

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

BWC/CONF.III/3
26 August 1991

Original: ENGLISH

BACKGROUND DOCUMENT ON COMPLIANCE BY STATES PARTIES
WITH ALL THEIR OBLIGATIONS UNDER THE CONVENTION ON
THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND
TOXIN WEAPONS AND ON THEIR DESTRUCTION

Prepared by the Secretariat

1. In paragraph 23 of its report (BWC/CONF.III/1), the Preparatory Committee for the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction decided to request the Secretariat to prepare a background document on compliance by States Parties with all their obligations under the Convention. The Committee, furthermore, decided that for the purpose of preparing this document, the Secretariat would request States Parties to provide information regarding compliance with all the provisions of the Convention. The Committee also decided that this background document should be circulated not later than two weeks before the opening of the Review Conference.
2. The present document contains the information provided by States Parties to the Secretariat, as of 26 August 1991, pursuant to paragraph 23 of the Preparatory Committee's report.

Bulgaria

The Government of the Republic of Bulgaria once again reiterates its support for the principles and objectives of the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

Bulgaria notes with satisfaction the growing number of States Parties to the Convention.

The Republic of Bulgaria, in conformity with its legal commitments, fully complies with the objectives and principles of the Biological Weapons Convention and has not violated any of its provisions.

Article I

The Republic of Bulgaria has not developed, produced, stockpiled, or otherwise acquired or retained microbial or any other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes, or any weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

Article II

The Republic of Bulgaria does not belong to the category of States described under Article II.

Article III

Bulgaria strictly complies with the provisions of Article III.

Article IV

Bulgaria notes the importance of administrative and other measures aimed at providing effective guarantees of compliance with the provisions of the Biological Convention within the territories under the jurisdiction or control of the States Parties.

Under the existing laws and administrative regulations in the Republic of Bulgaria, any access to and the handling of particularly dangerous biological agents and toxins, used for purposes permitted by the Biological Weapons Convention, are controlled by the Ministry of the Interior.

In compliance with Article IV of the Convention, the new Bulgarian Constitution (adopted 13 July 1991) envisages, in its Article 18, paragraph 4 and in its Article 52, paragraph 5, that the State may be given by law to exercise full monopoly, among other things, over the development and production of dangerous biological agents used for peaceful purposes as well as control over the production of other materials of biological origin and the trade with them. The Government of the Republic of Bulgaria is in the process of developing and introducing a nationwide system of enhanced export control on dual-purpose materials, equipment and technologies, to support the

objectives of non-proliferation of weapons of mass destruction, including biological weapons, in full conformity with internationally harmonized standards.

Article V

Bulgaria once again reiterates the major significance of Article V of the Convention, and the obligations of the States Parties to consult bilaterally or through appropriate international procedures and to cooperate in solving any problem which may arise in relation to the objective of, or in the application of the provisions of the Convention. In this connection, the Government of the Republic of Bulgaria expresses its willingness to discuss the possibility of strengthening and extending the currently applied confidence-building measures and of establishing an efficient control mechanism to help verify compliance with the obligations of the States Parties to the Convention.

Pursuant to the decisions of the Second Review Conference of the States Parties to the Biological Weapons Convention, Bulgaria has been submitting annually all relevant data as provided for by the 1987 Report of the Ad Hoc Meeting of Scientific and Technical Experts of the States Parties. Bulgaria is convinced of the importance of the regular exchange of information among the States Parties and the promotion of contacts between scientists engaged in biological research, as well as of the need to have all results of such a research promptly published.

A Bulgarian expert took part in the drawing up by a United Nations expert group in 1989 of guidelines and procedures for the timely and efficient investigation of reports on the possible use of chemical and bacteriological (biological) or toxin weapons (United Nations General Assembly report A/44/561). Bulgaria joined the consensus on resolution 44/115 B of the United Nations General Assembly, which endorsed the group's report and requested the Secretary-General to carry out investigations in response to allegations for use of such weapons.

Articles VI and VII

Bulgaria has not yet had an opportunity to apply the provisions on assistance contained in Articles VI and VII of the Convention.

