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Author(s): Pearson, G.S.

Title: The Second Meeting of Experts in July 2004: Common Understandings and Effective Actions

Project: Bradford Project on Strengthening the Biological and Toxin Weapons Convention (BTWC)

Publication year: 2004

BTWC Briefing Papers: 2nd Series: No. 12

Series Editor(s): Pearson, G.S. and Dando, M.R.

Publisher: University of Bradford (<http://www.brad.ac.uk>)

Publisher's repository: <http://bradscholars.ac.uk:8080/dspace>

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Strengthening the Biological Weapons Convention

Briefing Paper No 12 (Second Series)

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Department of Peace Studies
University of Bradford
Bradford, UK

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THE SECOND MEETING OF EXPERTS IN JULY 2004:
COMMON UNDERSTANDINGS AND EFFECTIVE ACTIONS

by Graham S. Pearson

Introduction

1. This Briefing Paper considers the forthcoming Meeting of Experts of the States Parties to the Biological and Toxin Weapons Convention (BTWC) to be held in Geneva on 19 to 30 July 2004 in preparation for the Meeting of States Parties to be held in Geneva on 6 to 10 December 2004. This is the second of the series of annual meetings agreed by the States Parties at the resumption of the Fifth Review Conference in November 2002 which agreed¹ the following:

18. At its eighth plenary meeting on 14 November 2002, the Conference decided by consensus, as follows:

*(a) To hold three annual meetings of the States parties of one week duration each year commencing in 2003 until the Sixth Review Conference, to be held not later than the end of 2006, to discuss, and **promote common understanding and effective action** on:*

i. The adoption of necessary, national measures to implement the prohibitions set forth in the Convention, including the enactment of penal legislation;

ii. National mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins;

iii. Enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease;

iv. Strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants;

v. The content, promulgation, and adoption of codes of conduct for scientists.

(b) All meetings, both of experts and of States Parties, will reach any conclusions or results by consensus.

(c) Each meeting of the States Parties will be prepared by a two week meeting of experts. The topics for consideration at each annual meeting of the States Parties will be as follows: items i and ii will be considered in 2003, items iii and iv in 2004, item v in 2005. The first meeting will be chaired by a representative of the Eastern

¹United Nations, Fifth Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Geneva, 19 November - 7 December 2001 and 11 - 22 November 2002, *Final Document*, BWC/CONF.V/17, 2002. Available at <http://www.opbw.org>

Group, the second by a representative of the Group of Non-Aligned and Other States, and the third by a representative of the Western Group.

(d) The meetings of experts will prepare factual reports describing their work.

(e) The Sixth Review Conference will consider the work of these meetings and decide on further work. [Emphasis added]

2. As Nicholas Sims pointed out in Briefing Paper No. 2², a key element in the chapeau to the list of five topics in paragraph 18 (a) of the Final Report is the phrase "*promote common understanding and effective action.*" The hope of the proponents of this new process was that it would indeed generate "*effective action*". Unfortunately, the outcome of the meetings held in 2003 were disappointing. As reported³ in the *CBW Conventions Bulletin* in December 2003, the first Meeting of States Parties on 10 to 14 November 2003 barely managed to reach agreement on a short statement of substance and failed to fulfil the promise which had been apparent at the end of the Meeting of Experts in August 2003. The Final Report of the Meeting of Experts just managed to avoid paralleling that of the Meeting of Experts which comprised a procedural report and an annexed, but unanalyzed, collation of all the presentations, statements and contributions. While there is significant value in maintaining a full record of the contributions made by States Parties, the lack of analysis and distillation, together with the short period of time, two months, between the Meeting of Experts and the Meeting of the States Parties contributed to the limited outcome of the Meeting of States Parties. It cannot be said to have successfully promoted *common understanding and effective action* as required by the mandate.

3. Against this background, there is an even greater need for the Meetings to be held in 2004 to be effective in achieving their mandate of promoting *common understanding and effective action*. After all, it will be widely recognized that there has been even greater public attention during the past year on the subject of weapons of mass destruction (WMD) given the continuing debate about WMD in Iraq and the continuing attention being given around the world to preparedness for bioterrorism. There is therefore a global expectation that the States Parties to the Biological and Toxin Weapons Convention will **this** year make **more** effective use of this opportunity to promote *common understandings* and will **take** identify *effective action* to strengthen the international norm against biological weapons.

