

**FIFTH 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**

BWC/CONF.V/3/Add.9
3 December 2001

Original: ENGLISH

Geneva, 19 November - 7 December 2001

**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

Addendum

1. In paragraph 22 of its report (BWC/CONF.V/PC/1), the Preparatory Committee for the Fifth 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 decided to request the Secretariat to compile a background document on compliance by States Parties with all their obligations under the Convention. The Preparatory 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.

2. The present document contains the information provided by States Parties to the Secretariat, as of 30 November 2001, pursuant to paragraph 22 of the report of the Preparatory Committee.

Poland

Taking advantage of the request of Secretariat of Conference of States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Republic of Poland would like to confirm to States Parties that Poland is in full compliance with its obligations under Convention.

First and foremost, the Republic of Poland does not possess, produce or stockpile biological and toxin weapons and means of delivery. Poland has never committed such activities and strongly opposes to violation of the provisions of the Convention by all States.

Poland has actively participated in all efforts to strengthen the Convention initiated at the Third Review Conference, including active participation in the ongoing Ad Hoc Group

negotiations. Poland submits annually to the United Nations Secretariat, data declarations under Confidence Building Measures set forth by this Conference.

In fulfillment of obligations under Article III of the Convention, a new act of law on international trade in goods, technologies and services strategically relevant for the state security and maintenance of international peace and security was promulgated and entered into force on 1 January 2001. It constitutes new export control system with establishment of general and global licence for export, import or transit of dual use goods and technologies. It extends the control of trade to technologies which are difficult to intercept and it involves the enterprises themselves in the procedure of control. It establishes and develops partnership in co-operation between entrepreneurs and government administration. Trade of dual use technologies is subject to licensing and for weapons and military equipment, including: i.a. biological agents that could be used as a weapon and equipment that can be used as means of delivery, individual licences are granted. Poland keeps its export regulations under continuous review and actively participates in international, multilateral fora to further strengthen national measures to minimize the chances of BW proliferation.

Poland is a member of the OECD and has signed the Biodiversity Convention. In the context of regulation of dual use technologies the establishment of new "gene" law should be highlighted. It entered into force on 25 October 2001 and creates a legal basis to regulate contained use of genetically modified organisms (GMOs), deliberate release of GMOs into environment, placing on the market of GMO products and export, re-export and transit of the GMO as or in products with a view to the protection of the environment and human health. Poland is associated member of European Union and this law is fully compatible with EU directives, including Directive 2001/18. Competent Authority is the Minister of the Environment advised by a technical body named the Commission on GMOs.

The Minister of Foreign Affairs is the coordinator and liaison point for contacts with States Parties of BWC.

Military Institute of Hygiene and Epidemiology (MIHiE), an institution controlled by Minister of Defence, is a competent body, supporting national and international fora with expertise in defence against biological weapons and bioterrorism. In order to meet half-a-way this challenge, Biosafety Level 3 Laboratory for work with relevant agents has been established by MIHiE, supported by MoD, State Committee for Scientific Research (KBN) and, vastly, by one ally in bilateral co-operation program. Capabilities for immediate containment of biological attack through field diagnostics and biosurveillance are being developed and will be able to be used both in national and international incidents. Educational courses for benefit of civilian and military health practitioners have been instituted in co-operation with National Institute of Hygiene. Enlargement of educational and scientific activities internationally is foreseen, in co-operation with regional States Parties, under Article X of Convention.

The Republic of Poland regards Article X as one of the key elements of the Convention. In this sense Poland takes parts in many international fora in relevant areas and makes every effort to develop good standards in biosafety both nationally or regionally. Poland participates

in UNEP "Multi-year Programme for Capacity Building and Regional Co-operation on Safety in Biotechnology in Central and Eastern Europe" and is represented in the steering committee of this programme.

MIHiE, in co-operation with Bradford University (UK), organized NATO Advanced Research Workshop entitled "Scientific and Technical Implications of the BTWC Protocol for Civil Industry", in Warsaw in November 2000. It was attended by 49 individuals from 17 countries. The experts from 14 countries represented, came from government departments or agencies engaged in the negotiation of the Biological and Toxin Weapons (BTWC) Protocol or the implementation of the Chemical Weapons Convention. The workshop was designed to focus on the scientific and technical implications of the implementation legally binding instrument strengthening for government, biodefence facilities, academia and industry.

On 6 November 2001 in Warsaw, a high-level meeting of 17 Heads of State of Central, Eastern and South-Eastern Europe countries was held, as a united response to the act of international terrorism. The Conference equivocally supported international actions taken to strengthen co-operation and called for development of new capabilities to fight terrorism, through i.a. strengthening national export control measures and other relevant legislation.