Article VIII

Bulgaria complies with the 1925 Geneva Protocol prohibiting the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare. In April 1991 the Government of Bulgaria entered a parliamentary legal procedure to withdraw the reservations made by Bulgaria upon ratification of the 1925 Geneva Protocol.

Article IX

Bulgaria participates in the negotiations in the Conference on Disarmament on a global ban of all chemical weapons and is striving to

contribute towards providing all the necessary conditions for an early signing of the CW Convention. The Bulgarian Government has stated its intention to become an original party to this Convention.

Article X

All R & D in Bulgaria involving the use of micro-organisms and toxins is conducted exclusively for peaceful purposes. International exchange in the field of biotechnology is carried out both in the economic and the research sphere. Cooperation and joint R & D with various countries are encouraged. Programmes for exchange of researches engaged in biochemistry, microbiology, immunology and virusology are being implemented.

All national activities referred to here above are being done in full compliance with the provisions of Article X of the Convention.

Canada

Canada is in full compliance with its obligations under the Convention. Furthermore, in keeping with the measures agreed at the Second Review Conference with a view to preventing or reducing the occurrence of ambiguities and to improving international cooperation, the Canadian Mission is pleased to advise the Secretariat that the relevant data and information pertaining thereto have been submitted to the United Nations Department for Disarmament Affairs by Canada on an annual basis.

Czechoslovakia

The Czech and Slovak Federal Republic was a co-author of the draft Convention on the prohibition of biological weapons at the 1971 Disarmament Committee Conference. It became one of its first parties and ratified it on 30 April 1973. In an attempt to contribute to the efficient functioning of the Convention the Czech and Slovak Federal Republic actively participated in the first two Review Conferences of States Parties to the Convention held in 1980 and 1986 as well as in the meeting of scientific and technical experts held in 1987.

In keeping with respective resolutions of the United Nations General Assembly, the Czech and Slovak Federal Republic has been from the very beginning regularly participating in the agreed exchange of information and data with the aim to strengthen the authority of the Convention, to eliminate vague points, doubts and suspicions and to improve international cooperation in the sphere of peaceful scientific activities. In our annual reports we have reported on all Czechoslovak laboratories which are or could be related to the Convention. This concerns 11 laboratories with a specified degree of biological safety working on the production of biological diagnostics, sera and vaccines or studies of diagnostics, pathogenesis and immunology against dangerous infections. At the same time we have announced the holding of five international congresses and symposiums on biological research in relation to the Convention. A number of publications and articles by Czech and Slovak specialists dealing with these problems have been issued.

The Czech and Slovak Federal Republic believes that there exist at present four principal roads to strengthen the role of the Convention:

- To use all possibilities to make the Convention universal. The Review Conference should call on States which have not yet joined the Convention to do so speedily and on States which have only signed the Convention to ratify it as soon as possible.
- To strive for the participation of the maximum number of the States Parties to the Convention in the system of data exchange which has been in force within the United Nations ever since 1987. The States Parties should submit respective information even in the case that they carry out no research relevant to the Convention. Regular participation of all States Parties to the Convention in the data exchange mechanism is an important confidence-building measure. It is worth considering making the exchange of data mandatory for all the States Parties to the Convention. Increased and regular contacts between scientists working at declared facilities could be another important confidence-building measure.
- To increase the informative value of the data which are passed within the system of information exchange. For instance to specify the definitions of required information, to leave out information which has proved to be empty such as reports on rare epidemics, to enrich the system of regular transmission of information by such items which concern research work in the protection against biological weapons etc.
- In tune with Article XI of the Convention, to consider the possibilities of setting up a system of control of its observance. However, such a system must be realistic and generally acceptable. In our view, the work on it is linked with the solution of such questions as the elaboration of a survey of biological agents or toxins whose research should be reported and controlled, the specification of the forms of control, or on-site inspections, the creation of a system of long-term study stays of scientists in institutes carrying out military biological research and the setting up of a body with a long-term effect to solve problems arising in the period between the individual Review Conferences and bearing on unclear aspects or suspected non-observance of the Convention. Its preparation will apparently take a lot of time. However, the Review Conference should make the first step in this direction and elaborate and adopt a mandate for a group of experts who would deal with the existing proposals and the present technical possibilities and financial implications of such a system and who would prepare respective proposals.