4. This Briefing Paper considers the two topics to be considered in 2004:

iii. Enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease;

iv. Strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants;

² Nicholas A. Sims, *The New Multilateral Process For The BTWC: Ambiguities And Opportunities*, University of Bradford, Department of Peace Studies, Briefing Paper No.2 (Second Series), January 2003. Available at <http://www.brad.ac.uk/acad/sbtwc>

³ Graham S. Pearson, *The Biological Weapons Convention New Process*, Report from Geneva, Review no 20, The CBW Conventions Bulletin, December 2003, pp. 20-28. Available at <http://www.sussex.ac.uk/spru/hsp>

and considers what common understandings might be identified by the Meeting of Experts as well as what effective actions might be set out by the Meeting of Experts for the subsequent Meeting of States Parties to consider and develop. The two topics will be considered in the same sequence as they are in the Provisional Agenda⁴ namely first surveillance of infectious diseases and then investigation of alleged use or suspicious outbreaks of disease.

Procedural Aspects

5. It needs to be recalled that this Meeting of Experts is part of the **inter** Review Conference process that will prepare the ground to enable the Second Meeting of the States Parties in December 2004 to set out and explore the common understandings that exist among the States Parties, identify best practice and thereby identify effective action to be taken by the States Parties and by the Sixth Review Conference in 2006. As the Second Meeting of States Parties is a one week long meeting, its outcome cannot realistically be more than a few pages focussing on the central elements. This Meeting of Experts needs to prepare the groundwork for the December 2004 Meeting of States Parties by setting out the common understandings and, especially, identifying the recommendations for effective action that emerge from this meeting. An undigested collation of information is not helpful in meeting the requirement of the mandate for these meetings. In considering language for the December 2004 Meeting of States Parties there is much to be said for drawing, where appropriate, from language agreed by States Parties at the Fourth and previous Review Conferences as the Meeting of States Parties in December 2004 is part of the **inter** Review Conference process between the Fifth and Sixth Review Conferences. The use of language developed from that of the Fourth Review Conference offers the prospect of easy assimilation and further development at the Sixth Review Conference.

6. The inclusion in the Provisional Agenda⁵ for this meeting of the item on the “*Adoption of the factual report describing the work of the meeting*” which mirrors the requirement in the mandate for the meeting of experts to “*prepare factual reports describing their work*” is welcomed. A procedural report and an unanalyzed collation of material would represent a failure of the Meeting of Experts to carry out the necessary analysis to prepare the ground for the December 2004 Meeting of States Parties. We **recommend** that the Report of the Meeting of Experts includes a listing of the common understandings and sets out recommendations for effective action that can be developed further at the Meeting of States Parties.

National and International Mechanisms for the Surveillance, Detection, Diagnosis and Combating of Infectious Diseases Affecting Humans, Animals, and Plants

7. The Secretariat have prepared two relevant background papers. The first⁶ is on the mechanisms being implemented for disease surveillance by the WHO, OIE and FAO and by

⁴ United Nations, Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of Experts, Geneva, 19 – 30 July 2004, *Provisional Agenda for the Meeting*, BWC/MSP/2004/MX/1, 10 June 2004. Available at <http://www.opbw.org>

⁵ United Nations, Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of Experts, Geneva, 19 – 30 July 2004, *Provisional Agenda for the Meeting*, BWC/MSP/2004/MX/1, 10 June 2004. Available at <http://www.opbw.org>

⁶ United Nations, Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of Experts, Geneva, 19 – 30 July 2004, *Mechanisms being Implemented for Disease Surveillance by*

the Non-Governmental Organization, ProMED, and the second⁷ on the mechanisms for response to outbreaks of disease by the WHO, OIE and FAO.

8. The Executive Summary⁸ (BWC/MSP/2004/MX/INF.1/Summary) to the background paper on disease surveillance facilitates the identification of several common understandings in regard to disease surveillance.

