to the Convention, and contributing to the cherished goal of its universality.

The Conference therefore notes with grave concern that due to the poor implementation of this Article the gap between the developed and the developing countries has continued to widen in the field of biotechnology, genetic engineering, microbiology and other related areas.

The Conference in this connection reiterates that, as identified by the Second Review Conference, cooperation would best be achieved through improved institutionalized direction and coordination.

The Conference therefore calls upon the Secretary-General of the United Nations to initiate action for a discussion and examination, by a relevant United Nations body, of the means for improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological agents and toxins for peaceful purposes. The Conference also recommends that invitations for participation in this discussion and examination should be extended to all States parties.

The Conference also requests that, in the meantime, the Secretary-General should collate on an annual basis, and for the information of States parties, how this Article is being implemented.

(Ukraine and Byelorussia, study of enhanced radioactivity)

The Conference notes that one of the fields of cooperation in microbiology would be the study of the influence of enhanced radioactivity on micro-organisms aimed at reducing its harmful effects on humans, as well as plants and animals to be carried out within the programme of minimization of the consequences of the Chernobyl disaster.

(Chile, Panama, Venezuela and Peru, improving institutional mechanisms)

1. The Review Conference should agree to request the Secretary-General of the United Nations to propose for inclusion on the agenda of a relevant United Nations body not later than 1992, a discussion and examination of the means for improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes.

(1986, paras. nine and ten)

The Conference, to ensure compliance with Article X, also requests States parties and the United Nations Secretariat to provide information relevant to the implementation of the Article for examination by the next conference of States parties.

The Conference upholds that the above-mentioned measures would positively strengthen the Convention.

(Islamic Republic of Iran, world data bank)

The Review Conference stresses that the establishment of a world data bank under the supervision of the United Nations is a suitable way for smoothing the flow of information in the field of genetic engineering, biotechnology and other scientific developments in this respect.

(China)

The Conference emphasizes that no State party should in any way restrict or hinder the international cooperation and exchange among States parties in the peaceful uses of biotechnology, and calls upon the developed countries possessing advanced biotechnology to adopt positive measures to promote technological transfer and international cooperation in this field.

(Thailand)

The United Nations and States parties with advanced technologies are called upon to provide technical assistance, for instance by providing training courses to all interested parties, both in the field of verification and confidence-building measures as well as in the use of bacteriological agents and toxins for peaceful purposes.

(India)

The Conference noted that attention will have to be devoted to seeking institutional ways and means of assuring cooperation between the developed and developing countries through the active intervention of the States parties to the Convention in order to promote international cooperation in the field of peaceful activities in such areas as medicine, public health and agriculture.

(1986, para. eight as amended by India)

The Conference, referring to paragraph 35 of the Final Document of the first special session of the General Assembly devoted to disarmament, stresses the importance of the obligations under Article X in promoting economic and social development of developing countries, particularly in the light of the results of the United Nations Conference on the Relationship between Disarmament and Development, which was held in 1987.

Article XI

(1986)

The Conference notes the importance of Article XI and that since the entry into force of the Convention the provisions of the article have not been invoked.

(Islamic Republic of Iran)

The Conference notes that any proposed amendment must be approved by a qualified majority (2/3) of the States parties to the Convention.

Article XII

(1986, edited)

The Conference decides that a Fourth Review Conference shall be held in Geneva at the request of a majority of States parties not later than

The Conference, noting the differing views with regard to verification, decides that the Fourth Review Conference shall consider, inter alia:

- the impact of scientific and technological developments relevant to the Convention,
- the relevance for effective implementation of the Convention of the results achieved in the negotiations on prohibition of chemical weapons,
- the effectiveness of the provisions in Article V for consultation and cooperation and of the cooperative measures agreed in this Final Declaration, and
- in the light of these considerations and of the provisions of Article XI, whether or not further actions are called for to create further cooperative measures in the context of Article V, or legally binding improvements to the Convention, or a combination of both.

(Chile, Panama, Venezuela and Peru)

The Review Conference decides that conferences of States parties to review the operation of the Convention should be held at least every five years.

(Bulgaria)

The Conference decides that the Fourth Review Conference should be held upon request from a majority of States parties no later than 1996.

The Third Review Conference agrees in substance on the subject-matters of the Fourth Review Conference. In this regard the Bulgarian delegation suggests the following:

- the impact of scientific and technological developments relating to the Convention;
- the efficiency of coordinated confidence-building measures as stipulated in Article V;
- the necessity of additional measures for cooperation in the context of Articles V and X (separately or jointly);
- the influence of the chemical weapons ban (providing the respective Convention is concluded) on the effectiveness and scope of the Biological Convention.

Article XIII

(1986)

The Conference notes the provisions of Article XIII and expresses its satisfaction that no State party to the Convention has exercised its right to withdraw from the Convention.

Article XIV

(1986, paras. one and two)

The Conference notes with satisfaction that a significant number of States have ratified or acceded to the Convention since the First Review Conference and that there are now more than 100 States parties to the Convention, including all the permanent members of the Security Council of the United Nations.

The Conference calls upon States which have not yet ratified or acceded to the Convention to do so without delay and upon those States which have not signed the Convention to join the States parties thereto thus contributing to the achievement of universal adherence to the Convention.

(Addition suggested by the Netherlands, Belgium and Italy)

In this connection the Conference encourages States parties to take action to persuade non-parties, especially non-parties in regions of tension and conflict, to adhere to the Convention without delay.

The Conference particularly welcomes regional initiatives that would lead to wider adherence to the Convention.

(1986, para. three)

The Conference makes an urgent appeal to all States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, which did not participate in its work, to give their effective cooperation and take part more actively in the common endeavour to all the Contracting Parties to strengthen the objectives and purposes of the Convention. In this connection, the Conference urges all States parties that were absent to take part in the future work envisaged in this Final Declaration.

(Bulgaria)

The Conference notes with satisfaction the increasing number of States ratifying or joining the Biological Convention after the Second Review Conference and the 1989 Paris Conference, that presently the total number of States parties has reached the figure of ... States, which includes all the permanent members of the United Nations Security Council.

The Third Review Conference appeals again to all States which have not yet ratified or joined the Biological Convention to do so without further delay in order to achieve the Convention's universality.

The Third Review Conference appeals to those States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons which have not taken part in the Conference, to implement the agreed confidence-building measures and thus to make their contribution to the enhancement of the Convention's prestige.

The Concluding Document of the Third Review Conference should call upon all States parties to participate in the future activities it provides for, in particular to participate in a series of ad hoc meetings on the expansion of confidence-building measures or for drafting an Inspection Protocol.

Article XV

(1986)

The Conference notes the provisions of Article XV.

GERMANY, NETHERLANDS, CANADA

LIST OF BIOLOGICAL AGENTS

Appendix A

Biological agents (micro-organisms, viruses and toxins), regardless of their origin and mode of production, which are capable, by their very nature, of being used as a means of warfare:

(a) capable, by their very nature are

(1) pathogens with several of the following properties:

- the onset of a severe disease or a severe injury
- a high rate of disease following infection
- resistance against environmental influences

(2) toxins which are highly poisonous and resistant against environmental influences

(b) capable, by their very nature are, above all, the following pathogens:

Pseudomonas mallei
Pseudomonas pseudomallei
Bacillus anthracis
Brucella spp
Francisella tularensis
Yersinia pestis
Coxiella burnetii
Chlamydia psittaci
Rickettsia spp
Orthopox viruses
Viruses causing any type of haemorrhagic fever
Viruses causing any type of encephalitis or encephalomyelitis

(c) capable, by their very nature are, above all, the following toxins:

Clostridial toxins
Staphylococcal toxins

Saxitoxin
Ricin

SWEDEN

DISCUSSION PAPER

Appendix B

PROPOSALS BY SWEDEN FOR IMPROVED AND NEW CONFIDENCE-BUILDING MEASURES

Swedish proposal for a nil-declaration form for use in
the information exchange

There is no relevant information to report in accordance with forms

1a _____

1b _____

2 _____

3 _____

(please mark relevant form, if there is information to submit on one or more forms)

Prepared by the Ad Hoc Meeting of Scientific and Technical Experts from States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

Date _____

State party to the Convention _____

Signature _____

SWEDEN

DISCUSSION PAPER

ITEMS TO BE DECLARED ANNUALLY IN ACCORDANCE WITH THE
FINAL DECLARATION OF THE SECOND REVIEW CONFERENCE OF
THE BIOLOGICAL AND TOXIN WEAPONS CONVENTION

State Party _____ Date _____

Signature _____

Yes No

I. Information given in previous data exchange _____

If yes, please continue to II

If no, please continue to III

II. Is there new information to be supplied compared
with previous data exchange? _____

If the answer to the above question is no, return the form to
United Nations Department for Disarmament Affairs in New York.

If the answer is yes, please continue to III.

III.1. Information on research centres and laboratories
within the territory of a State party under its
jurisdiction or control anywhere:

(a) which have maximum containments units (BL4) _____

(b) which specialize in research and development
for prophylactic or protective purposes
against biological or toxin warfare _____

2. Information on outbreaks of infectious
diseases and similar occurrences that seem to
deviate from the normal pattern _____

3. Information on planned conferences, symposia
and other similar forums for exchanges directly
related to the Convention _____

Research centres or laboratories according to 1a and 1b should be declared also
if these are intended only for work on animal pathogenic organisms. If the
answer to any of the above questions is yes fill in the corresponding form (1,
2 or 3). For item 1, one form has to be filled in for each research centre.

(Forms 1, 2 and 3 as elaborated by the Expert Meeting in 1987)

SWEDEN

DISCUSSION PAPER

FORM 4

EXCHANGE OF INFORMATION ON NATIONAL RESEARCH AND DEVELOPMENT
ACTIVITIES/PROGRAMMES CONCERNING DEFENCE AGAINST BIOLOGICAL
AND TOXIN WARFARE

National research and development activities/programmes
concerning defence against biological and toxin warfare

	<u>Yes</u>	<u>No</u>
--	------------	-----------

List of funding ministries/organizations and respective annual budgets

General description of activities

Are the following items included in the above-mentioned activities/programmes?	<u>Yes</u>	<u>No</u>
Work concerning aerosols with pathogenic micro-organisms or toxins in laboratories	___	___
Outdoor experiments with biological aerosols	___	___
Work with pathogenic micro-organisms in fermentors (100 l or larger volume)	___	___
Work involving recombinant DNA techniques/genetic engineering techniques with pathogenic micro-organisms	___	___
Work involving potent toxins (LD ₅₀ 1 ug/kg body weight)	___	___

SWEDEN

FORM 4 (continued)

List of research centres or laboratories (civilian and military) including geographical location funded by the above-mentioned ministries/organizations. (Each research centre or laboratory should also be declared on Form 1.)

List of contracts or projects (titles) at research centres or laboratories that are not carried out at the above declared facilities. Indicate funding ministry/organization.

FRIEND OF THE CHAIRMAN ON CONFIDENCE-BUILDING MEASURES

ARTICLE V

(Mr. F. Calderón)

Proposals agreed by the Technical Expert Group for
consideration by the Committee of the Whole

Proposal for a declaration form on nothing to declare or nothing new to declare
for use in the information exchange.

Form	Nothing to declare	There is nothing new to declare
1a	<input type="checkbox"/>	<input type="checkbox"/>
1b	<input type="checkbox"/>	<input type="checkbox"/>
1c	<input type="checkbox"/>	<input type="checkbox"/>
1d	<input type="checkbox"/>	<input type="checkbox"/>
2	<input type="checkbox"/>	<input type="checkbox"/>
3	<input type="checkbox"/>	<input type="checkbox"/>

(please mark relevant box)

prepared by the Third Review Conference of the Parties to the Convention
on the Prohibition of the Development, Production and Stockpiling of
Bacteriological (Biological) and Toxin Weapons and on their Destruction

Date _____

State party to the Convention _____

The Modalities to Confidence-Building Measure "A" should be amended as follows:

The Review Conference agreed that data should be provided by States parties on each facility, within their territory or under their jurisdiction or control anywhere, which has any maximum containment laboratories meeting those criteria for such maximum containment laboratories as specified in the 1983 WHO Laboratory Biosafety Manual such as those designated as biosafety level 4 (BL4) or P4 or equivalent standards.

Form 1 agreed by the Ad Hoc Meeting of Experts (BWC/CONF.II/EX.2, p. 5) would become Form 1a and be amended mutatis mutandis, with the following footnote:

/ The containment units which are fixed patient treatment modules, integrated with laboratories, should be identified separately.