Denmark

Denmark continues to comply fully with all aspects of the Biological Weapons Convention. In this connection Denmark wishes inter alia to point to the fact that in accordance with the Final Declaration of the Second Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and

Toxin Weapons and on Their Destruction held in Geneva in September 1986 and the report of the Ad Hoc Meeting of Scientific and Technical Experts from States Parties to the Convention held in Geneva in March-April 1987, Denmark has regularly reported information and data relevant to the Convention to the United Nations Department of Disarmament Affairs.

Republic of Korea

The Republic of Korea has never developed, produced, stockpiled or otherwise acquired or retained any microbial or other biological agents or toxins, nor weapons, equipment or means of delivery specified in Article I of the Convention. The Republic of Korea has never in any way transferred any biological and toxin weapons nor provided assistance for their production to anyone.

In accordance with Article X, the Republic of Korea has actively participated in international exchanges of scientific and technological information relating to the use of bacteriological (biological) agents and toxins for peaceful purposes.

Sweden

In 1970, the Swedish Government declared that Sweden does not possess and does not intend to acquire biological and chemical weapons. This declaration retains its full validity. No ongoing national activity is in non-compliance with the provisions of the Convention, which Sweden signed on 27 February 1975 and ratified on 5 February 1976.

Already at the Review Conference of 1980, Sweden pointed out that the provisions for international means of verification in the Convention are inadequate. This was considered an unsatisfactory situation by the Swedish Government at that time, and this remains its position. The review of scientific and technological developments will no doubt show that the potential for producing highly effective biological weapons has increased during the period of review, and this trend can be expected to continue in the near future. In the view of the Swedish Government, there is a need for improved procedural arrangements in the field of compliance and verification. These issues should be given initial consideration at the upcoming Review Conference, with the aim of finding a practical, flexible and universally acceptable arrangement for compliance and for verification.

Certain civilian products can be used in the manufacture of missiles fitted with warheads and chemical and biological weapons. With reference to Articles III and IV of the Convention, we would like to inform you that the Swedish Government has passed a new law prohibiting the exportation of certain products which may be used for purposes of mass destruction, and related matters. This law entered into force on 1 July 1991. Of relevance to the Biological Weapons Convention is the application with regard to certain equipment which may be used for the manufacture of biological and chemical weapons. The text of the new legislation will be submitted in its entirety to the United Nations Department for Disarmament Affairs.

With regard to Article X of the Convention, Sweden has, during the period of review, participated in various international efforts to facilitate the free exchange of information on the peaceful uses of biotechnology.

A number of industrial countries support, as part of their foreign aid programmes, projects to further knowledge and applications of biotechnology. Through the Swedish Agency for Research Cooperation with Developing Countries (SAREC), Sweden is sponsoring biotechnological research and cooperation in several developing countries, inter alia Kenya, Sri Lanka and Bangladesh. This research focuses on efforts to improve agricultural production and health care with the help of biotechnology. SAREC is also a sponsor of the International Board for Plant Genetic Resources in Rome, through FAO. Through international organizations such as WHO, FAO, UNESCO and IBRD, Sweden also takes part in international programmes in this area. Sweden has participated in a number of international conferences with the aim of identifying problems of developing countries and of providing solutions based on biotechnology.

There exists a potential conflict of interest between growing commercial interests in the area of biotechnology and genetic engineering on the one hand, and the interests of a free exchange of information on the other. This too deserves to be stressed in the present context.

Thailand

Thailand is in full compliance with her obligations under the Convention. Furthermore, in reference to its Note No. 2042/2533 of 27 November 1990, transmitting information on the implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, in accordance with the confidence-building measures as agreed to in the Final Declaration of the Second Review Conference (1986), the Permanent Mission of Thailand wishes to reaffirm that Thailand, as State Party to the Convention, does not produce bacteriological agents for any purpose other than peaceful uses, and that these very limited quantities are developed and retained only for medical research and laboratory application for peaceful purposes.