Disease Surveillance: Common Understandings and Effective Actions

9. Disease surveillance is an ongoing activity carried out at the **international** level by the WHO, OIE and FAO to detect or monitor the occurrence of disease for control purposes within human, animal and plant populations.

10. The surveillance of infectious diseases arising from natural causes is **the** effective approach upon which all States have to build in considering the surveillance of outbreaks resulting from deliberate or accidental releases. The essential impartiality and neutrality of the three IGOs – the WHO, OIE and FAO – concerned with surveillance of human, animal and plant diseases needs to be recognized and **safeguarded**. The States which are Party to the BTWC undoubtedly are at the forefront of the States in the world which recognize the risks and dangers posed by deliberate attacks of humans, animals and plants by disease and toxins whether carried out by States or by non-State actors and they can therefore be expected to make concerted efforts in the governing bodies of these IGOs to enhance their preparedness for deliberate attacks. However, in so doing the States which are Party to the BTWC must take great care to ensure that such efforts do not impair the impartiality and independence of these IGOs.

11. It is **recommended** that the States that are Party to the BTWC should all become Member States of the WHO, OIE, FAO and the IPPC. This could be facilitated by the Secretariat of the BTWC Meetings preparing a comparative tabulation showing the current status in regard to the WHO, OIE, FAO and IPPC of the State Parties to the BTWC.

12. It is **recommended** that the States that are Party to the BTWC should coordinate their actions in the Governing Bodies of the WHO, OIE, FAO and IPPC to encourage the strengthening and enhancement of the international disease surveillance system.

Intergovernmental Organizations (World Health Organization (WHO), Food and Agriculture Organization (FAO), World Organization for Animal Health/Office International des Epizooties (OIE)) and Significant Mechanisms being Implemented for Disease Surveillance by Non-Governmental Organizations, BWC/MSP/2004/MX/INF.1, 1 July 2004. Available at <http://www.opbw.org>

⁷ United Nations, Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of Experts, Geneva, 19 – 30 July 2004, *Mechanisms being Implemented for Response to Outbreaks of Disease by Intergovernmental Organizations (World Health Organization (WHO), Food and Agriculture Organization (FAO), World Organization for Animal Health/Office International des Epizooties (OIE))*, BWC/MSP/2004/MX/INF.2, 1 July 2004. Available at <http://www.opbw.org>

⁸ United Nations, Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of Experts, Geneva, 19 – 30 July 2004, *Mechanisms being Implemented for Disease Surveillance by Intergovernmental Organizations (World Health Organization (WHO), Food and Agriculture Organization (FAO), World Organization for Animal Health/Office International des Epizooties (OIE)) and Significant Mechanisms being Implemented for Disease Surveillance by Non-Governmental Organizations, BWC/MSP/2004/MX/INF.1/Summary, 18 June 2004. Available at <http://www.opbw.org>*

13. Noting that only the WHO has included preparedness and response to the deliberate release of disease in its mandate through the adoption by the World Health Assembly in May 2002 of Resolution WHA 55.16⁹, it is **recommended** that comparable action should be taken by the Governing Bodies of the OIE, FAO and IPPC to include preparedness and response to the deliberate release of animal and plant disease.

14. Strengthened **national** disease surveillance infrastructure, including human and technical resources, will directly contribute to more rapid control and response to human, animal and plant disease outbreaks regardless of their origin. It is **recommended** that the States that are Party to the BTWC should take steps to strengthen their national disease surveillance infrastructure in respect of human, animal and plant diseases and report on what steps they have taken and their outcome in their national reports¹⁰ to the Sixth Review Conference.

15. Strengthened national preparedness and response to deliberate release of human, animal and plant diseases will bring benefits to all State Parties to the BTWC. It should be noted that in preparing national plans for preparedness that there are important elements notably relating to assessment and prevention **prior** to any deliberate release as well as elements relating to actions to be taken **after** any deliberate release. It is **recommended** that States Parties to the BTWC review their national preparedness and response plans to ensure that these include appropriate elements both prior to and after any deliberate release of human, animal or plant diseases. Furthermore, we **recommend** that the States Parties report on the outcome¹¹ of their national reviews of preparedness and response plans to the Sixth Review Conference.