Confidence-Building Measure "A": part 2

Declaration of national biological defence
research and development programme

In the interest of increasing the transparency of national research and development programmes on biological defence, the States parties will declare whether or not they conduct such programmes. States parties agreed to provide, annually, detailed information on their biological defence research and development programmes including summaries of the objectives and costs of effort performed by contractors and in other facilities. If no biological defence research and development programme is being conducted, a "null" report will be provided.

States parties will make declarations in accordance with the attached forms, which require the following information:

1. the objective and summary of the research and development activities under way indicating whether work is conducted in the following areas: prophylaxis, studies in pathogenicity and virulence, diagnostic techniques, aerobiology, detection, treatment, toxinology, physical protection, decontamination and other related research;
2. whether contractor or other non-defence facilities are utilized and the total funding provided to that portion of the programme;
3. the organizational structure of the programme and its reporting relationships; and

4. the following information concerning the defence and other governmental facilities in which the biological defence research and development programme is concentrated:

- (a) location;
- (b) the floor areas (sq m) of the facilities including that dedicated to each of BL-2, BL-3 and BL-4 level laboratories;
- (c) the total number of staff employed, including those contracted full time for more than six months;
- (d) numbers of staff reported in (c) by the following categories: civilian, military, scientists, technicians, engineers, support and administrative staff;
- (e) a list of the scientific disciplines of the scientific/engineering staff;
- (f) the source and funding levels in the following three areas: research, development, and test and evaluation; and
- (g) the policy regarding publication and a list of publicly available papers and reports.

Form 1b

NATIONAL BIOLOGICAL DEFENCE RESEARCH AND
DEVELOPMENT PROGRAMME DECLARATION

1. Is there a national programme to conduct biological defence research and development within the territory of the State Party, under its jurisdiction or control anywhere? Activities of such a programme would include prophylaxis, studies on pathogenicity and virulence, diagnostic techniques, aerobiology, detection, treatment, toxinology, physical protection, decontamination and other related research.

Yes/No

If the answer to (1) is Yes, complete Form 1c which will provide a description of the programme.

Form 1c

NATIONAL BIOLOGICAL DEFENCE RESEARCH
AND DEVELOPMENT PROGRAMME

II. Description

1. State the objectives and costs of the programme and summarize the principal research and development activities conducted in the programme. Areas to be addressed shall include: prophylaxis, studies on pathogenicity and virulence, diagnostic techniques, aerobiology, detection, treatment, toxinology, physical protection, decontamination and other related research.

2. State the total funding for the programme and its source.

3. Are aspects of this programme conducted under contract with industry, academic institutions or in other non-defence facilities?

Yes/No

4. If yes, what proportion of the total funds for the programme is expended in these contracted or other facilities?

5. Summarize the objectives and research areas of the programme performed by contractors and in other facilities with the funds identified under paragraph 4.

6. Provide a diagram of the organizational structure of the programme and the reporting relationships (include those individual facilities declared on Form 1d).

7. Provide a declaration in accordance with Form 1d for each facility, both governmental and non-governmental, which [has a substantial proportion of its resources devoted to the] [participates in] national biological defence research and development programme, within the territory of the reporting State, or under its jurisdiction or control anywhere.

Form 1d

NATIONAL BIOLOGICAL DEFENCE RESEARCH
AND DEVELOPMENT PROGRAMME

III. Facilities

Complete one form for each facility declared in accordance with paragraph 7 in Form 1c.

In shared facilities, provide the following information for the biological defence research and development portion only.

1. What is the name of the facility?
2. Where is it located (include both address and geographical location)?
3. Floor area of laboratory areas by containment level:
BL2 (sq m)
BL3 (sq m)
BL4 (sq m)
Total laboratory floor area (sq m)
4. The organizational structure of each facility.
 - I. Total number of personnel
 - II. Division of personnel:
Military
 - Civilian
 - III. Division of personnel by category:
Scientists
 - Engineers
 - Technicians
 - Administration and support staff

IV. List the scientific disciplines represented in the scientific/engineering staff.

V. Are contractor staff working in the facility?
If so, provide an approximate number.

VI. What is (are) the source(s) of funding for the work conducted in the facility, including indication if activity is wholly or partly financed by the Ministry of Defence?

VII. What are the funding levels for the following programme areas:

Research

Development

Test and evaluation

VIII. Briefly describe the publication policy of the facility.

IX. Provide a list of publicly available papers and reports resulting from the work during the previous 12 months.
(To include authors, titles and full references.)

5. Briefly describe the biological defence work carried out at the facility, including type(s) of micro-organisms* and/or toxins studied, as well as outdoor studies of biological aerosols.

* Including viruses and prions.

Confidence-Building Measure "B" should be amended as follows:

- B. Exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins.

Exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins, and on all such events that seem to deviate from the normal pattern as regards type, development, place, or time of occurrence. The information provided on events that deviate from the norm will include, as soon as it is available, data on the type of disease, approximate area affected, and number of cases.

Modalities:

The following definition was agreed:

An outbreak or epidemic is the occurrence of an unusually large or unexpected number of cases of an illness or health-related event in a given place at a given time. The number of cases considered as unusual will vary according to the illness or event and the community concerned.

Furthermore, reference was made to the following definitions:

An epidemic of infectious disease is defined as the occurrence of an unusually large or unexpected number of cases of a disease known or suspected to be of infectious origin, for a given place and time. It is usually a rapidly evolving situation, requiring a rapid response (WHO internal document GDS/Mtg/821).

The occurrence in a community or region of cases of an illness, specific health-related behaviour, or other health-related events clearly in excess of normal expectancy. The community or region, and the time period in which the cases occur, are specified precisely. The number of cases indicating the presence of an epidemic will vary according to the agent, size and type of population exposed, previous experience or lack of exposure to the disease, and time and place of occurrence: epidemicity is thus relative to usual frequency of the disease in the same area, among the specified population, at the same season of the year. A single case of a communicable disease long absent from a population or first invasion by a disease not previously recognized in that area requires immediate reporting and full field investigation: two cases of such a disease associated in time and place may be sufficient evidence to be considered an epidemic (Last, J.M., A Dictionary of Epidemiology, Oxford University Press, New York, Oxford, Toronto, 1983).

The Conference agreed on the following:

1. In determining what constitutes an outbreak States parties are recommended to take guidance from the above.
2. Since no universal standards exist for what might constitute a deviation from the normal pattern, States parties agreed to utilize fully existing national reporting systems on human diseases as well as animal and plant

diseases, where possible, and systems within the WHO to provide annual update of background information on diseases caused by organisms which meet the criteria for risk groups II, III and IV according to the classification in the 1983 WHO Laboratory Biosafety Manual, the occurrence of which, in their respective areas, does not necessarily constitute a deviation from normal patterns.*

3. Exchange of data on outbreaks that seem to deviate from the normal pattern is considered particularly important in the following cases:

- when the cause of the outbreak cannot be readily determined or the causative agent** is difficult to diagnose,
- when the disease may be caused by organisms which meet the criteria for risk group III or IV, according to the classification in 1983 WHO Laboratory Biosafety Manual,
- when the causative agent is exotic to a given region,
- when the disease follows an unusual pattern of development,
- when the disease occurs in the vicinity of research centres and laboratories subject to exchange of data under item A,
- when suspicions arise of the possible occurrence of a new disease.

4. In order to enhance confidence, an initial report of an outbreak of an infectious disease or a similar occurrence that deviates from the normal pattern should be given promptly after cognizance of the outbreak and should be followed up by annual reports.

To enable States parties to follow a standardized procedure, the Conference has agreed that Form [] should be used, to the extent information is known and/or applicable, for the exchange of initial as well as annual information.

5. In order to improve international cooperation in the field of peaceful bacteriological (biological) activities and in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, States parties are encouraged to invite experts from other States parties to assist in the handling of an outbreak, and to respond favourably to such invitations.

* This information should be provided in accordance with Form [].

** It is understood that this may include organisms made pathogenic by molecular biology techniques, such as genetic engineering.

Form []

Information on outbreaks of infectious diseases and similar occurrences,
that seem to deviate from the normal pattern

1. Time of cognizance of the outbreak
2. Location and approximate area affected
3. Type of disease/intoxication
4. Suspected source of disease/intoxication
5. Possible causative agent(s)
6. Main characteristics of systems
7. Detailed symptoms, when applicable
 - respiratory
 - circulatory
 - neurological/behavioural
 - intestinal
 - dermatological
 - nephrological
 - other
8. Deviation(s) from the normal pattern as regards
 - type
 - development
 - place of occurrence
 - time of occurrence
 - symptoms
 - virulence pattern

- drug resistance pattern
 - agent(s) difficult to diagnose
 - presence of unusual vectors
 - other
9. Approximate number of primary cases
 10. Approximate number of total cases
 11. Number of deaths
 12. Development of the outbreak
 13. Measures taken

Confidence-Building Measure "E" on Declaration of Legislation, Regulations and Other Measures

As an indication of the measures which they have taken to implement the Convention, States parties shall declare whether they have legislation, regulations or other measures:

(a) to prohibit the development, production, stockpiling, acquisition or retention of microbial or other biological agents, or toxins, weapons, equipment and means of delivery, specified in Article I of the Convention, within their territory or anywhere under their jurisdiction or control;

(b) in relation to the export or import of micro-organisms pathogenic to man, animals and plants or of toxins in accordance with the Convention.

States parties shall complete the attached form and shall be prepared to submit copies of the legislation, or regulations or written details of other measures on request to the UNDDA or to an individual State party. On an annual basis States parties shall indicate, also on the attached form, whether or not there has been any amendment to their legislation, regulations or other measures.

FORM FOR DECLARATION OF LEGISLATION, REGULATIONS AND OTHER MEASURES

RELATING TO	LEGISLATION	REGULATIONS	OTHER MEASURES	AMENDED SINCE LAST YEAR
(a) Development, production, stockpiling, acquisition or retention of microbial or other biological agents, or toxins, weapons, equipment and means of delivery specified in Article I	YES/NO	YES/NO	YES/NO	YES/NO
(b) Exports of micro-organisms* and toxins	YES/NO	YES/NO	YES/NO	YES/NO
(c) Imports of micro-organisms* and toxins	YES/NO	YES/NO	YES/NO	YES/NO

* Micro-organisms pathogenic to man, animals and plants in accordance with the Convention.

**Third Review Conference of the Parties to the Convention
on the Prohibition of the Development, Production and
Stockpiling of Bacteriological (Biological) and Toxin
Weapons and on their Destruction**

Final Document

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THIRD REVIEW CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE PROHIBITION OF THE
DEVELOPMENT, PRODUCTION AND STOCKPILING
OF BACTERIOLOGICAL (BIOLOGICAL) AND
TOXIN WEAPONS AND ON THEIR DESTRUCTION

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12 December 1991

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THIRD REVIEW CONFERENCE OF THE PARTIES TO THE CONVENTION
ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN
WEAPONS AND THEIR DESTRUCTION

SUMMARY RECORDS OF THE 1st TO 8th MEETINGS

Held at the Palais des Nations, Geneva,
from 9-27 September 1991

Corrigendum

The present document contains the corrections received from delegations and from the Secretariat applying to the English text of the summary records of the meetings of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and their Destruction (BWC/CONF.III/SR.1-8).

With the issuance of this corrigendum, the summary records of the above-mentioned meetings are to be considered as final.

1st meeting

1. Paragraph 4

The document symbol for the Report of the Preparatory Committee should read BWC/CONF.III/1 and Add.1.

2. Page 7

Insert a new paragraph before the action line "The agenda was adopted." to read:

The President drew attention to the provisional agenda recommended by the Preparatory Committee (BWC/CONF.III/1, Annex I).

3. Paragraph 20

For the words "provisional rules of procedure" read "draft rules of procedure".

2nd, 3rd, 4th, 5th and 6th meetings

On the cover pages of the respective summary records, the note indicated by an asterisk should read:

* In accordance with rule 42 of the rules of procedure of the Conference, no summary records were prepared for parts of a meeting, or meetings, devoted to consideration of agenda item 10 (a) - General debate.

THIRD REVIEW CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE PROHIBITION OF THE
DEVELOPMENT, PRODUCTION AND STOCKPILING
OF BACTERIOLOGICAL (BIOLOGICAL) AND
TOXIN WEAPONS AND ON THEIR DESTRUCTION

Distr.
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BWC/CONF.III/SR.1
13 September 1991

Original: ENGLISH

SUMMARY RECORD OF THE 1st MEETING

Held at the Palais des Nations, Geneva,
on Monday, 9 September 1991, at 3 p.m.

