

Geneva, 19-30 September 1994

NON-PAPER OF THE CHAIRMAN
OF THE COMMITTEE OF THE WHOLE

THIS NON-PAPER REPRESENTS THE PERSONAL VIEWS OF THE CHAIRMAN OF THE
COMMITTEE OF THE WHOLE WITHOUT ENDORSEMENT OF THE COMMITTEE

AGENDA ITEM 9:

CONSIDERATION OF THE REPORT OF THE AD HOC GROUP OF GOVERNMENTAL
EXPERTS TO IDENTIFY AND EXAMINE POTENTIAL VERIFICATION MEASURES FROM
A SCIENTIFIC AND TECHNICAL STANDPOINT AND DECISION ON ANY FURTHER
ACTION WITH A VIEW TO STRENGTHENING THE CONVENTION.

CONSIDERATION OF THE REPORT

THE REPORT OF THE AD HOC GROUP OF GOVERNMENTAL EXPERTS (VEREX
REPORT) WAS WELCOMED. IT WAS NOTED THAT THE SPECIAL CONFERENCE
AFFORDED THE FIRST OPPORTUNITY TO INTEGRATE POLITICAL CONSIDERATIONS
WITH THE REPORT'S SCIENTIFIC AND TECHNICAL ASSESSMENT.

THE VEREX REPORT'S CONCLUSION WAS NOTED THAT, FROM A SCIENTIFIC
AND TECHNICAL STANDPOINT, SOME OF THE POTENTIAL VERIFICATION
MEASURES WOULD CONTRIBUTE TO STRENGTHENING THE EFFECTIVENESS AND
IMPROVE THE IMPLEMENTATION OF THE CONVENTION, RECOGNIZING THAT
APPROPRIATE AND EFFECTIVE VERIFICATION COULD REINFORCE THE
CONVENTION.

IT WAS RECALLED THAT THE VEREX REPORT INDICATED THAT
CAPABILITIES AND LIMITATIONS EXISTED FOR EACH MEASURE IN VARYING
DEGREES. COMBINATION OF SOME POTENTIAL VERIFICATION MEASURES
INCLUDING BOTH OFF-SITE AND ON-SITE MEASURES COULD PROVIDE
INFORMATION WHICH COULD BE USEFUL FOR THE MAIN OBJECTIVE OF THE BWC.

IT WAS NOTED THAT THE IMPLEMENTATION OF ANY MEASURE SHOULD
ENSURE THAT SENSITIVE COMMERCIAL PROPRIETARY INFORMATION AND
NATIONAL SECURITY NEEDS ARE PROTECTED, CONSISTENT WITH THE EFFECTIVE
VERIFICATION NEEDS OF THE CONVENTION.

IT WAS RECALLED THAT THE AD HOC GROUP OF GOVERNMENTAL EXPERTS
EVALUATED THE IMPACT THAT POTENTIAL VERIFICATION MEASURES MIGHT HAVE
ON SCIENTIFIC RESEARCH, SCIENTIFIC COOPERATION AND INDUSTRIAL
DEVELOPMENT. ANY SUCH IMPACT SHOULD BE CONSIDERED IN FOLLOW-UP
ACTION.

IT WAS RECALLED THAT THE REPORT RECOGNIZED THAT THERE REMAIN A
NUMBER OF FURTHER TECHNICAL QUESTIONS TO BE ADDRESSED SUCH AS
IDENTITY OF AGENTS, TYPES AND QUANTITIES, IN THE CONTEXT OF ANY
FUTURE WORK.

THERE WAS A GENERAL VIEW IN THE COMMITTEE THAT THE REPORT OF THE AD HOC GROUP OF GOVERNMENTAL EXPERTS PROVIDES A GOOD BASIS FOR PURSUING EFFORTS TO STRENGTHEN THE BWC WITH REGARD TO THE PROMOTION AND DEMONSTRATION OF COMPLIANCE.

FURTHER ACTION

THERE WAS GENERAL SUPPORT FOR THE ESTABLISHMENT OF A FOLLOW-UP MECHANISM, WHICH SHOULD TAKE THE FORM OF AN AD HOC WORKING GROUP OPEN TO ALL STATES PARTIES AND CONSIST OF GOVERNMENTAL REPRESENTATIVES SUPPORTED BY EXPERTS. A COMMONLY SUPPORTED VIEW WAS THAT THE TITLE SHOULD REFLECT THE GROUP'S OBJECTIVES. SEVERAL PROPOSALS WERE MADE.

NONE OF THE VEREX MEASURES SHOULD BE EXCLUDED FROM THE WORKING GROUP'S DELIBERATIONS. DECLARATIONS, VISITS, INSPECTIONS AND INVESTIGATIONS WERE IDENTIFIED AS IMPORTANT ELEMENTS, AS WAS THE PRINCIPLE OF COST-EFFECTIVENESS.

THERE WAS GENERAL SUPPORT FOR A LEGALLY-BINDING INSTRUMENT WHICH WOULD APPLY TO ALL ACTIVITIES AND FACILITIES RELEVANT TO THE BWC. ITS IMPLEMENTATION SHOULD INCLUDE APPROPRIATE MEANS TO PROTECT PROPRIETARY RIGHTS AND SENSITIVE INFORMATION NOT RELATED TO BIOLOGICAL AND TOXIN WEAPONS ACTIVITIES.

IT IS ESSENTIAL THAT THE INSTRUMENT AVOID HAMPERING THE ECONOMIC OR TECHNOLOGICAL DEVELOPMENT OF STATES PARTIES TO THE CONVENTION OR INTERNATIONAL COOPERATION IN THE FIELD OF PEACEFUL BACTERIOLOGICAL (BIOLOGICAL) ACTIVITIES. CONSIDERATION SHOULD BE GIVEN TO THE PROVISION OF TECHNICAL ASSISTANCE IN THE IMPLEMENTATION OF ACTIVITIES REQUIRED BY THE INSTRUMENT. IT WAS SUGGESTED THAT SUCH ASSISTANCE COULD ALSO LEAD TO THE IMPROVEMENT OF NATIONAL BIOLOGICAL SAFETY PRACTICES.

THE AD HOC WORKING GROUP SHOULD CONSIDER, INTER ALIA, THE ROLE THAT MIGHT BE PLAYED BY OBJECTIVE CRITERIA, SUCH AS A LIST OF AGENTS, IN RELATION TO PARTICULAR MEASURES.

IT WAS NOTED THAT CONFIDENCE-BUILDING MEASURES, IF IMPLEMENTED BY ALL STATES PARTIES, COULD PLAY AN IMPORTANT ROLE IN STRENGTHENING CONFIDENCE IN COMPLIANCE WITH THE CONVENTION.

MANY DELEGATIONS BELIEVED THAT THE DRAFTING OF A LEGALLY-BINDING INSTRUMENT SHOULD IDEALLY BE COMPLETED IN TIME FOR CONSIDERATION BY THE FOURTH REVIEW CONFERENCE OF THE BWC IN 1996.