

**Seventh 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**

14 December 2011

English only

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Geneva, 5–22 December 2011

**Proposals made to the Committee of the Whole  
(as at 13.00, 14 December 2011)**

**Submitted by the Chair of the Committee of the Whole**

**Addendum**

**Solemn Declaration**

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, WHICH MET IN GENEVA FROM 20 NOVEMBER TO 8 DECEMBER 2006 TO REVIEW THE OPERATION OF THE CONVENTION, SOLEMNLY DECLARE:

- (i) Their conviction that the Convention is essential for international peace and security;
- (ii) Their determination also to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control including the prohibition and elimination of all weapons of mass destruction and their conviction that the prohibition of the development, production and stockpiling of bacteriological (biological) weapons and their elimination, will facilitate the achievement of this goal;
- (iii) Their reaffirmation of their firm commitment to the purposes of the Preamble and all the provisions of the Convention;
- (iv) Their determination to comply with all their obligations undertaken pursuant to the Convention and their recognition that States Parties not in compliance with their Convention obligations pose fundamental challenges to the Convention's viability, as would use of bacteriological (biological) weapons by anyone at any time;
- (v) Their continued determination, for the sake of humankind, to exclude completely the possibility of the use of bacteriological (biological) weapons, and their conviction that such use would be repugnant to the conscience of humankind;

(vi) Their reaffirmation that under any circumstances the use, development, production and stockpiling of bacteriological (biological) and toxin weapons is effectively prohibited under Article I of the Convention;

(vii) Their conviction that terrorism in all its forms and manifestations and whatever its motivation, is abhorrent and unacceptable to the international community, and that terrorists must be prevented from developing, producing, stockpiling, or otherwise acquiring or retaining, and using under any circumstances, biological agents and toxins, equipment, or means of delivery of agents or toxins, for non-peaceful purposes, and their recognition of the contribution of full and effective implementation of United Nations Security Council Resolution 1540 by all states to assist in achieving the objectives of this Convention;

(viii) Their conviction that the full implementation of all the provisions of the Convention should facilitate economic and technological development and international cooperation in the field of peaceful biological activities;

(ix) Their reiteration that the effective contribution of the Convention to international peace and security will be enhanced through universal adherence to the Convention, and their call on signatories to ratify and other states not party to accede to the Convention without delay;

(x) Their recognition that achieving the objectives of the Convention will be more effectively realized through greater public awareness of its contribution, and through collaboration with relevant regional and international organizations, in keeping within their respective mandates, and their commitment to promote this;

(xi) Their recognition of their consideration of the issues identified in reviewing the operation of the Convention as provided for in Article XII, as well as their consensus on the follow-up actions contained herein.

## **II. Textual proposals**

### **Solemn Declaration**

#### **Cuba**

Their understanding that the Convention forms a complete whole and it is necessary to deal with all of its provisions in a balanced and comprehensive manner.

Their conviction that the Convention would be strengthened through the adoption by States Parties of a non-discriminatory, legally-binding agreement dealing with all the articles of the Convention in a balanced and comprehensive manner.

#### **Iran (Islamic Republic of)**

Their conviction that the Convention mandates the elimination of bacteriological (biological) weapons, provides assistance and protection against bacteriological (biological) weapons and promotes international cooperation for the use of biological agents and toxins for peaceful purposes;

Their reaffirmation of their firm commitment to the purposes of the Preamble and all the provisions of the Convention, and their full compliance with their obligations under the Convention. Their conviction of the importance of this commitment in upholding the Convention's integrity and maximizing its contribution to international peace and security;

Their reaffirmation of the autonomous and independent status of the BWC, took cognizance of the resolutions of the United Nations on combating terrorism. The Conference, in this regard, invited States Parties to consult and cooperate both bilaterally and regionally on ways to prevent terrorists;

Their reiteration that the effective contribution of the Convention to international peace and security will be enhanced through universal adherence to the Convention, and their call on signatories to ratify and other states not party to accede to the Convention without any conditions and further delay;

#### **Norway**

Their determination to further facilitate the fullest possible of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not hamper economic and technological development of States Parties, in accordance with the provisions of the Convention.

### **Article III**

#### **Iran (Islamic Republic of)**

The Conference underlines that a non-discriminatory multilateral guidelines negotiated by all States Parties to the Convention concerning the transfer of bacteriological (biological) toxins, agents, equipment, materials and technology for peaceful purposes to States Parties would strengthen the Convention and contributes to the non-discriminatory implementation of its provisions. In this regard, the Conference requests the Meeting of states parties in intercessional process to address and develop such guidelines on transfer of biological agents, materials and technology for peaceful purpose.

The Conference underlines that States Parties shall have the right to report, through ISU any transfer denials on the exchange of equipment, material, and technology for the use of toxin and agents for peaceful purposes. In this regard, the Conference requested the ISU to submit a report on transfer denials to the annual meetings of States parties.