Temporary President: Mr. AKASHI (Under-Secretary-General,
Department for Disarmament Affairs)

President: Mr. GARCIA MORITAN (Argentina)

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Opening of the Conference by the Chairman of the Preparatory Committee
Submission of the final report of the Preparatory Committee
Election of the President
Message from the Secretary-General of the United Nations
Adoption of the agenda

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this Conference will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

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Adoption of the rules of procedure

Confirmation of the nomination of the Secretary-General

Election of the Vice-Presidents of the Conference and Chairmen and
Vice-Chairmen of the Committee of the Whole, the Drafting Committee and the
Credentials Committee

Credentials of representatives to the Conference

(a) Appointment of the Credentials Committee

The meeting was called to order at 3.35 p.m.

OPENING OF THE CONFERENCE BY THE CHAIRMAN OF THE PREPARATORY COMMITTEE (item 1 of the provisional agenda)

SUBMISSION OF THE FINAL REPORT OF THE PREPARATORY COMMITTEE (item 4 of the provisional agenda) (BWC/CONF.III/1)

1. The TEMPORARY PRESIDENT suggested that items 1 and 4 of the provisional agenda (BWC/CONF.III/1, annex 1) should be considered together.
2. It was so decided.
3. Mr. GARCIA MORITAN (Argentina), Chairman of the Preparatory Committee, declared open the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction and welcomed all delegations participating in the Conference.
4. Introducing the report of the Preparatory Committee (BWC/CONF.III/1), he noted with satisfaction that the Committee's decisions and recommendations had been adopted by consensus thanks to the spirit of goodwill and cooperation displayed by the participants. Particular thanks were due to the Vice-Chairmen of the Committee and the group coordinators. He also wished to express appreciation of the assistance the Secretary-General had given to the Committee and of the effective cooperation received from the Secretary-General's Special Representative and his staff.
5. Drawing attention to the other documentation before the Conference, prepared in accordance with the decisions of the Preparatory Committee, he explained that, owing to delays in the submission of material by States Parties, not all documents were as yet available in all the official languages of the Conference.

ELECTION OF THE PRESIDENT (item 2 of the provisional agenda)

6. The TEMPORARY PRESIDENT drew attention to paragraph 3 of the report of the Preparatory Committee which stated that, after intensive consultations during the session, the understanding had been reached that the representative of Argentina, nominated by the Group of Non-Aligned and Other States, would preside over the Third Review Conference. If he heard no objection, he would take it that the Conference wished to elect Mr. Garcia Moritán (Argentina) to the office of President of the Conference.
7. Mr. Garcia Moritán (Argentina) was elected President by acclamation.

8. The PRESIDENT said that it was a great honour and responsibility for the Argentine delegation to preside over the Conference, which was taking place in an international climate where the process of change and evolution was continuing steadily away from confrontation and towards cooperation. At the time of the Second Review Conference, the process had barely begun, a fact which had undoubtedly affected that Conference's work. Nevertheless, under the skilful leadership of Mr. Lang of Austria, the Second Review Conference had been able to rise above the constraints of a sterile debate and tackle the task of a serious review culminating in the unequivocal reaffirmation of the commitments under the Convention. Moreover, a set of confidence-building measures under article V had been considered with a view to avoiding and reducing any possible ambiguities, doubts or suspicions that might arise in connection with the Convention's implementation and to strengthening international cooperation in the field of biological activities for peaceful purposes. In that connection, he wished to stress the valuable collaboration of the Department for Disarmament Affairs.

9. In the light of the new prospects and possibilities offered by the current world situation, the objectives of the Third Review Conference might be somewhat different. In the first place, as part of a separate process which was nevertheless closely related to the issue of biological warfare, the Conference on Disarmament had entered upon the final phase of negotiations on the long-awaited chemical weapons convention, whose conclusion, possibly in 1992, would complete the set of international instruments that had begun with the Geneva Protocol of 1925 and to which the Convention on Biological Weapons had been added in 1972. Thus the work of the Third Review Conference would be taking place against the backdrop of a nearly complete legal framework.

10. In accordance with the mandate received from the General Assembly in its resolution 45/57 B, the Conference had to consider to what extent the process with regard to confidence-building measures decided upon in 1986 and 1987, and the Convention as a whole, had been implemented and to what extent the text of the Convention met the requirements of the States Parties in the current international environment.

11. It gave him particular pleasure to be responsible for conducting the process of review and reflection with regard to an international instrument which, far from losing any of its relevance, seemed to arouse ever-greater interest on the part of the international community, as witnessed by the large and growing number of States Parties. Over the past few months, State activities in the area covered by the Convention had multiplied, as had those of scholars and members of the public at large. In that connection, he wished to stress the importance of the work done, especially over the previous year, by the many non-governmental organizations which devoted considerable effort and resources to following up the Convention and educating and informing international public opinion through various meetings, workshops and publications.

12. As for the Convention itself, a large number of suggestions designed to strengthen it had been made informally, and many of them would undoubtedly be considered during the Conference. Some of them, concerning verification and the institutional structures surrounding the Convention, were aimed at reinforcing and revitalizing the instrument and providing it with the means required for its most effective application and for the continuity best suited to a treaty of vital importance to the common security of all nations.

13. The entire set of problems connected with progress in the field of genetic engineering and their relevance within the context of the Convention, as well as matters pertaining to international cooperation in the field of bioscience, would also have to be addressed in order to promote the economic and social development and scientific and technological advancement of the developing countries.

14. The international situation, favourable as it was from the strict point of view of security, should also allow the Conference to advance with far greater resolution in the field of cooperation, which, thanks to the efforts of the international biological community, might well prove no less effective than verification in strengthening universal security.

15. The Presidency would spare no effort in its search to find common ground that would enable the Conference, at the end of the current exercise, to adopt a final document declaring that the States Parties to the Convention regarded that instrument as a commitment with a clearly defined projection into the future.

MESSAGE FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS

16. The PRESIDENT invited the Special Representative of the Secretary-General of the United Nations to make a statement on behalf of the Secretary-General.

17. Mr. AKASHI (Special Representative of the Secretary-General of the United Nations, Under-Secretary-General for Disarmament Affairs) read out the following message to the Review Conference from the Secretary-General:

"It is with great pleasure that I extend warm greetings and best wishes to all delegations participating in the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.

In my message to the Second Review Conference of the Biological Weapons Convention five years ago, I stated that 'unless agreements are evolved in the not too distant future for proceeding with genuine arms limitation and disarmament, the arms race will continue to imperil peace and jeopardize the future of the global community'. I welcome the

important achievements that have been made in this domain since then and I am encouraged by the positive and constructive spirit that increasingly characterizes disarmament-related discussions and negotiations in various fora.

I am particularly aware of the fact that, especially after the Gulf crisis, there has been a perceptible upsurge in demands by Governments and world public opinion for urgent and effective measures to be taken to halt the proliferation of weapons of mass destruction and, as a priority goal in this regard, to eliminate biological and chemical warfare agents.

In that context, I welcome the historic agreement between the United States and the Soviet Union aimed at placing substantially lower limits on their strategic nuclear arsenals and the announced intention of the two parties to continue the process of the reduction of their arsenals of such weapons. I also welcome the proposals and other initiatives by States aimed at facilitating early agreement on an effective, comprehensive and verifiable multilateral accord on chemical weapons and at strengthening the effectiveness of the Biological Weapons Convention.

When the Convention was first opened for signature a little under 20 years ago, it was aptly hailed as the world's first genuine disarmament treaty because it was the first and, so far, remains the only multilateral legally-binding instrument by which States Parties have undertaken not only to prohibit and prevent the development, production and stockpiling of an entire category of weapons of mass destruction but also, perhaps most importantly, to destroy them or convert them to peaceful purposes. The Convention was therefore seen as a pace-setting regime that would serve as a guide for future disarmament agreements covering other types of weapons.

The First and Second Review Conferences made an important contribution towards strengthening the authority of the Convention and enhancing confidence in the implementation of its provisions. At the Second Review Conference, in particular, States Parties agreed on a number of specific measures to prevent or reduce the occurrence of ambiguities, doubts or suspicions and to improve international cooperation in the field of peaceful bacteriological (biological) activities. This demonstrated not only renewed commitment on the part of the States Parties to continue to strengthen the Convention but also their continued recognition and appreciation of its relevance and value as a shield against the development, production, stockpiling and use of biological weapons.

There is no doubt that, especially in our increasingly interdependent world, universal adherence to the Convention would help strengthen its effectiveness and contribute to enhancing international confidence, peace and security. It is therefore encouraging that adherence to the Convention has continued to grow since the Second Review Conference, bringing the total number of States Parties so far to 118.

The Third Review Conference offers a valuable opportunity to address a whole gamut of issues relevant to the objective of strengthening the authority of the Biological Weapons Convention. Besides focusing on realizing the purposes of the preamble and the provisions of the Convention, the Conference is also called upon to take into account in its deliberations new scientific and technological developments relevant to the Convention.

As efforts continue to try to improve the quality of life for people everywhere, especially in the developing countries, it can be expected that the exploitation of science and technology will increasingly constitute a vital component of such efforts. It is essential in this regard to ensure that, on the one hand, the Convention is implemented in a manner that does not hamper the economic and technological development of States Parties, as called for in the Convention itself, and that, on the other hand, the Convention is not outpaced or its effectiveness weakened by scientific and technological advances.

As you, the distinguished representatives of States Parties to the Convention, embark on your important deliberations, you may be sure that the international community will closely follow your progress. For, apart from the intrinsic value of such conferences, the Third Review Conference should also be seen as serving a wider interest - a forum for gauging the readiness of the international community to muster the necessary political will in the collective effort for disarmament, especially in the field of weapons of mass destruction.

The task before you is a solemn and challenging one, and I wish you every success."

18. The PRESIDENT thanked the Special Representative for his statement on behalf of the Secretary-General of the United Nations.

ADOPTION OF THE AGENDA (item 3 of the provisional agenda)

19. The agenda was adopted.

ADOPTION OF THE RULES OF PROCEDURE (agenda item 5)

20. The PRESIDENT drew attention to the provisional rules of procedure recommended by the Preparatory Committee (BWC/CONF.III/1, annex II).

21. The rules of procedure were adopted.

CONFIRMATION OF THE NOMINATION OF THE SECRETARY-GENERAL (agenda item 8)

22. The PRESIDENT noted that rule 10 of the rules of procedure provided for a Secretary-General of the Conference. In paragraph 26 of its report, the Preparatory Committee had decided to invite the Secretary-General of the United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act on behalf of the Committee as provisional Secretary-General of the Review Conference. The Secretary-General of the United Nations had nominated Mr. Sammy Kum Buo, Senior Political Affairs Officer, Department for Disarmament Affairs. In the absence of any objections, he would take it that the Conference wished to confirm Mr. Buo as Secretary-General of the Conference.

23. It was so decided.

ELECTION OF THE VICE-PRESIDENTS OF THE CONFERENCE AND CHAIRMEN AND VICE-CHAIRMEN OF THE COMMITTEE OF THE WHOLE, THE DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 6)

24. The PRESIDENT said that, under rule 5 of the rules of procedure, the Conference had to elect 20 Vice-Presidents. Since consultations were still being held with regard to the respective candidates, he suggested that the appointments should be considered at a later meeting.

25. It was so agreed.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7)

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE

26. The PRESIDENT said that, under rule 3 of the rules of procedure, the Conference must appoint, in addition to the Chairman and Vice-Chairman of the Credentials Committee, five further members of the Committee on the proposal of the President. As consultations about the respective appointments were still in progress, he suggested that consideration of the matter should be deferred to a later meeting.

27. It was so agreed.

28. The PRESIDENT reminded those delegations which had not already presented their credentials to the Secretary-General of the Conference that they should do so as soon as possible, in order that the Credentials Committee could meet at the end of the current week.

29. Referring to the question of participation in the Conference, he said that the Secretary-General had informed him that five States had deposited instruments of ratification or accession since the Preparatory Committee had met, namely, Iraq, Liechtenstein, Malaysia, St. Kitts and Nevis, and Swaziland. On behalf of the participants in the Conference, he welcomed those States as States Parties to the Convention.

30. In addition, under rule 44, paragraph 1 of the rules of procedure, the Secretary-General had informed him that notification had been submitted by Egypt, Morocco, Myanmar and the Syrian Arab Republic, which he welcomed on behalf of the participants in the Conference.