16. The Executive Summary¹² (BWC/MSP/2004/MX/INF.1/Summary) to the background paper on disease surveillance notes that the States Parties to the BTWC have agreed to exchange information on outbreaks of infectious disease under Confidence-Building Measure B. It is made clear that in providing such information the States Parties *agreed to utilize fully existing national reporting systems on human diseases as well as animal and plant diseases*. Consequently, it is evident that States Parties should be providing information under CBM B

⁹ World Health Assembly Resolution WHA 55.16 is reproduced in Annex III of United Nations, Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of Experts, Geneva, 19 – 30 July 2004, *Mechanisms being Implemented for Disease Surveillance by Intergovernmental Organizations (World Health Organization (WHO), Food and Agriculture Organization (FAO), World Organization for Animal Health/Office International des Epizooties (OIE)) and Significant Mechanisms being Implemented for Disease Surveillance by Non-Governmental Organizations*, BWC/MSP/2004/MX/INF.1, 1 July 2004. Available at <http://www.opbw.org>

¹⁰ States Parties are invited prior to the Review Conference to provide contributions to the Secretariat for inclusion in the Background Document on Compliance by States Parties with All Their Obligations under the BTWC. The reports by States Parties to the Sixth Review Conference proposed in this Briefing Paper could readily be included in these contribution submitted by States Parties prior to the Sixth Review Conference.

¹¹ States Parties are invited prior to the Review Conference to provide contributions to the Secretariat for inclusion in the Background Document on Compliance by States Parties with All Their Obligations under the BTWC. The reports by States Parties to the Sixth Review Conference proposed in this Briefing Paper could readily be included in these contribution submitted by States Parties prior to the Sixth Review Conference.

¹² United Nations, Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of Experts, Geneva, 19 – 30 July 2004, *Mechanisms being Implemented for Disease Surveillance by Intergovernmental Organizations (World Health Organization (WHO), Food and Agriculture Organization (FAO), World Organization for Animal Health/Office International des Epizooties (OIE)) and Significant Mechanisms being Implemented for Disease Surveillance by Non-Governmental Organizations*, BWC/MSP/2004/MX/INF.1/Summary, 18 June 2004. Available at <http://www.opbw.org>

annually on human, animal and plant disease in accordance with the agreed formats for CBM B. It is **recommended** that the Meeting of Experts should review the current requirements for the provision of information under CBM B and recommend how these might be clarified so as to ensure that the maximum benefits are gained by States Parties from the information provided under CBM B in regard to outbreaks of human, animal and plant diseases. We further **recommend** that States Parties initiate reporting of improved submissions under CBM B in accordance with the recommendations made by the Meeting of Experts.

International Capabilities for Responding to, Investigating and Mitigating the Effects of Cases of Alleged Use of Biological or Toxin Weapons or Suspicious Outbreaks of Disease

17. The Secretariat have prepared a relevant background paper¹³ which examines the provisions in Article VI and VII of the Convention relevant to the investigation of alleged use of biological or toxin weapons and to provide assistance in such cases and then examines appropriate international procedures, within the framework of the United Nations and in accordance with its charter, to investigate the alleged use of biological or toxin weapons and to provide assistance in such cases. The background paper makes it clear in paragraph 5 that “*This Background Document deals with mechanisms in place and does not examine Article V of the Convention ...*” or instances such as an allegation that biological weapons were used some 20 years prior to the opening for signature of the Convention. The latter is hardly surprising as allegations prior to the entry into force of the Convention are unlikely to be relevant to the work of the Meeting of Experts. The exclusion of consideration of Article V of the Convention is surprising as it is an instance where mechanisms are in place and indeed have been exercised in relation to the compliance concerns raised by Cuba in 1997 – which are referred to in the Background Document.

