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Working paper by Mexico

Article I

The Conference, conscious of apprehensions arising from relevant scientific technological developments, inter alia, in the fields of microbiology, biotechnology, molecular biology, genetic engineering, and any applications resulting from genome studies, 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 affirms that hostile purposes and armed conflicts include the use of biological agents or toxins by a State party against the people, animals or crops in their own territory.

The Conference notes that the programmes carried out by the United Nations International Drug Control Programme include programmes for the elimination of illicit crops through the development of environmentally friendly biological control agents.

Article III

The Conference notes that all States parties should consider ways of ensuring that individuals and subnational groups are effectively prevented from acquiring, through transfers, biological agents and toxins for other than peaceful purposes.

The Conference recognizes the importance of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, which seeks to contribute to ensuring an adequate level of protection in the field of the safe transfer, handling and use of living modified organisms.

The Conference notes the provisions of the Cartagena Protocol on Biosafety relating to the application of the advance informed agreement procedure to the importation of living modified organisms.

The Conference decides that the States parties to the Convention shall apply on an interim basis, until the entry into force of the Cartagena Protocol on Biosafety, the advance informed agreement procedure to the importation of living modified organisms.

Article IV

The Conference encourages States parties to adopt criminal legislation to punish acts contrary to the provisions of the Convention.

The Conference encourages States parties to negotiate multilateral legal instruments to punish acts contrary to the provisions of the Convention, which could include, among other measures, extradition procedures.

The Conference encourages States parties to negotiate bilateral, regional or international legal agreements to prevent, penalize and eliminate terrorist crimes perpetrated by chemical or bacteriological means.

The Conference takes note of the progress of the working group of the Committee on the Legal and Political Affairs of the Organization of American States entrusted with elaborating a draft inter-American convention on the prevention and elimination of terrorism and encourages States parties to negotiate regional or international legal instruments to prevent, punish and eliminate terrorism perpetrated with chemical or bacteriological weapons or means.

Article VI

The Conference recalls the technical guidelines and procedures contained in annex I of document A/44/561 of the United Nations to guide the Secretary-General of the United Nations in the timely and efficient investigation of reports of the possible use of chemical and biological weapons.

The Conference appeals to States parties to provide information to the United Nations Department for Disarmament Affairs on any specific legislation and/or national measures adopted pursuant to article IV of the Convention.

The Conference recommends that States parties should study the feasibility of adopting an integrated approach to the implementation of the provisions of both the Protocol on Biosafety to the Convention on Biological Diversity and the Biological and Toxin Weapons Convention.

The Conference notes the importance of the inclusion in textbooks and in medical, scientific and military education programmes of information dealing with the prohibitions and provisions contained in the Biological and Toxin Weapons Convention and the 1925 Geneva Protocol and underlines the importance of applying a global awareness-raising programme directed at all medical, scientific and military personnel and, in particular, of exploring the potential offered by the Internet for the implementation of this programme.

Article VII

The Conference underlines the necessity of building national capacity to respond to biological emergencies or attacks involving bacteriological (biological) or toxin weapons. The process of building such capacity requires institutional coordination at the national, regional and international levels.

The Conference stresses the urgent need for additional measures to strengthen national legislation that punishes acts contrary to the provisions of the Convention, to establish safety standards for the transfer and use of pathogenic micro-organisms, to set up national oversight systems for genetic engineering and biotechnology, and to draw up a professional code of conduct to regulate activities falling within the scope of the Convention.

The Conference underlines the need for international cooperation to set in place effective mechanisms to investigate suspicious outbreaks of diseases, to establish procedures to address concerns relating to compliance with the Convention, to draw up biosafety standards and to train personnel to work in rapid response teams for possible biological emergencies.

Article IX

The Conference notes that the First Review Conference of the Chemical Weapons Convention will take place in 2003 and stresses the importance of ensuring that there are no legal gaps between the prohibitions and the general purposes of the two conventions.

The Conference underlines the importance of establishing mechanisms to coordinate its work with that of the review conferences of the Chemical Weapons Convention.

Article X

The Conference recognizes the need for the further development of the existing institutional modalities for ensuring international cooperation.

The Conference reiterates its call upon the Secretary-General of the United Nations to include in the agenda of a relevant United Nations body the discussion and examination of the means of improving institutional mechanisms so as to facilitate full compliance with article X of the Convention.

The Conference reiterates the urgent need to establish a system for the global monitoring of disease and to strengthen the communicable diseases surveillance network operated by the World Health Organization (WHO) and the role played by other organizations, such as the Food and Agriculture Organization of the United Nations (FAO) and the International Office of Epizootics (OIE), in these efforts directed at assisting Member States in strengthening their national and local communicable disease surveillance programmes and improving their early warning, surveillance, control and response capabilities.

The Conference stresses the importance of establishing worldwide biological safety standards and a global system of infectious diseases control, and of setting up international rapid response teams to address outbreaks of diseases, that may include, among other measures, cooperation in providing information on national epidemiological surveillance and data reporting systems and the provision of assistance, at a bilateral level and/or in conjunction with WHO, FAO and OIE, in the area of epidemiological surveillance, with a view to enhancing the identification and timely reporting of significant outbreaks of human and animal diseases.

The Conference considers that a worldwide database might offer a useful means of facilitating the flow of information in the field of genetic engineering, biotechnology and other scientific developments.

The Conference recommends efforts to elaborate an international vaccine development programme for the prevention of diseases, which would involve the scientific and technical personnel of developing countries.

The Conference recognizes that such a programme will not only enhance international cooperation in the peaceful uses of biotechnology but also contribute to improving health care in developing countries, facilitating the establishment of systems for the worldwide monitoring of communicable diseases and ensure transparency in accordance with the Convention.