31. In accordance with rule 44, subparagraph 2 (a) of the rules of procedure, any other State which, in accordance with article XIV of the Convention, had the right to become a Party thereto but which had neither signed nor ratified it might apply to the Secretary-General of the Conference for observer status, which would be accorded on the decision of the Conference. Requests for observer status had been received from Algeria, Israel and Oman; if he heard no objection, he would take it that the Conference wished to accord observer status to those three States.

32. It was so decided.

33. The PRESIDENT recalled that, according to rule 44, paragraph 4 of the rules of procedure, the specialized agencies might apply to the Secretary-General of the Conference for Observer Agency status which would be accorded on the decision of the Conference. The Secretary-General had informed him that the World Health Organization wished to participate in the Conference. If there were no observations, he would take it that the Conference wished to accord Observer Agency status to the World Health Organization.

34. It was so decided.

The meeting rose at 4.40 p.m.

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17 September 1991

ENGLISH
Original: FRENCH

**THIRD REVIEW CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE PROHIBITION OF THE
DEVELOPMENT, PRODUCTION AND STOCKPILING
OF BACTERIOLOGICAL (BIOLOGICAL) AND
TOXIN WEAPONS AND ON THEIR DESTRUCTION**

SUMMARY RECORD (PARTIAL)* OF THE 2nd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 10 September 1991, at 10 a.m.

President: Mr. GARCIA MORITAN (Argentina)

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Review of the operation of the Convention as provided for in its Article XII

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

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page 2

The meeting was called to order at 10.35 a.m.

REVIEW OF THE OPERATION OF THE CONVENTION AS PROVIDED FOR IN ITS ARTICLE XII
(agenda item 10)

Statements were made by Mr. HYLTIENIUS (Sweden), Mr. WAGENMAKERS
(Netherlands), Mr. ENE (Romania), Ms. MASON (Canada), Mr. LEHMAN
(United States of America) and Mr. RITTER von WAGNER (Germany).

(Under rule 42 of the rules of procedure for the Review Conference, set forth in annex II to document BWC/CONF.III/1, that part of the meeting devoted to consideration of agenda item 10 (a), general debate, is not covered by a summary record.)

The meeting rose at 12.35 p.m.

THIRD REVIEW CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE PROHIBITION OF THE
DEVELOPMENT, PRODUCTION AND STOCKPILING
OF BACTERIOLOGICAL (BIOLOGICAL) AND
TOXIN WEAPONS AND ON THEIR DESTRUCTION

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BWC/CONF.III/SR.3
12 September 1991

Original: ENGLISH

SUMMARY RECORD (PARTIAL)* OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 10 September 1991, at 3 p.m.

President: Mr. GARCIA MORITAN (Argentina)

CONTENTS

Election of the Vice-Presidents of the Conference and Chairmen and
Vice-Chairmen of the Committee of the Whole, the Drafting Committee and the
Credentials Committee (continued)

Credentials of representatives to the Conference (continued)

(a) Appointment of the Credentials Committee (continued)

Programme of work

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They
should be set forth in a memorandum and also incorporated in a copy of the
record. They should be sent within one week of the date of this document to
the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this Conference will be
consolidated in a single corrigendum, to be issued shortly after the end of
the Conference.

The discussion covered in the summary record began at 4.30 p.m.

ELECTION OF THE VICE-PRESIDENTS OF THE CONFERENCE AND CHAIRMEN AND VICE-CHAIRMEN OF THE COMMITTEE OF THE WHOLE, THE DRAFTING COMMITTEE AND THE CREDENTIALS COMMITTEE (agenda item 6) (continued)

1. The PRESIDENT said that, following consultations in the various regional groups concerning the officers to be elected pursuant to rule 5 of the rules of procedure, the following candidates had been proposed for the 20 posts of Vice-President: for Africa, Ethiopia, Senegal and Tunisia; for Asia, China, India, Japan and Pakistan; for Eastern Europe, the Czech and Slovak Federal Republic, Poland, Romania and the Union of Soviet Socialist Republics; for Latin America and the Caribbean, Costa Rica, Mexico, Peru and Venezuela; for Western Europe and other States, Australia, France, Sweden, the United Kingdom and the United States of America.
2. The States Parties named were elected Vice-Presidents by acclamation.
3. The PRESIDENT said that, during the consultations, agreement had likewise been reached that the Committee of the Whole would be chaired by Mr. Wagenmakers (Netherlands), the Drafting Committee by Mr. Toth (Hungary) and the Credentials Committee by Mr. Lang (Austria).
4. Messrs. Wagenmakers, Toth and Lang were elected Chairmen of the Committee of the Whole, the Drafting Committee and the Credentials Committee respectively, by acclamation.
5. The PRESIDENT, after congratulating Messrs. Wagenmakers, Toth and Lang, said it had been agreed that a representative of the delegation of the Ukrainian SSR and a representative of the delegation of Zimbabwe would be the Vice-Chairmen of the Committee of the Whole, that Mr. Azikiwe (Nigeria) would be the Vice-Chairman of the Drafting Committee and that a representative of an Asian delegation, to be named later, would be the Vice-Chairman of the Credentials Committee.
6. It was so decided.
7. The PRESIDENT, having congratulated the delegations concerned, said that, following consultations with the Chairman of the Committee of the Whole, he suggested that Mr. Calderón (Peru) be nominated friend of the said Chairman.
8. It was so agreed.
9. The PRESIDENT said that the composition of the General Committee, according to rule 8 of the rules of procedure, was complete. During the consultations, however, a certain imbalance in the regional distribution of posts had been noted, a matter which he agreed with the regional coordinators should be reviewed at a later stage. He much appreciated the spirit of

cooperation shown by the coordinators, which had made it possible for a better balance of representation to be achieved even though the basic problem in that regard had not been resolved. That spirit augured well for the progress of the work of the Conference.

10. Mr. SENE (Senegal), speaking on behalf of the African Group, congratulated all the members of the General Committee on their election. The African Group appreciated and endorsed the President's reference to the imbalance in the distribution of posts; the matter was one of substance, since his own Group, which consisted of 22 members of the Conference, was represented by only 3 Vice-Presidents. The African Group had shown a high degree of compromise; nevertheless, it felt that something must be done to rectify the current inequitable distribution.

11. The PRESIDENT, having thanked the African Group for the spirit of compromise it had shown, said that its observations would be duly noted.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7) (continued)

(a) APPOINTMENT OF THE CREDENTIALS COMMITTEE (continued)

12. The PRESIDENT said that, under rule 3 of the rules of procedure, the Conference had also to appoint five further members of the Credentials Committee on the proposal of the President. On the basis of consultations, he proposed the appointment of representatives of the following five States: the Byelorussian SSR, Chile, Kenya, New Zealand and Switzerland.

13. As he heard no objection, he would take it that the Conference wished to appoint the five States he had nominated to the Credentials Committee.

14. It was so decided.

15. The PRESIDENT announced that UNESCO had applied for Observer Agency status in accordance with rule 44, paragraph 4 of the rules of procedure. If there was no objection, he would take it that the Conference wished to accede to that request.

16. It was so decided.

17. The PRESIDENT once again reminded the delegations which had not yet done so that they should present their credentials as soon as possible.

PROGRAMME OF WORK (agenda item 9)

18. The PRESIDENT announced that the General Committee would hold its first meeting at 3 p.m. the following day in order to begin its task pursuant to rule 9 of the rules of procedure.

The meeting rose at 4.45 p.m.



THIRD REVIEW CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE PROHIBITION OF THE
DEVELOPMENT, PRODUCTION AND STOCKPILING
OF BACTERIOLOGICAL (BIOLOGICAL) AND
TOXIN WEAPONS AND ON THEIR DESTRUCTION

Distr.
GENERAL

BWC/CONF.III/SR.4
22 October 1991

Original: ENGLISH

SUMMARY RECORD (PARTIAL)* OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 11 September 1991, at 10 a.m.

President: Mr. GARCIA MORITAN (Argentina)

CONTENTS

Election of the Vice-Presidents of the Conference and Chairmen and
Vice-Chairmen of the Committee of the Whole, the Drafting Committee
and the Credentials Committee (continued)

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

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languages. They should be set forth in a memorandum and also incorporated in
a copy of the record. They should be sent within one week of the date of this
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Nations, Geneva.

Any corrections to the records of the meetings of this Conference will be
consolidated in a single corrigendum, to be issued shortly after the end of
the Conference.

The discussion covered in the summary record began at 10.05 a.m.

ELECTION OF THE VICE-PRESIDENTS OF THE CONFERENCE AND CHAIRMEN AND
VICE-CHAIRMEN OF THE COMMITTEE OF THE WHOLE, THE DRAFTING COMMITTEE
AND THE CREDENTIALS COMMITTEE (agenda item 6) (continued)

1. The PRESIDENT announced that the Asian Group had nominated Mr. Han Chang On (Democratic People's Republic of Korea) for the office of Vice-Chairman of the Credentials Committee.
2. If he heard no objection, he would take it that the Conference wished to accept that nomination.
3. It was so decided.

The discussion covered in the summary record ended at 10.10 a.m.

THIRD REVIEW CONFERENCE OF THE PARTIES
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BWC/CONF.III/SR.5
19 September 1991

ENGLISH
Original: FRENCH

SUMMARY RECORD (PARTIAL)* OF THE 5th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 12 September 1991, at 10 a.m.

President: Mr. GARCIA MORITAN (Argentina)

CONTENTS

Programme of work

* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10.05 a.m.

PROGRAMME OF WORK (agenda item 9) (BWC/CONF.III/INF.3)

1. The PRESIDENT said that at their meeting on the previous day the members of the Bureau had agreed on an indicative programme of work which would enable the best possible use to be made of the time set aside for the Conference. The indicative programme of work (BWC/CONF.III/INF.3) had been drawn up in the light of proposals by the Chairmen of the Committee of the Whole, the Drafting Committee and the Credentials Committee. It was understood that the programme of work could be modified according to the requirements of those three bodies. If he heard no objection, he would consider the indicative programme of work adopted.
2. It was so decided.
3. The PRESIDENT then gave the floor to the first speaker in the continuation of the general debate.

The meeting rose at 12.50 p.m.

THIRD REVIEW CONFERENCE OF THE PARTIES
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BWC/CONF.III/SR.6
22 October 1991

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SUMMARY RECORD (PARTIAL)* OF THE 6th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 12 September 1991, at 3 p.m.

President: Mr. GARCIA MORITAN (Argentina)

CONTENTS

Participation in the Conference

* No summary record was prepared for the rest of the meeting.

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Any corrections to the records of the meetings of this Conference will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

The discussion covered in the summary record began at 3.10 p.m.

PARTICIPATION IN THE CONFERENCE

1. The PRESIDENT announced that the Secretariat had received a request from the League of Arab States to participate in the Conference. Under rule 44 (4) of the rules of procedure, regional intergovernmental organizations might apply for Observer Agency status which would be accorded on the decision of the Conference.
2. If he heard no objection, he would take it that the Conference wished to accede to the request of the League of Arab States and invite it to participate as an Observer Agency.
3. It was so decided.

The discussion covered in the summary record ended at 3.15 p.m.

THIRD REVIEW CONFERENCE OF THE PARTIES
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BWC/CONF.III/SR.7
1 October 1991

ENGLISH
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SUMMARY RECORD OF THE 7th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 19 September 1991, at 11 a.m.

President: Mr. GARCIA MORITAN (Argentina)

CONTENTS

Report of the Committee of the Whole

Preparation and adoption of the final document(s)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of this Conference will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

The meeting was called to order at 11.05 a.m.