The Conference urged all State Parties to refrain from supplying or transferring any biological agents, toxins, equipment, materials and technologies to non-signatories. The Conference recognized that such transfers to non-signatories would jeopardize the universality of the Convention as well as global and regional peace and security.

### **Article IV**

#### **Iran (Islamic Republic of)**

The Conference reiterates that national implementation measure of States Parties shall be in full conformity with all provisions of the Convention. In this regard, the Conference urges States Parties that have legislation imposing restrictions and or limitations on the transfer of equipment, material and technology for peaceful purposes, to take necessary actions to ensure that their legislation avoid hampering the economic development of States parties.

The Conference underlined that national implementation also necessitates that the States parties shall take measures to ensure free trade in equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes.

The Conference takes cognizance of the resolutions of the United Nations on combating terrorism. The Conference, in this regard, invited States Parties to consult and cooperate

both bilaterally and regionally on ways to prevent terrorists from acquiring and/or using biological weapons.

## **Article V**

### **Iran (Islamic Republic of)**

The Conference urges all States Parties to refrain from baseless allegations that jeopardize the credibility of the Convention and trust exists among States Parties. The Conference, therefore, calls upon the States Parties to refrain from unilateral and discriminatory action concerning any problems which may raise in relation to the objective of or in the application of the provisions of the Convention.

## **Article VII**

### **Cuba (on behalf of the Group of the Non-Aligned Movement and other States Parties)**

*(Add at the end of para 34)*, The Conference requests States Parties to prepare and adopt detailed guidelines for such coordination between the United Nations and States Parties.

*(Amended Para 35)* The Conference notes that States Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons. In this regard the Conference underlines that there should be a database on protection, detection, decontamination, prophylactic and medical and other equipment that could be required to assist the States Parties in the event that a State Party is exposed to danger as a result of a violation of the Convention.

*(New Para)* The Conference stresses the importance of increasing capacity building of the States Parties against the hostile use or threat of use of biological and toxin weapons. The Conference urges States Parties in particular developed States Parties to provide upon request necessary protection, detection, decontamination, prophylactic materials, and medical and other equipment to those States Parties.

*(New Para)* The Conference urges the States Parties to discuss and elaborate detailed procedures for assistance in order to ensure that timely emergency assistance would be provided by States Parties, if requested, in the case of alleged use or use of biological or toxin weapons.

### **United Kingdom**

The States Parties agree the phrase 'exposed to danger' in Article VII means circumstances involving the use or threat of use of biological and toxin weapons when:

(i) Biological or toxin weapons have been used by any State(s) or other entity against a State Party:

(ii) A State party is threatened by actions or activities of any State or other entity that are prohibited for States Parties by Article I.

## **Article IX**

### **Cuba (on behalf of the Group of the Non-Aligned Movement and other States Parties)**

*(New Para)* The Conference notes that the Conference of States Parties to the CWC at its Sixteenth session:

(i) “reaffirmed the obligations of possessor States Parties to destroy their chemical weapons within the extended deadline, in accordance with the relevant decisions by the Conference at its Eleventh Session, and to that end emphasize the timely commencement of destruction activities at all chemical weapons destruction facilities.

(ii) noted with concern that the final extended deadline of 29th April 2012 may not be fully met and urged all possessor States Parties to take every necessary measure with a view to ensuring their compliance with the final extended destruction deadline.

(iii) stressed in this regard that no action should be undertaken that would undermine the Convention or that would raise questions about the commitment of States Parties, or lead to the rewriting of or reinterpreting of the Convention’s provisions.”

## Article X

### **Cuba (on behalf of the Group of the Non-Aligned Movement and other States Parties)**

*(Amended Para 46)* The Conference underlines that the full, effective and non-discriminatory implementation of Article X is essential for the realization of the object and purpose of the Convention. In this regard the Conference recalls that the States Parties have a legal obligation to facilitate and have the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

*(New Para 46 bis)* The Conference reiterates that the full, effective and non-discriminatory implementation of Article X would strengthen the implementation of the Convention by States Parties as it plays an important role in preserving the delicate balance between the rights and obligations under the Convention.

*(Amended Para 47)* The Conference recalls the decisions adopted in previous Review Conferences regarding Article X and reaffirms the commitment of States Parties to the full and non-discriminatory implementation of this Article. The Conference recognises that while recent scientific and technological developments in the field of biotechnology would increase the potential for cooperation among States Parties and thereby strengthen the Convention, they could also increase the potential for the misuse of both science and technology. Therefore, the Conference urges all States Parties possessing advanced biotechnology to adopt positive measures to promote technology transfer and international cooperation on an equal and non-discriminatory basis, particularly with countries less advanced in this field, while promoting the basic objectives of the Convention, as well as ensuring that the promulgation of science and technology is fully consistent with the peaceful object and purpose of the Convention.