18. Article V of the Convention is relevant as it is probable that an allegation of use would be preceded by a compliance concern. Article V of the Convention states that:

The States Parties to this Convention undertake to consult one another and to cooperate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention. Consultation and cooperation pursuant to this article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

At the Fourth Review Conference of the BTWC held on 25 November to 6 December 1996, the Final Declaration¹⁴ in respect of Article V stated that:

1. 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

¹³ United Nations, Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of Experts, Geneva, 19 – 30 July 2004, *Mechanisms Available to States Parties to Investigate the Alleged Use of Biological or Toxin Weapons and to Provide Assistance in such cases*, BWC/MSP/2004/MX/INF.3, 1 July 2004. Available at <http://www.opbw.org>

¹⁴United Nations, *The Fourth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction*, Geneva, 25 November - 6 December 1996, BWC/CONF.IV/9, Geneva 1996.

problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention. The Conference reiterates its appeal to States Parties made at the Third Review Conference 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. The Conference notes that this Article provides an appropriate framework for resolving any such problems, and reaffirms that any State Party which identifies such a problem should, as a rule, use these procedures to address and resolve it.

2. The Conference also reviewed the operation of the procedures to strengthen the implementation of the provisions of Article V which were adopted in the Final Declaration of the Third Review Conference and which built on the agreements reached at the Second Review Conference. While noting that these procedures have not yet been invoked, the Conference reaffirmed their present validity. The Conference calls on any State Party which identifies a problem arising in relation to the objective of, or in the application of the provisions of the Convention to use these procedures, if appropriate, to address and resolve it.

3. 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.

19. In the Bradford Briefing Book for the Fifth Review Conference, the section on Article V noted¹⁵ that the consultative process developed by the Third Review Conference had been invoked in 1997 by Cuba subsequent to the Fourth Review Conference. It was considered that the consultative process had worked well and it was suggested that the Fifth Review Conference might adopt modified language in the Article V section of its Final Declaration along the following lines:

*2. The Conference also reviewed the operation of the procedures to strengthen the implementation of the provisions of Article V which were adopted in the Final Declaration of the Third Review Conference and which built on the agreements reached at the Second Review Conference. **The Conference noted that these procedures had been invoked since the Fourth Review Conference and that the procedures had been satisfactorily utilized thereby demonstrating their utility.** The Conference calls on any State Party which identifies a problem arising in relation to the objective of, or in the application of the provisions of the Convention to use these procedures, if appropriate, to address and resolve it.*

20. The Background Document also makes no mention of the provisions in Article IX *Consultations, Cooperation and Fact-Finding* or Article X *Assistance and Protection Against Chemical Weapons* in the Chemical Weapons Convention (CWC). It will be recalled that the prohibitions of the CWC and the BTWC rightly overlap in respect of mid-spectrum agents as shown in the schematic shown below.

¹⁵ Graham S. Pearson, *Article V: Consultation and Cooperation* in Graham S. Pearson, Malcolm R. Dando & Nicholas A. Sims (eds), *Strengthening the Biological Weapons Convention: Key Points for the Fifth Review Conference*, Department of Peace Studies, University of Bradford, November 2001. Available at <http://www.brad.ac.uk/acad/sbtwc>

Classical CW	Industrial Pharmaceutical Chemicals	Bioregulators Peptides	Toxins	Genetically Modified BW	Traditional BW
Cyanide Phosgene Mustard Nerve Agents	Aerosols	Substance P Neurokinin A	Saxitoxin Ricin Botulinum Toxin	Modified/ Tailored Bacteria Viruses	Bacteria Viruses Rickettsia Anthrax Plague Tularemia
Biological and Toxin Weapons Convention					
← Chemical Weapons Convention →					
← Poison →			← Infect →		

21. It will be recalled that two toxins – Ricin and Saxitoxin – are included in Schedule 1 of the CWC. It is highly probable that if there were to be an allegation of the use of toxin weapons then any investigation would take place under the provisions in Article IX or X of the CWC and that the provisions for assistance and protection under Article X of the CWC might be invoked. Part XI of the Verification Annex to the CWC sets out the provisions for *Investigations in Cases of Alleged Use of Chemical Weapons*. In regard to the provisions for assistance, paragraph 8 of Article X states that:

8. *Each State Party has the right to request and, subject to the procedures set forth in paragraphs 9, 10 and 11, to receive assistance and protection against the use or threat of use of chemical weapons if it considers that:*

(a) *Chemical weapons have been used against it;*

(b) *Riot control agents have been used against it as a method of warfare; or*

(c) *It is threatened by actions or activities of any State that are prohibited for States Parties by Article I.*