REPORT OF THE COMMITTEE OF THE WHOLE (agenda item 13)

1. The PRESIDENT said that, owing to technical problems, the report of the Committee of the Whole and other related documents were, for the moment, available in English only. He asked delegations to show understanding and flexibility in that regard, and invited the Chairman of the Committee of the Whole, Mr. Wagenmakers (Netherlands), to report to the Conference on the results of the Committee's work.
2. Mr. WAGENMAKERS (Netherlands), Chairman of the Committee of the Whole, recalled that, in accordance with rule 35 of its rules of procedure, the Conference had decided to establish a Committee of the Whole to consider in detail the substantive issues relevant to the Convention and that, in accordance with the indicative programme of work (BWC/CONF.III/INF.3), the Committee had been requested to undertake the review of articles and provisions of the Convention under agenda items 10 (b), 10 (c), 11 and 12.
3. At its 1st meeting, the Committee had decided to cluster articles in the following manner: articles I-II; III-IV; V; VI-IX; X; and XI to XV, the preamble being dealt with separately as not being an operational part of the Convention.
4. At the same meeting, Mr. Caldéron (Peru), had been asked to act as Friend of the Chair and to coordinate technical consultations on confidence-building measures, and Mr. Gizowski (Poland) had been asked to act as focal point for verification issues in relation to the modalities of a possible follow-up expert group on verification.
5. The Committee of the Whole had held eight meetings, and a number of meetings had also been held within the framework of the two consultation mechanisms. In the course of the deliberations, more than 100 proposals had been submitted on various articles of the Convention. They were currently presented in two documents, the first of which contained, in chronological order, a compilation of the proposals by clusters, while the second, a Chairman's Paper, provided a possible framework for structuring the proposals pertaining to articles I to XV (BWC/CONF.III/Misc.4). He suggested that, for easy reference, the latter document - for which he assumed responsibility - should be referred to as the "Delegates' Drafting Manual". Both those documents might be annexed to the report of the Conference. Furthermore, Mr. Caldéron and Mr. Gizowski had also submitted documents, giving the results of their respective consultations, which were annexed to the report of the Committee of the Whole. The Committee's operations were duly reflected in the report, which also contained the Chairman's summary of the views expressed by delegations.

6. He thanked Mr. Caldéron and Mr. Gizowski for the efficient manner in which they had conducted the business of their respective groups. He also thanked all the coordinators of regional groups for their valuable support, and expressed his appreciation to the Secretary-General of the Conference and to the staff of the Department of Disarmament Affairs for the great flexibility they had shown with regard to the Committee's work.

7. The PRESIDENT congratulated Mr. Wagenmakers on the able manner in which he had conducted the deliberations of the Committee of the Whole and the excellent work he had done in preparing a well ordered and, indeed, innovative compilation of the proposals submitted by delegations. That document would greatly facilitate the task of the Drafting Committee. He thanked the Vice-Chairmen of the Committee of the Whole, Mr. Koutchynsky (Ukrainian Soviet Socialist Republic) and Mr. Mugomba (Zimbabwe), as well as Mr. Caldéron and Mr. Gizowski, who had acted as Friends of the Chair, and the Secretary of the Committee, Mr. Alasaniya. If he heard no objection, he would take it that the Conference wished to adopt the report of the Committee of the Whole.

8. It was so decided

9. Miss SOLESBY (United Kingdom of Great Britain and Northern Ireland), on behalf of the Western Group, Mr. MOODIE (United States of America), Mr. DIMITRIJEVIC (Yugoslavia), on behalf of the Group of Non-Aligned and Other States, Ms. PFANN (Austria), Mr. TOTH (Hungary), on behalf of the Group of East European States and Mr. ZHANG Yan (China) associated themselves with the President in congratulating the Chairman of the Committee of the Whole upon the competence and efficiency with which he had conducted the Committee's work and also in thanking the Vice-Chairmen of the Committee of the Whole, as well as Mr. Caldéron and Mr. Gizowski, for their excellent work. The results achieved would be most useful for the subsequent work of the Conference.

PREPARATION AND ADOPTION OF THE FINAL DOCUMENT(S) (agenda item 15)

10. The PRESIDENT said that the Conference was entering upon the final and perhaps most crucial stage of its work, and that a difficult task awaited Mr. Toth (Hungary) as Chairman of the Drafting Committee. He was sure all delegations would continue to show the spirit of cooperation and goodwill essential during that last phase.

11. Mr. TOTH (Hungary), Chairman of the Drafting Committee, said that the Drafting Committee would make the fullest use of the excellent results achieved by the Committee of the Whole.

12. Mr. CALDERON (Peru) drew the attention of delegations to the documents that had been prepared in the Committee of the Whole (BWC/CONF.III/Misc.3, BWC/CONF.III/Misc.3/Rev.1 and BWC/CONF.III/Misc.4).

The meeting rose at 11.40 a.m.



THIRD REVIEW CONFERENCE OF THE PARTIES
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Distr.
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BWC/CONF.III/SR.8
1 October 1991

Original: ENGLISH

SUMMARY RECORD OF THE 8th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 27 September 1991, at 4 p.m.

President: Mr. GARCIA MORITAN (Argentina)

CONTENTS

Statement by the Government of the United Kingdom of Great Britain and
Northern Ireland

Credentials of representatives to the Conference (continued)

(b) Report of the Credentials Committee

Report of the Drafting Committee

Preparation and adoption of the final document(s) (continued)

Closing statements

Closure of the Conference

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The meeting was called to order at 4.40 p.m.

STATEMENT BY THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND

1. Miss SOLESBY (United Kingdom) announced that her Government had decided to withdraw that part of its reservation to 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 in 1925, which had maintained its right to retaliate in kind if biological weapons were used against the United Kingdom. Since the 1950s, in fact, British research had been entirely defence-orientated. On acceding to the Biological Weapons Convention, the United Kingdom had given legislative effect to its provisions by the Biological Weapons Act of 1974.

2. That decision reflected the continued determination of her Government to exclude completely the possibility of the use of biological agents and toxins as weapons, and demonstrated its commitment to the 1925 Geneva Protocol and the Biological Weapons Convention.

3. Her Government had instructed her to announce the withdrawal at the Review Conference. That choice underlined the commitment of the United Kingdom to the Convention and the importance it attached to the work of the Review Conference to ensure its effective implementation.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (agenda item 7) (continued)

(b) REPORT OF THE CREDENTIALS COMMITTEE (BWC/CONF.III/21)

4. Mr. LANG (Austria), Chairman of the Credentials Committee, introducing the Committee's report (BWC/CONF.III/21), said that the Committee had met twice during the Conference to examine the credentials of the representatives of the 78 States Parties taking part in the Conference. Of those States Parties, 50 had submitted credentials in due form, 8 States Parties had submitted provisional credentials and 20 States Parties had communicated lists of representatives in letters from their permanent missions.

5. The Committee had decided to accept the credentials of the representatives of the participating States, on the understanding that those States which had not yet submitted formal credentials for their representatives, as required by rule 2 of the rules of procedure, should communicate them to the Secretary-General of the Conference as soon as possible.

6. On 26 September 1991, the Credentials Committee had unanimously adopted its report (BWC/CONF.III/21).

7. The President said that it was significant that such a large number of States Parties had taken part in the Conference, far more than those that had attended the two previous review conferences.

8. If he heard no objections, he would assume that the Conference wished to take note of the report of the Credentials Committee.

9. It was so decided.

REPORT OF THE DRAFTING COMMITTEE (agenda item 14) (BWC/CONF.III/22 and Add.1, 2 and 3)

10. Mr. TOTH (Hungary), Chairman of the Drafting Committee, said that the report proper was a one-page technical description of the work of the Committee (BWC/CONF.III/22). To it was annexed the technical part of the draft Final Document of the Conference (BWC/CONF.III/22/Add.1), the draft Final Declaration (BWC/CONF.III/22/Add.2) and the draft Annex to the Final Declaration on Confidence-Building Measures (BWC/CONF.III/22/Add.3).

11. The Drafting Committee had had an intense programme of work including not only formal meetings but also numerous informal consultations which had proved to be crucial in the search for common ground. The spirit of cooperation which had prevailed in the Committee had no doubt been responsible for the successful completion of its work.

12. There were two technical corrections to be made to the draft Final Declaration (BWC/CONF.III/22/Add.2). On page 10 of the Declaration, second paragraph, fourth line, the word "other" should be inserted after the words "microbial and"; the second change was on page 11, fourth paragraph, sixth line, where the word "their" should be inserted after the words "alleging a breach of".

13. The PRESIDENT said that, if he heard no objections, he would assume that the Conference wished to take note of the Report of the Drafting Committee.

14. It was so decided.

PREPARATION AND ADOPTION OF THE FINAL DOCUMENT(S) (agenda item 15) (continued) (BWC/CONF.III/22/Add.1 to 3)

15. The PRESIDENT said that the Conference had before it the Final Document of the Third Review Conference, consisting of four parts and four annexes: I. Organization and work of the Conference; II. Final Declaration; III. Report of the Committee of the Whole; IV. Summary records of plenary meetings of the Conference; and Annex I. List of documents of the Conference, Annex II. Report of the Preparatory Committee; Annex III. rules of procedure of the Conference; and Annex IV. List of participants in the Conference.

16. He said that, if he heard no objections, he would take it that the Conference wished to adopt the Final Document.

17. It was so decided.

CLOSING STATEMENTS

18. Miss SOLESBY (United Kingdom), speaking on behalf of a group of Western States Parties, said that the Review Conference had been a successful one. Delegates had all shared a common starting point, in their, growing concern at the danger of proliferation of biological weapons, awareness of the importance of the Biological Weapons Convention in preventing proliferation, and a commitment to strengthen the implementation of the Convention's provisions.

19. The Western States considered that the decisions contained in the Final Declaration just adopted represented important steps forward. Notable examples were the reaffirmation of the value of the Convention as an essential international norm against biological weapons, the emphasis on the vital importance of full implementation by all States Parties of all the provisions of the Convention, the agreement of a package of high-quality confidence-building measures, the establishment of an Ad Hoc Group of Governmental Experts to identify and examine potential verification measures from a scientific and technical standpoint, and the further development of existing procedures of consultation among States Parties to solve any problems regarding implementation of the Convention.

20. Adoption of the Final Declaration was the first step; all Governments had yet to implement it. It was to be hoped that the declarations under the confidence-building measures would be more satisfactory and that far more States Parties would respond. The Western States Parties also looked forward to a thorough-going discussion in the verification experts Group and pledged their full commitment to implementing the decisions in the Final Declaration.

21. Some relatively modest costs would be incurred in putting the Conference's decisions into practice, but it was better to spend a little money on arms control and disarmament than a great deal of money on armaments.

22. Mr. WAGENMAKERS (Netherlands), speaking on behalf of the European Community and its member States, said that they were grateful that the discussions of the past three weeks, which had ranged from concerns about compliance to measures of international cooperation, had led to the adoption of a meaningful Final Declaration which strengthened the credibility of the Convention and the importance that all States Parties attached to it.

23. At the beginning of the work of the Conference, he had emphasized that the Conference should orient its efforts in three main directions: universality, confidence-building and verification. The desirability of universal adherence to the Convention had been stressed by all the parties; in

the Solemn Declaration, the States Parties had reaffirmed their belief that such adherence would enhance international peace and security. The European Community hoped that States not yet parties to the Convention would feel encouraged by the decisions taken by the Conference and would accede to the Convention without delay.

24. The European Community was particularly pleased by the progress achieved in the field of confidence-building measures. By improving and extending the existing CBM regime and by encouraging regional efforts, the Conference had increased confidence between States Parties and confidence in the Convention. It had also made a substantive effort to promote greater participation by the States Parties.

25. The Community urged all the States Parties to participate in all confidence-building measures agreed upon, including those adopted at the Conference, namely: the declaration of legislation, regulations and other measures; the declaration of past activities in offensive and/or defensive biological research development programmes; and the declaration of vaccine production facilities.

26. With reference to the issue of verification, the Community welcomed the establishment of an Ad Hoc Group of Governmental Experts to identify and examine potential verification measures from a scientific and technical standpoint. The encouraging interest in verification expressed in the Conference corresponded to a growing international awareness of the risks of proliferation, to greater openness to multilateral controls and to the reaffirmation of the primacy of the norm of international law. The Community hoped that that interest would be reflected in broad participation in the work of the expert group.

27. It also wondered whether a representative list of micro-organisms, viruses and toxins would be helpful. It was important that, in accordance with its mandate, the Group of Experts should take into account the broad range of types and quantities of microbial and other biological agents and toxins which were capable of being used as a means of warfare. The Community was also pleased that it would be possible to examine the report of the Group at a special conference, if a majority of State Parties so desired.

28. The Final Declaration also contained a call for appropriate measures to prevent the transfer of agents, toxins, weapons, equipment or means of delivery as specified in the Convention; the reaffirmation of the close relations between the Convention and the 1925 Geneva Protocol; and the importance attached by the Conference to the withdrawal of all reservations related to the Convention. Those elements underscored the Community's commitment to the Biological and Toxin Weapons Convention.

29. The States Parties should be aware of the fact that, in the future, the Convention would demand continued attention. Rapid scientific and technological developments in the fields of microbiology, genetic engineering and biotechnology warranted a constant state of alertness. Furthermore, the effective implementation of the decisions taken by the current and previous review conferences would seem to justify more frequent attention than once every five years. The Community had thus hoped that the Conference would agree on a modest inter-conference mechanism, in the form of a small, non-bureaucratic, low-cost body to bridge the five-year period.

