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**DIFFERENCE BETWEEN INVESTIGATION OR ALLEGED USE OF BTW
AND INVESTIGATION OF UNUSUAL OUTBREAKS OF DISEASE**

Working paper submitted by South Africa

INTRODUCTION

It has become evident that there are divergent views about the differentiation between the concepts of investigations of alleged use of BTW and investigations of unusual outbreaks of disease. Although there is a relationship between the two concepts, there are distinct differences between them.

In an effort to clarify the grey areas in this regard the following table has been prepared outlining some of the differences between investigations of alleged use of BTW and investigations of unusual outbreaks of disease.

Investigation of alleged use of BTW

Investigation of unusual outbreaks of disease

Definition

Definition

An investigation of an allegation made by a State Party or Parties against another that:

An investigation of an outbreak of disease that is unusual for a specific country because of the nature of the disease or conditions under which the disease appeared.

- a. BTW have been used;
- b. field tests have been conducted with BTW;
- c. an accident has taken place in the vicinity of a facility suspected of developing BTW.

Investigation

After an allegation has been lodged with a future BWC Organization and it has been accepted as not being frivolous, this organization must conduct an investigation.

The investigation is compulsory and the complainant States Parties must give all the necessary aid and support to the investigating team.

The investigation may be conducted on the territory of more than one State Party, the complainant and the investigated States Parties.

Aim

The aim of investigations of alleged use of BTW is primarily to establish whether the allegation is true or not. Aid given to the affected State Party, although very important is secondary.

This investigation may be further conducted as a challenge type investigation on the territory of the accused State Party.

Reporting

The investigating team must submit its report to the future BWC Organization and the States Parties.

Investigation

The government of the country where the outbreak took place, will decide whether or not to ask for assistance to carry out an investigation. This request does not necessarily need to be made to the future BWC organization

The investigation is voluntary. The involvement of other States Parties is on invitation of the State Party involved and the investigating team must adhere to conditions laid down by the inviting State Party.

The investigation is likely to be conducted only on the territory of the State Party that asked for the investigation.

Aim

Here the aim is primarily to support and aid the affected country in finding the source of the outbreak and treatment of casualties.

An investigation of an unusual outbreak of disease may result in an investigation of alleged use. An allegation must however first be lodged and accepted before the investigation may be initiated.

Reporting

The investigation report must be submitted to the State Party that asked for the investigation. It has the right to decide whether any further action is required. If international organizations have been asked for support, then these organizations should also receive copies of the report.