*(New Para 48 bis)* The Conference recognizes that there remain obstacles to be overcome in developing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes to their full potential, and that addressing such problems, challenges, needs and restrictions will help States Parties to build sufficient capacity for disease surveillance, detection, diagnosis and containment. In this regard, the Conference stresses the need for strengthening cooperation and assistance within the framework of the Convention and notes that other channels of assistance and cooperation can complement the multilateral framework of the Convention but cannot and should not substitute it.

*(Amended Para 54)* The Conference encourages States Parties to provide appropriate information on how this Article is being implemented to the United Nations Office for Disarmament Affairs, through the Implementation Support Unit and requests the Department to collate such information for the information of States Parties.

*(New Para 55 bis)* The Conference recognizes the need of a Plan of Action for the full, effective and non-discriminatory implementation of Article X of the Convention. In this context, the Conference agrees to start discussions in order to establish a mechanism under the Convention open to participation of all States parties, to perform, amongst others, the following tasks related to Article X:

(i) Identify and address the needs in terms of equipment, materials and scientific and technological information regarding the use of the bacteriological and toxin agents for peaceful purposes.

(ii) Identify and overcome the obstacles hampering the full, effective and non-discriminatory implementation of Article X of the Convention, including by addressing the denial cases of States parties.

(iii) Mobilize the necessary resources, including financial resources, to facilitate the widest possible exchange of equipment, material and scientific and technological information regarding the use of bacteriological (biological) and toxin agents for peaceful purposes, in particular from developed to developing States Parties;

(iv) Facilitate the development of human resources in developing States Parties in the implementation of the Convention, taking into account the special situation faced by them.

(v) Coordinate cooperation with other relevant international and regional organizations for the financial and technological support of activities for the use of bacteriological (biological) and toxin agents for peaceful purposes;

(vi) Establish sponsorship programme in the BWC to support participation of developing States Parties in the meetings and other activities of the Convention. This sponsorship programme could also be utilized, depending upon the availability of resources, to enhance participation of non-States Parties in order to promote the goal of universalization of the Convention.

*(New Para 55 ter)* The Conference agrees that a mechanism under Article X should provide, inter alia, an opportunity for States Parties to the BWC to submit offers of assistance and requests for assistance in different areas under the scope of Article X, through the establishment of a database to be administered by the ISU and detailed procedures to deal with settlement of disputes arising from lack of implementation of the Article X. This should include the development of an electronic database that will be open to all States Parties through a secured website. Such a database would allow for the matching of offers/requests for assistance. Once a match is made the States Parties will inform the ISU which will update the database accordingly. The ISU will submit an annual report on the operation of the database detailing the offers made, requests sought and matches made during a calendar year. The operation of the database for the implementation of Article X will be reviewed at the next Review Conference based on the reports and/or any recommendations by the Meeting of States Parties.

## **Article XI**

### **Iran (Islamic Republic of)**

Calls for the withdrawal of reservations on 1925 Geneva Protocol without any delay

## **Article XII**

### **Iran (Islamic Republic of)**

The Conference reaffirmed that the practice of consensus decision making by the Review Conferences as well as the MSP have played an important role in achieving common goals, as well as in preserving the integrity of decisions made.

## **Article XIV**

### **Algeria**

The Conference notes with satisfaction that ten States have acceded or ratified the Convention since the Sixth Review Conference. Despite this progress a significant number of States have not yet ratified, or acceded to the Convention.

The Conference stresses the vital importance of achieving universal adherence to the Convention, and urges the States that have not do so to ratify, or accede to the Convention without delay.

The Conference encourages States Parties to strengthen efforts and measures, in their bilateral relations and appropriate diplomatic channels to promote the universality of the Convention. In this context, more attention should be given to States in which the ratification, or accession process have started or are well advanced and to those States waiting for further information, assistance or that have other priorities (document BWC/CONF.VII/INF.7 of the ISU on Status of universalization, page 3 and 4).

The Conference recognizes the value of targeted and adapted regional initiatives that would lead to wider accession and adherence to the Convention. In this respect, the Conference reaffirms the importance of the establishment of the Middle East zone free of nuclear weapons and other weapons of mass destruction. In this regard, the Conference urges the 2012 Conference to initiate negotiations on the establishment of the Middle East zone free of nuclear weapons and other weapons of mass destruction.

### **Iran (Islamic Republic of)**

The Conference underlines that the objectives of the Convention will not be fully realized as long as there remains even a single state not party that could possess or acquire biological weapons. It stresses that the continued absence from the Convention of any country keeps open the risk that biological weapons could be developed, acquired, transferred or used.

The Conference strongly urges all remaining States not Party to the Convention to ratify or accede to it as a matter of urgency and without preconditions, in the interests of affirming their commitment to global peace and security and to the object and purpose of the Convention.

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