30. The Conference had taken a further step to resolve the shortcomings of the Convention and had thereby strengthened its authority as the international norm against biological and toxin weapons. The Conference had also shown that the States Parties were determined to undertake further efforts to ensure that the possibility of the future use of biological weapons was completely excluded.

31. Mr. MOODIE (United States of America) said that the Conference had reaffirmed the Convention as a staunch international standard with respect to biological and toxin weapons and an essential contribution to international peace and security. In the light of concerns during the Gulf conflict the Conference had felt that it was very urgent to broaden participation in the Convention and strengthen its implementation, and that had been successfully achieved.

32. In his Government's view, the key to the success of the Convention was confidence. The Conference had agreed on a package of confidence-building measures that would significantly increase the transparency and openness of biological activities related to the Convention; those efforts represented a remarkable step forward and their test would be whether all States Parties lived up to their commitment to participate actively in them. The enhanced procedures for consultation and cooperation were welcome, as was the fact that the Conference had insisted on compliance with the obligations under the Convention.

33. Although his Government had made it clear at an earlier stage that it believed that the Convention was not effectively verifiable, participants had agreed to establish an Ad Hoc Group of Governmental Experts to identify and examine potential verification measures. The mandate for the Group pointed the way for a comprehensive scientific and technical analysis and his Government intended to participate actively and constructively in its work in the hope that the study would provide a strong technical foundation for any political decisions that might lie ahead.

34. The Conference had also reaffirmed its commitment to article X and developed a solid set of recommendations to address the goals and aspirations contained therein.

35. The Convention was the focal point for efforts to ensure the non-proliferation of biological and toxin weapons. In reaffirming article IV, the Conference had noted measures, including penal legislation, already adopted by some States Parties to prohibit proliferation and had reiterated its call to all States Parties to take similar measures. His delegation believed that, if effectively implemented, those measures would serve the common goal of the complete eradication of those horrific weapons.

36. His delegation was gratified that it had proved possible to embody those important results in a consensus Final Document and that the cooperative spirit of the Conference had permitted delegates to bridge their differences. In 1972 the international community had begun a journey which had continued at the first two review conferences, and, during the latest Review Conference, it had taken some very important steps forward. The United States looked forward to working with the other States Parties in exploring the further steps required towards the goal of the complete elimination of biological and toxin weapons.

37. Mr. BATSANOV (Union of Soviet Socialist Republics), speaking on behalf of the Group of East European States, said that a spirit of cooperation had led to the tangible achievement of the Final Document and he thanked all those who had contributed to its successful outcome.

38. Speaking on behalf of his own delegation, he said that the Final Document of the Conference represented an important step forward by all the States Parties towards strengthening the Convention's regime. It confirmed the basic idea of the need for strict observance of the Convention by all States Parties. The existing confidence-building measures had been broadened and new ones adopted but, in his view, it would have been possible to go further. The States Parties to the Convention should henceforth fulfil in the most conscientious manner the obligations they had assumed, namely to submit annual data and provide the United Nations Secretariat with information on confidence-building measures.

39. Substantial discussions had been held on verification within the framework of the Convention. The USSR had been among the majority in favour of beginning substantial work on the establishment of a mechanism for effective verification of the Convention. His delegation was pleased that the Final Declaration solemnly adopted by the Conference emphasized the fact that effective verification could strengthen the Convention. His delegation intended to play an active part in the Ad Hoc Group of Governmental Experts and hoped that results of the Group's work would lay a solid foundation for agreement on the necessary verification procedures, before the next review conference was held. The mandate of the Group of Experts covered a broad range of scientific, legal, financial and other issues, which the Experts would have to take into account. Their discussion should not be confined to the purely technical aspects of verification but should be all-embracing.

40. It was important to agree on a definition of such basic concepts as biological weapons themselves and the facilities for their production and storage and on the concepts needed to determine precisely which activities were permitted and which prohibited by the Convention. He shared the view of other delegations - that of Germany in particular - that such work should be carried out with reference to article 1 of the Convention. It would also be useful to draw up an agreed list of pathogenic micro-organisms and toxins which could be used to make weapons and also to define their threshold amounts. Such information would be useful for the implementation of the confidence-building measures. He supported the appeal by the Conference that the work of harmonizing the draft convention on the prohibition of chemical weapons should be completed by the following year.

41. Mr. HOU Zhitong (China) said he was pleased that the Conference had unanimously adopted the Final Declaration. The Conference was an important one given the current world situation, and its successful conclusion would strengthen world peace, security and development. The adoption of the Final Declaration reflected the international community's wish to strengthen the universality and effectiveness of the Convention and to develop the use of biotechnology. While there were still differences on many issues, it was important that all the States Parties had cooperated to achieve a reasonable compromise and to seek a consensus, thereby ensuring the success of the Conference, in which his delegation had played a constructive part.

42. His Government believed that, if the Final Declaration and the Final Document were effectively and comprehensively implemented, all weapons of mass destruction would be eradicated from the world forever. China would therefore continue to contribute to the work of the international community in that regard.

43. Mr. CALOVSKI (Yugoslavia) speaking on behalf of the Group of Non-Aligned and Other States, said that the Group was pleased at the successful outcome of the Conference. The Final Document that had been adopted, and the Final Declaration in particular, represented a solid foundation for further strengthening the authority of the Convention as well as cooperation between the States Parties thereto. The Group on whose behalf he was speaking wished to underline its commitment to the Convention and to express its determination to work towards strengthening it still further.

44. Mr. LANG (Austria) said that he wished to associate himself with the satisfaction expressed by the spokesman for the European Community at the outcome of the Conference and to highlight in particular two of the points he had made. The Austrian delegation, too, welcomed the statement made by the Conference regarding the withdrawal of reservations to the 1925 Geneva Protocol and was also disappointed that it had not proved possible to establish a minimal implementation machinery or inter-sessional committee. Any international treaty needed such an institution, however modest, if it was

to become fully operational. Like the spokesman for the European Community, he hoped that such a mechanism might yet be established, perhaps at the next review conference.

45. Mr. SENE (Senegal) said that the Conference had taken place at a time of profound worldwide change and in the aftermath of the Gulf conflict, when the problems of disarmament rendered confidence-building measures all the more essential if the proliferation of biological weapons was to be prevented. Great progress had been made in enhancing the credibility and universality of the Convention, which had further been strengthened by the number of observers that had attended the Review Conference.

46. The establishment of the Ad Hoc Group of Governmental Experts on verification measures would certainly enrich the debates and would lead to more positive conclusions at the next review conference. The consultation procedures agreed on between the States Parties and the various statements made would reinforce the mutual trust between the Parties and heighten their awareness of their responsibility to implement the Convention and to cooperate with the developing countries. The consensus reached at the Conference and the withdrawal of reservations to the Geneva Protocol of 1925 by certain States Parties would undoubtedly strengthen the Convention.

CLOSURE OF THE CONFERENCE

47. The PRESIDENT said that the Final Declaration adopted by the Conference had certainly helped to strengthen the Convention. In its consideration of the application of the Convention over the past five years, the Conference had expanded some cardinal provisions of its articles, such as the one relating to confidence-building measures. With respect to verification, it had taken an initial but very important step with the convening of an Ad Hoc Group of Governmental Experts to examine the scientific and technical aspects that had hitherto been overlooked.

48. A bolder approach in that area would, perhaps, have been more desirable but the Conference had done what was possible within the limits imposed by the need for negotiation and compromise. However, he believed that whatever differences existed among the States Parties concerned the pace of progress rather than the goals to be attained.

49. Having thanked the officers of the Conference and the members of the Secretariat for their contribution to the successful outcome of its work, he declared the Third Review Conference closed.

The meeting rose at 6 p.m.



ANNEX I

LIST OF DOCUMENTS

<u>Symbol</u>	<u>Title</u>
BWC/CONF.III/1 and Add.1	Report of the Preparatory Committee for the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.
BWC/CONF.III/2 and Add.1, 2 and 3	Implementation of the confidence-building measures agreed to in the Final Declaration of the Second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction. Report of the Secretary-General of the United Nations.
BWC/CONF.III/3 and Add.1, 2 and 3	Background document on compliance by States Parties with all their obligations under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction. Prepared by the Secretariat.
BWC/CONF.III/4 and Add.1	Background document on new scientific and technological developments relevant to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction. Prepared by the Secretariat.
BWC/CONF.III/5	1991 Report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament.
BWC/CONF.III/6	Revised estimated cost of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.
BWC/CONF.III/7	Working Paper submitted by the Federal Republic of Germany entitled "Legislation in the Federal Republic of Germany on the Prohibition of Biological Weapons".
BWC/CONF.III/8	Working Paper submitted by Romania regarding Romanian export controls of biological weapons related equipment and technologies which could be used for production of biological and toxin weapons.

- BWC/CONF.III/9 Working Paper submitted by Hungary entitled "Proposals for strengthening the Biological Weapons Convention".
- BWC/CONF.III/10 Note dated 11 September 1991 to the Secretariat of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction from the Canadian Delegation to the Conference providing the Report entitled: "Transparency Mechanisms for the Canadian Chemical and Biological Defence Program".
- BWC/CONF.III/11 Note dated 11 September 1991 to the Secretariat of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction from the Canadian Delegation to the Conference providing the Report entitled: "Laboratory Biosafety Guidelines".
- BWC/CONF.III/12 Working Paper submitted by France entitled "Confidence-Building Measures".
- and Add.1 "New confidence-building measures: examples of application".
- BWC/CONF.III/13 Letter dated 11 September 1991 from the Permanent Representative of the Syrian Arab Republic to the Secretary-General of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.
- BWC/CONF.III/14 Letter dated 16 September 1991 from the Heads of the Delegations of Argentina, Brazil, Chile and Uruguay to the Secretary-General of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction transmitting the Joint Declaration on the Complete Prohibition of Chemical and Biological Weapons, "The Mendoza Agreement".

- BWC/CONF.III/15 Letter dated 16 September 1991 from the Heads of the Delegations of Argentina, Brazil, Chile and Uruguay to the Secretary-General of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction transmitting a Message from the Secretary-General of the United Nations welcoming the "Mendoza Agreement".
- BWC/CONF.III/16 Working Paper submitted by the countries of Hexagonale (Austria, Czech and Slovak Federal Republic, Hungary, Italy, Poland, Yugoslavia), entitled "Regional Confidence-Building Measures".
- BWC/CONF.III/17 Report of the Committee of the Whole
- BWC/CONF.III/18 Working Paper submitted by China entitled "Position of Principle of the Chinese Delegation on the Biological Weapons Convention and its Third Review Conference".
- BWC/CONF.III/19 Letter dated 7 September 1991 from the Permanent Representative of Turkey to the United Nations Office in Geneva to the Secretary-General of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction which requests that the text attached to the letter be circulated as an official document of the Review Conference.
- BWC/CONF.III/20 Letter dated 26 September 1991 from the Chargé d'Affaires a.i. of the Permanent Mission of the Republic of Cyprus to the United Nations Office in Geneva to the Secretary-General of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their destruction which requests that the text attached to the letter be circulated as an official document of the Review Conference.
- BWC/CONF.III/21 Report of the Credentials Committee
- BWC/CONF.III/22 and Add.1, 2 and 3 Add.1/Corr.1 in Arabic only Report of the Drafting Committee

- BWC/CONF.III/23 Final Document of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction
- BWC/CONF.III/INF.1 List of States Parties
- BWC/CONF.III/INF.2 Offices and Telephone Numbers of the Secretariat
- BWC/CONF.III/INF.3 Indicative Programme of Work
- BWC/CONF.III/INF.4 Organization of the Conference
- BWC/CONF.III/COW/WP.1 Working Paper submitted by Sweden entitled "Proposals for improvements and refinements of forms for the information exchange for which guidelines were elaborated by the Ad Hoc Meeting of Scientific and Technical Experts in April 1987, and forms of nil-declaration and for national research and development activities/programmes concerning defence against biological and toxin warfare".
- BWC/CONF.III/COW/WP.2 Working Paper submitted by Chile, Panama, Peru and Venezuela entitled "Proposals for Action by the Third Review Conference of the Biological Weapons Convention".

