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

BWG/CONF.III/17
24 September 1991
Original: ENGLISH


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.

GE.91-72797/37488
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 I

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 biologic 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 biologic agents and toxins". The same should be valid also for all other toxins be they of proteinic or non-proteinic, 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 8 - 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

(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.
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

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 proteanatisus and non-proteanatisus) 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 microbial 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 CEB 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

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

13 September 1991

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

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<th>LEGISLATION</th>
<th>REGULATIONS</th>
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<td>(b) Exports of micro-organisms and toxins pathogenic to man</td>
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<td>(d) Genetic manipulation of micro-organisms pathogenic to man</td>
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<td>(e) Experimentation on micro-organisms pathogenic to man</td>
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<td>(f) Handling of micro-organisms and toxins pathogenic to man</td>
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<td>(g) Transport of micro-organisms and toxins pathogenic to man</td>
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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

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.
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

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:
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, toxoinology, 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.
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, toxinoology, 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 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.
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

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.
Background information on outbreaks of reportable infectious diseases

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</table>
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
CBR 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.
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.

18 September 1991

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

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, toxicology, 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
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.

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) ___________________
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 __________________________

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**

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

List of funding ministries/organizations and respective annual budgets

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General description of activities

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

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<th>Work concerning aerosols with pathogenic micro-organisms or toxins in laboratories</th>
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<th>No</th>
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<tr>
<td>Outdoor experiments with biological aerosols</td>
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<tr>
<td>Work with pathogenic micro-organisms in fermentors (100 l or larger volume)</td>
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<tr>
<td>Work involving recombinant DNA techniques/genetic engineering techniques with pathogenic micro-organisms</td>
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<tr>
<td>Work involving potent toxins (LD50 1 μg/kg body weight)</td>
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</table>
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.
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

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

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

Article VI

16 September 1991

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

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

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

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 assistance in an operational term.

THE NETHERLANDS

Proposal for Article VII, paragraph 1 of the Final Declaration

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

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

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

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

Article I of Article 8

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

Article VIII

16 September 1991

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

Article VIII

17 September 1991

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.
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.
YUGOSLAVIA

Article X

17 September 1991

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

Proposal for the Final Declaration

Article X

17 September 1991

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 BELARUS

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

UKRAINE AND BELARUS
(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

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

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

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

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.
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.
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

Article XIV

18 September 1991

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.
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 microbiicals, 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 Conference 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 reafirms 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 fulfill 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.

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 Third 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

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.
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
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
DISCUSSION PAPER


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 la and lb 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.

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

List of funding ministries/organizations and respective annual budgets

General description of activities

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

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 µg/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.

<table>
<thead>
<tr>
<th>Form</th>
<th>Nothing to declare</th>
<th>There is nothing new to declare</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1b</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1c</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1d</td>
<td></td>
<td></td>
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<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(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, toxionology, 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 lc

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, toxino1ogy, 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 ld).

7. Provide a declaration in accordance with Form ld 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:

<table>
<thead>
<tr>
<th>Level</th>
<th>Area (sq m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>BL2</td>
<td>...........</td>
</tr>
<tr>
<td>BL3</td>
<td>...........</td>
</tr>
<tr>
<td>BL4</td>
<td>...........</td>
</tr>
</tbody>
</table>

   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 CDS/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: epidemic 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.
Background information on outbreaks of reportable infectious diseases

<table>
<thead>
<tr>
<th>Disease</th>
<th>Number of cases per year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>RELATING TO</th>
<th>LEGISLATION</th>
<th>REGULATIONS</th>
<th>OTHER MEASURES</th>
<th>AMENDED SINCE LAST YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>(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</td>
<td>YES/NO</td>
<td>YES/NO</td>
<td>YES/NO</td>
<td>YES/NO</td>
</tr>
<tr>
<td>(b) Exports of micro-organisms* and toxins</td>
<td>YES/NO</td>
<td>YES/NO</td>
<td>YES/NO</td>
<td>YES/NO</td>
</tr>
<tr>
<td>(c) Imports of micro-organisms* and toxins</td>
<td>YES/NO</td>
<td>YES/NO</td>
<td>YES/NO</td>
<td>YES/NO</td>
</tr>
</tbody>
</table>

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