22. The Background Document also makes the statement under the heading “*Precedents of Investigations by the Secretary-General into the Alleged Use of Biological or Toxin Weapons*” that “*the investigative process detailed above has been initiated to investigate the alleged use of chemical weapons, but has not, to date, been initiated for the investigation of biological or toxin weapons.*” Whilst this is correct in regard to the investigative process detailed in the late 1980s, it is at variance with a statement provided by the Centre for Disarmament Affairs to a UN document¹⁶ in 1997 that states “*while the Secretary-General has, in the past, conducted investigations of alleged use of chemical weapons and of alleged violations by some States parties of the Biological Weapons Convention, the Organization is not in a position to make a definitive judgement on these reports of alleged use.*” The Background Document makes no mention of the Secretary-General investigation carried out

¹⁶ United Nations, Economic and Social Council, Commission on Human Rights, E/CN.4/Sub.2/1997/27, 24 June 1997, paragraph 14. Available at <http://www.hri.ca/forthecord1997/documentation/subcommission/e-cn4-sub2-1997-27.htm>

in 1981/82 of the allegations of use in South-East Asia – the so-called “yellow rain” attacks – which were alleged by the United States to have been violations of the BTWC, probably because the UN General Assembly resolution¹⁷ called for this investigation *to ascertain the facts pertaining to the reports regarding the alleged use of chemical weapons*.

Investigations of Alleged Use: Common Understandings and Effective Actions

23. The common understanding should be recognized in regard to the investigation of an alleged use of biological or toxin weapons and the provision of assistance of the importance of **three** Articles – V, VI and VII – of the BTWC.

24. In addition, it should be recognized that any allegations relating to the use of **toxin** weapons would be carried out under Article IX of the Chemical Weapons Convention and that assistance and assistance against such toxin weapons would be under Article X of the Chemical Weapons Convention.

25. A further common understanding is that although the UN Secretary-General has been authorized by successive UN General Assembly and Security Council resolutions to investigate the alleged use of biological or toxin weapons, any such investigation of an alleged use of **biological** weapons or suspicious outbreaks of disease would **only** take place on the territory of a State which has requested the Secretary-General to carry out such an investigation.

26. It is **recommended** that a number of effective actions need to be taken. **First**, the States that are Party to the BTWC should take steps, as appropriate, in the United Nations Security Council and General Assembly **to strengthen the procedures** available under the United Nations **and their preparedness** to investigate the alleged use of biological weapons and unusual outbreaks of disease. In particular, a **roster of trained and qualified inspectors** who can be called upon at short notice (within 7 days) to carry out an investigation needs to be established and maintained. No person should appear on the roster until after that person has successfully completed a UN training course. Persons on the roster should be required to carry out refresher training courses on a regular basis in order to retain their inclusion on the roster.

27. In addition, it is **recommended** that a **system for the collection and analysis of duplicate and control samples** including chain of custody provisions needs to be established and proven by appropriate trials on a regular basis. Moreover, arrangements need to be established for a **network of accredited laboratories** in more than one country, which have a demonstrated capability using internationally validated analytical methods, for the analysis of samples collected during such an investigation.

28. Furthermore, it is **recommended** that the procedures thus far established by the Secretary-General for the investigation of alleged use of biological weapons be reviewed to determine whether the procedures are adequate and appropriate for the investigation of the alleged use of biological weapons against **humans, animals and plants**.

29. Finally, we **recommend** that all State Parties to the BTWC should report to the Sixth Review Conference on what actions they have taken in the United Nations and elsewhere to

¹⁷ United Nations, General Assembly *Resolution 35/144 C Chemical and bacteriological (biological) weapons*. 12 December 1980. Available at <http://www.un.org>

strengthen the procedures available and their preparedness to investigate the alleged use of biological weapons and unusual outbreaks of disease.

Conclusions

29. **In conclusion**, the Second Meeting of Experts is **recommended** to adopt language for its factual report that sets out the **common understandings** that are evident from the consideration of the two topics – disease surveillance and investigation of alleged use – by the Meeting of Experts, and provides a list of the **effective actions** identified during the Meeting of Experts to be considered further by the States Parties at their meeting in December 2004.