ANNEX II

REPORT OF THE PREPARATORY COMMITTEE FOR THE THIRD REVIEW CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

I. TERMS OF REFERENCE AND ORGANIZATION OF THE COMMITTEE'S WORK

1. The Final Declaration of the Second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, in the section dealing with the review of Article XII of the Convention, contained the following decision:

"The Conference decides that the Third Review Conference shall be held in Geneva at the request of a majority of States Parties not later than 1991". 1/

2. By resolution 45/57 B, adopted by consensus in December 1990 the General Assembly, inter alia, noted that, at the request of the States Parties, a Third Review Conference of the Parties to the Convention would be held in Geneva in 1991, and that, following appropriate consultations, a preparatory committee open to all parties to the Convention had been formed and that the Committee would meet in Geneva from 8 to 12 April 1991.

General Assembly, inter alia, noted that, at the request of the States Parties, a Third Review Conference of the Parties to the Convention would be held in Geneva in 1991, and that, following appropriate consultations, a preparatory committee open to all parties to the Convention had been formed and that the Committee would meet in Geneva from 8 to 12 April 1991.

3. The Preparatory Committee held one session at Geneva from 8 to 12 April 1991. Following the opening of the session on 8 April by the Representative of the Secretary-General of the United Nations, consultations were carried out among delegations and groups of delegations and the following understanding was reached:

"After intensive consultations carried out among delegations and groups of delegations regarding elections of officers for the Biological Weapons Convention Preparatory Committee and the Third Review Conference of the Parties to the Convention, the following conclusions and understandings were reached:

1/ BWC/CONF.II/13.

1. In keeping with the accepted principle of rotation each group of States has the equal right to fill the posts of the President and other officers of a Review Conference;

2. The countries belonging to the Group of East European States, as a gesture of good will and without creating any precedent, cede their right to nominate and fill the post of the President of the Third Review Conference to the Group of Non-Aligned and Other States, on the understanding that a representative of the Group of East European States will preside over meetings of States Parties which might take place as a follow-up between the Third and Fourth Review Conferences;

3. The representative of Argentina, nominated by the Group of Non-Aligned and Other States, will chair the Preparatory Committee of the Third Review Conference and will preside over the Third Review Conference. The main committees of the Third Review Conference will be chaired by the representatives of the following groups:

(a) Credentials Committee - the representative of the Western Group;

(b) Committee of the Whole - the representative of the Western Group;

(c) Drafting Committee - the representative of the Group of East European States."

4. In accordance with the understanding reached among delegations, as reflected in paragraph 3 above, the Preparatory Committee, at its 2nd meeting on 12 April 1991, elected by acclamation Ambassador Roberto García Moritán (Argentina) as Chairman of the Committee.

5. Also at its 2nd meeting, the Committee unanimously elected Ambassador Juraj Králik (Czech and Slovak Federal Republic) and Ambassador Hendrik Wagenmakers (Netherlands) as Vice-Chairmen of the Committee. The Committee authorized the Bureau to handle technical and other matters in the period before the Review Conference was convened.

6. At the same meeting, Yugoslavia, on behalf of the Group of Non-Aligned and Other States, made the following statement:

"The Group of Non-Aligned and Other States noted with satisfaction that intensive consultations regarding the election of the officers for the Preparatory Committee and the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction had resulted in the emergence of conclusions and understandings that had permitted the Preparatory Committee to finally begin its substantive work.

"The understanding of the Group of Non-Aligned and Other States is that the contents of the above conclusions and understandings were arrived at in the context of the distribution of the posts in the previous Review Conferences of the Parties to the Biological Weapons Convention and their Preparatory Committees and that they do not prejudge future decisions regarding the composition of and groupings in different multilateral disarmament fora."

7. At the same meeting, Hungary, on behalf of the countries belonging to the Group of East European States, made the following statement:

"The countries belonging to the Group of East European States have always held the view that procedural issues must be resolved speedily and should not prevent the conduct of substantive work. It was this spirit that guided us in considering the request of the Group of Non-Aligned and Other States to take the post of President of the Third Review Conference of the Biological Weapons Convention.

"This is why we entered the informal consultations on how to accommodate the request of the Group of Non-Aligned and Other States and, of course, the concerns of the countries belonging to the Group of East European States. This has not been an easy exercise and we must certainly praise all those taking part in the consultations for the high degree of flexibility they displayed during these consultations.

"We were pleased to hear the words of reaffirmation of the agreements by the Group of Non-Aligned and Other States reflected in their statement which does not prejudge future decisions regarding the composition of and groupings in different disarmament fora."

8. At the same meeting, the United Kingdom, on behalf of the Group of Western States, made the following statement:

"The Western Group attaches great importance to the principle of rotation between the Group of East European States, the Group of Non-Aligned and Other States and the Western Group. As the statement read by the Representative of the Secretary-General says, under the accepted principle of rotation, each group of States has equal right to fill the post of President and other offices of a review conference. This is a long-accepted principle which continues to be central to the election of officers.

"One further point of detail. The agreement with regard to the meetings of the States Parties which might take place between the Third and Fourth Review Conferences, referred to in paragraph 2 of the understanding reached, is, of course, without prejudice to any decision on possible follow-up meetings by the Review Conference at the appropriate time."

9. The following 69 States Parties to the Convention participated in the session of the Preparatory Committee: Argentina, Australia, Austria, Bangladesh, Belgium, Bhutan, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Cuba, Czech and Slovak Federal Republic, Democratic People's Republic of Korea, Denmark, Ethiopia, Finland, France, Germany, Greece, Honduras, Hungary, India, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kenya, Lebanon, Libyan Arab Jamahiriya, Malta, Mexico, Mongolia, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Senegal, Singapore, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Viet Nam, Yemen, Yugoslavia and Zimbabwe.

10. The Secretary-General of the United Nations was represented by Mr. Sohrab Kheradi, Chief of the Committee and Conference Branch and Principal Officer, Department of Disarmament Affairs, who opened the session of the Preparatory Committee. Mr. Sammy Kum Buo, Senior Political Affairs Officer, Department for Disarmament Affairs, served as Secretary of the Committee.

11. The Committee decided to take its decisions by consensus.

12. The Committee decided to use Arabic, Chinese, English, French, Russian and Spanish as official languages.

13. The Committee, taking note of their written requests, decided to invite the representatives of five States Signatories of the Convention, namely, Egypt, Gabon, Iraq, Malaysia and the Syrian Arab Republic, to participate in its discussions without the right to take part in the making of decisions.

14. The Preparatory Committee had before it document BWC/CONF.III/PC/2 and Add.1, containing an estimate of the cost of the Review Conference.

II. ORGANIZATION OF THE REVIEW CONFERENCE

15. In the course of its session the Committee considered the following questions relating to the organization of the Review Conference:

- (a) Date and duration
- (b) Provisional agenda
- (c) Draft rules of procedure
- (d) Background documentation
- (e) Final document(s).

Date and duration

16. The Committee decided that the Conference should take place in Geneva from 9 to 27 September 1991.

Provisional agenda

17. The Committee agreed to recommend as the provisional agenda of the Third Review Conference the agenda of the Second Review Conference, as contained in document BWC/CONF.II/1, with the following change:

A new item 11 was included, entitled "11: Consideration of issues identified in the review of Article XII contained in the Final Declaration of the Second Review Conference, and possible follow-up action.", and the subsequent agenda items were renumbered accordingly.

18. The provisional agenda, as amended and approved by the Committee, is attached to this Report as Annex I.

Draft Rules of Procedure

19. The Committee agreed to recommend as the draft Rules of Procedure of the Third Review Conference the Rules of Procedure of the Second Review Conference, as contained in document BWC/CONF.II/1, with the following changes:

(a) Rule 42 was revised to read as follows:

"1. Summary records of the plenary meetings of the Conference, excluding that part of those meetings devoted to consideration of agenda item 10 a, general debate, shall be prepared by the Secretariat. Such records shall be produced in the languages of the Conference. They shall be distributed in provisional form as soon as possible to all participants in the Conference. Participants in the debate may, within three working days of receipt of provisional summary records, submit corrections on summaries of their own interventions to the Secretariat; in special circumstances, the presiding officer may, in consultation with the Secretary-General of the Conference, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Separate corrigenda to provisional records shall not normally be issued.

"2. The summary records, with any corrections incorporated, shall be distributed promptly to participants in the Conference."

(b) Rule 44, paragraph 2, Observers, was revised to read as follows:

"2. Observers

"(a) Any other State which, in accordance with article XIV of the Convention, has the right to become a Party thereto but which has neither signed nor ratified it may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference. 1/ Such a State shall be entitled to appoint officials to attend meetings of the Plenary other than those designated closed meetings, and to receive documents of the Conference. An Observer State shall also be entitled to submit documents to the participants in the Conference.

"(b) Any national liberation organization entitled by the General Assembly of the United Nations 2/ to participate as an Observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly, and all international conferences convened under the auspices of other organs of the United Nations, may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the Plenary and of the Committee of the Whole other than those designated closed meetings, and to receive documents of the Conference. An Observer organization shall also be entitled to submit documents to the participants in the Conference.

1/ It is understood that any such decision will be in accordance with the practice of the United Nations General Assembly.

2/ Pursuant to General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 3280 (XXIX) of 10 December 1974."

20. The draft Rules of Procedure, as amended and approved by the Committee, are attached to this Report as Annex II.

Background documentation

21. With respect to the request made in United Nations General Assembly resolutions 44/115 C and 45/57 B to the effect that the Secretary-General of the United Nations should circulate to the States Parties to the Convention not later than four months prior to the convening of the Third Review Conference a report on the implementation of the confidence-building measures agreed to at the Second Review Conference, the procedures for which were recommended by the 1987 Ad Hoc Meeting of Scientific and Technical Experts, the Preparatory Committee decided to recommend: (a) that the report of the Secretary-General should not be translated in the languages of the Review Conference and should remain in the original languages of submission; (b) to print only a limited number of copies (two per State Party).

22. The Preparatory Committee also decided to recommend that only the 1991 report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament be submitted to the Review Conference. It also agreed that the report of the Ad Hoc Committee be supplied in limited quantities by the Secretariat.

23. The Committee decided to request the Secretariat to prepare a background document on compliance by States Parties with all their obligations under the Convention. For the purpose of preparing this document, the Secretariat would request States Parties to provide information regarding compliance with all the provisions of the Convention. The Committee decided to request each of the Depositary Governments, as at the First and Second Review Conferences, to submit to the Review Conference information on new scientific and technological developments relevant to the Convention. The Committee further decided to invite States Parties who wished to do so to communicate to the Secretary-General of the United Nations their views on new scientific and technological developments relevant to the Convention. In both cases this information should cover the applications being made of new scientific and technological developments and their relevance to various aspects of the Convention. The Committee also decided that this background documentation should be circulated not later than two weeks before the opening of the Conference.

Publicity

24. Regarding publicity for the Review Conference, the Committee decided to request the Secretariat to issue press releases for the meetings of the Review Conference.

Final document(s)

25. With respect to the question of final document(s) of the Review Conference, the Preparatory Committee decided to include an appropriate item in the provisional agenda of the Conference. (see Annex I)

III. APPOINTMENT OF A SECRETARY-GENERAL OF THE CONFERENCE

26. Within the context of draft rule 10 providing for a Secretary-General of the Review Conference, the Committee decided to invite the Secretary-General of the United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act on behalf of the Committee as Provisional Secretary-General of the Review Conference, the nominee to be confirmed by the Review Conference in accordance with the Rules of Procedure.

IV. ADOPTION OF THE REPORT

27. At its 3rd and last meeting, on 12 April 1991, the Preparatory Committee adopted its report. It recommended that this report, without its annexes, be annexed to the final document of the Third Review Conference.

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ANNEX III

RULES OF PROCEDURE OF THE CONFERENCE

I. REPRESENTATION AND CREDENTIALS

Delegations of Parties to the Convention

Rule 1

1. Each State Party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (hereinafter "the Convention") may be represented at the Conference by a head of delegation and such other representatives, alternate representatives and advisers as may be required.

2. The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials

Rule 2

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. Credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee

Rule 3

The Conference shall establish a Credentials Committee composed of the Chairman, one Vice-Chairman elected in accordance with rule 5, and five members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation

Rule 4

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Election

Rule 5

The Conference shall elect the following officers: a President and 20 Vice-Presidents as well as a Chairman and two Vice-Chairmen for the Committee of the Whole, a Chairman and a Vice-Chairman for the Drafting Committee and a Chairman and a Vice-Chairman for the Credentials Committee.

Acting President

Rule 6

1. If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.
2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President

Rule 7

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his delegation to vote in his place.

III. GENERAL COMMITTEE

Composition

Rule 8

1. The General Committee shall be composed of the President of the Conference, who shall preside, 20 Vice-Presidents, the Chairman of the Committee of the Whole, the Chairman of the Drafting Committee and the Chairman of the Credentials Committee. No two members of the General Committee shall be members of the same delegation and it shall be so constituted as to ensure its representative character.
2. If the President is unable to attend a meeting of the General Committee, he may designate a Vice-President to preside at such meeting and a member of his delegation to take his place. If a Vice-President is unable to attend, he may designate a member of his delegation to take his place. If the Chairman of the Committee of the Whole, the Drafting Committee or the Credentials Committee is unable to attend, he may designate one of the Vice-Chairmen or the Vice-Chairman, as appropriate, to take his place, with the right to vote unless he is of the same delegation as another member of the General Committee.

Functions

Rule 9

The General Committee shall assist the President in the general conduct of the business of the Conference and subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. CONFERENCE SECRETARIAT

Duties of the Secretary-General of the Conference

Rule 10

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its committees and other appropriate bodies established under rule 34, and may designate a member of the Secretariat to act in his place at these meetings.

2. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the Secretariat

Rule 11

The Secretariat of the Conference shall, in accordance with these rules:

- (a) interpret speeches made at meetings;
- (b) receive, translate and circulate the documents of the Conference;
- (c) publish and circulate any report of the Conference;
- (d) make and arrange for the keeping of sound recordings and summary records of meetings;
- (e) arrange for the custody of the documents of the Conference in the archives of the United Nations and provide authentic copies of these documents to each of the depositary Governments; and
- (f) generally perform all other work that the Conference may require.

Costs

Rule 12 1/

The costs of the Review Conference, including the session of the Preparatory Committee, will be met by the States Parties to the Convention participating in the Review Conference in accordance with the United Nations assessment scale pro-rated to take into account differences between the United Nations membership and the number of States Parties participating in the Conference. States which have signed but not yet ratified the Convention and which accept the invitation to take part in the Review Conference as provided by rule 44.1 will share in the costs to the extent of their respective rates of assessment under the United Nations scale. For States Parties or signatories which are not members of the United Nations the share will be determined on the basis of the similarly pro-rated scale in force for determining this share in the activities in which they take part.

V. CONDUCT OF BUSINESS

Quorum

Rule 13

A majority of the States Parties to the Convention participating in the Conference shall constitute a quorum.

General powers of the President

Rule 14

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, he shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, ascertain consensus, put questions to the vote and announce decisions. He shall rule on points of order. The President, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each State may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

1/ It is understood that all financial arrangements for the Review Conference do not constitute a precedent.

Points of order

Rule 15

A representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 16

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 15, 17 and 19-22, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the subject under discussion and the President may call a speaker to order if his remarks are not relevant thereto.

3. The Conference may limit the time allowed to speakers and the number of times the representative of each State may speak on a question; permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 17

The Chairman of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by his committee.

Closing of list of speakers

Rule 18

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 22.

Right of reply

Rule 19

Notwithstanding rule 18, the President may accord the right of reply to a representative of any State participating in the Conference. Such statements shall be as brief as possible and shall, as a general rule, be delivered at the end of the last meeting of the day.

Suspension or adjournment of the meeting

Rule 20

A representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 23, be immediately put to the vote.

Adjournment of debate

Rule 21

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment after which the motion shall, subject to rule 23, be immediately put to the vote.

Closure of debate

Rule 22

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 23, be immediately put to the vote.

Order of motions

Rule 23

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- (a) to suspend the meeting;
- (b) to adjourn the meeting;
- (c) to adjourn the debate on the question under discussion;
- (d) to close the debate on the question under discussion.

Submission of proposals and substantive amendments

Rule 24

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, proposals and substantive amendments shall be discussed or decided on no earlier than 24 hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions

Rule 25

A proposal or a motion may be withdrawn by its sponsors at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decision on competence

Rule 26

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it, shall be decided upon before a decision is taken on the proposal in question.

Reconsideration of proposals

Rule 27

Proposals adopted by consensus may not be reconsidered unless the Conference reaches a consensus on such reconsideration. When a proposal has been adopted or rejected by a majority or two-thirds vote, it may not be reconsidered unless the Conference, by a two-thirds majority of the members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

VI. VOTING AND ELECTIONS

Adoption of decisions

Rule 28

1. Decisions on matters of procedure and in elections shall be taken by a majority of representatives present and voting.

2. The task of the Review Conference being to review the operation of the Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized, and thus to strengthen its effectiveness, every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.

3. If, notwithstanding the best efforts of delegates to achieve consensus, a matter of substance comes up for voting, the President shall defer the vote for 48 hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

4. If by the end of the period of deferment the Conference has not reached agreement, voting shall take place and decisions shall be taken by a two-thirds majority of the representatives present and voting, providing that such majority shall include at least a majority of the States participating in the Conference.

5. If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

6. In cases where a vote is taken in accordance with paragraph 1 and 4 above, the relevant rules of procedure relating to voting of the General Assembly of the United Nations shall apply, except as otherwise specifically provided herein.

Voting rights

Rule 29

Every State Party to the Convention shall have one vote.

Meaning of the phrase "representatives present and voting"

Rule 30

For the purposes of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting are considered as not voting.

Elections

Rule 31

All elections shall be held by secret ballot, unless the Conference decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Rule 32

1. If, when only one elective place is to be filled, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined to the two candidates having obtained the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held among such candidates for the purpose of reducing their number to two; similarly, in the case of a tie among three or more candidates obtaining the largest number of votes, a special ballot shall be held, if a tie again results in the special ballot, the President shall eliminate one candidate by drawing lots and thereafter another ballot shall be held in accordance with paragraph 1.

Rule 33

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot the majority required and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, provided that if only one place remains to be filled the procedures in rule 32 shall be applied. The ballot shall be restricted to the unsuccessful candidates having obtained the largest number of votes in the previous ballot, but not exceeding twice the number of places remaining to be filled. However, in the case of a tie between a greater number of unsuccessful candidates a special ballot shall be held for the purpose of reducing the number of candidates to the required number; if a tie again results among more than the required number of candidates, the President shall reduce their number to that required by drawing lots.

3. If such a restricted ballot (not counting a special ballot held under the conditions specified in the last sentence of paragraph 2) is inconclusive, the President shall decide among the candidates by drawing lots.

VII. OTHER APPROPRIATE BODIES OF THE CONFERENCE

Rule 34

The Conference may establish appropriate bodies. As a general rule each State Party to the Convention participating in the Conference may be represented in those bodies unless otherwise decided.

Committee of the Whole

Rule 35

The Conference shall establish a Committee of the Whole to consider in detail the substantive issues relevant to the Convention with a view to facilitating the work of the Conference.

Drafting Committee

Rule 36

1. The Conference shall establish a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to it by the Conference. It shall also, without reopening substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference.

2. Representatives of delegations proposing texts referred to the Drafting Committee in conformity with paragraph 1 of this rule shall be entitled to participate, at their request, in the discussion of those texts in the Drafting Committee.

3. Representatives of other delegations may also attend the meetings of the Drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

VIII. OFFICERS AND PROCEDURES

Rule 37

The rules relating to officers, the Conference Secretariat, conduct of business and voting of the Conference (contained in chaps. II (rules 5-7), IV (rules 10-11), V (rules 13-27) and VI (rules 28-33) above) shall be applicable, mutatis mutandis, to the proceedings of committees and other appropriate bodies, except that:

(a) unless otherwise decided, any body established under rule 34 shall elect a chairman and such other officers as it may require;

(b) the Chairmen of the General Committee, the Committee of the Whole, the Drafting Committee and the Credentials Committee and the chairmen of bodies established under rule 34 may vote in their capacity as representatives of their States;

(c) a majority of the representatives on the General Committee, the Committee of the Whole, the Drafting Committee or the Credentials Committee shall constitute a quorum; the same may apply to any body established under rule 34 if the Conference so desires.

IX. LANGUAGES AND RECORDS

Languages of the Conference

Rule 38

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Interpretation

Rule 39

1. Speeches made in a language of the Conference shall be interpreted into the other languages.

2. A representative may make a speech in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the Secretariat may be based on the interpretation given in the first such language.

Language of official documents

Rule 40

Official documents shall be made available in the languages of the Conference.

Sound recordings of meetings

Rule 41

Sound recordings of meetings of the Conference and of all committees shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided, no such recordings shall be made of the meetings of any other appropriate body established under rule 34.

Summary records

Rule 42

1. Summary Records of the plenary meetings of the Conference, excluding that part of those meetings devoted to consideration of agenda item 10 (a), general debate, shall be prepared by the Secretariat. Such records shall be produced in the languages of the Conference. They shall be distributed in provisional form as soon as possible to all participants in the Conference. Participants in the debate may, within three working days of receipt of provisional summary records, submit corrections on summaries of their own interventions to the Secretariat; in special circumstances, the presiding officer may, in consultation with the Secretary-General of the Conference, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Separate corrigenda to provisional records shall not normally be issued.

2. The summary records, with any corrections incorporated, shall be distributed promptly to participants in the Conference.

X. PUBLIC AND PRIVATE MEETINGS

Rule 43

1. The plenary meetings of the Conference shall be held in public unless otherwise decided.

2. Meetings of the Committees and any other appropriate body established under rule 34 shall be held in private.

XI. PARTICIPATION AND ATTENDANCE

Rule 44

1. Signatories

Any State signatory to the Convention which has not yet ratified it shall be entitled to participate, without taking part in the adoption of decisions, whether by consensus or by vote, in the deliberations of the Conference, subject to prior written notification to the Secretary-General of the Conference. This means that any of those signatory States shall be entitled to attend meetings of the Conference; to address plenary meetings; to receive the document of the Conference and to submit its views in writing to the Conference, which shall be considered as Conference documents.

2. Observers

(a) Any other State which, in accordance with article XIV of the Convention, has the right to become a Party thereto but which has neither signed nor ratified it may apply to the Secretary-General of the Conference

for Observer status, which will be accorded on the decision of the Conference. 1/ Such a State shall be entitled to appoint officials to attend meetings of the Plenary other than those designated closed meetings, and to receive documents of the Conference. An Observer State shall also be entitled to submit documents to the participants in the Conference.

(b) Any national liberation organization entitled by the General Assembly of the United Nations 2/ to participate as an Observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly, and all international conferences convened under the auspices of other organs of the United Nations, may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the Plenary and of the Committee of the Whole other than those designated closed meetings, and to receive documents of the Conference. An Observer organization shall also be entitled to submit documents to the participants in the Conference.

3. The United Nations

The Secretary-General of the United Nations or his representative or representatives shall be entitled to attend meetings of the Plenary and any other appropriate body established under rule 34 and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

4. Specialized agencies and regional intergovernmental organizations

The specialized agencies as well as regional intergovernmental organizations may apply to the Secretary-General of the Conference for Observer Agency status which will be accorded on the decision of the Conference. An Observer Agency shall be entitled to appoint officials to attend meetings of the Plenary other than those designated closed meetings and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as Conference documents.

5. Non-governmental organizations

Representatives of non-governmental organizations who attend meetings of the Plenary will be entitled upon request to receive the documents of the Conference.

1/ It is understood that any such decision will be in accordance with the practice of the United Nations General Assembly.

2/ Pursuant to General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 3280 (XXIX) of 10 December 1974.

ANNEX IV

LIST OF PARTICIPANTS

A. STATES PARTIES

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Argentina para Desarme, Ginebra

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Alternate Representative

Mr. Henry Fox
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Alternate Representative

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Alternate Representative

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Lieutenant Colonel Herbert
de Bisschop Expert

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Representative

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Mrs. M.E. Kennedy	Chief, Division of Biosafety Health Protection Branch Health and Welfare Canada Ottawa Adviser (Scientific)

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Sr. Raimundo Gonzalez	Misión Permanente, Ginebra Consejero

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Mr. Chae Il First Secretary Permanent Mission
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Mr. Tuomas Pekkarinen	Director, Ministry for Foreign Affairs
Dr. Marjatta Rautio	Director of the Finnish Project on the Verification of Chemical Disarmament
Mr. Risto Visakorpi	M.D., Finnish Defence Forces
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Head of Delegation - ex-officio
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Prof. Erhard Geissler (with reference to the project
"Contributions to conflict resolution
through biological arms limitation and
disarmament" funded by the Volkswagen
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Women's International League for Peace and Freedom

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Ms. Jill Sternberg

Ms. Peri Pamir
