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PROPOSALS FOR THE THIRD REVIEW CONFERENCE OF THE BIOLOGICAL WEAPONS CONVENTION

Report of the

Federation of American Scientists
Working Group on Biological and
Toxin Weapons Verification

September 1990

The Federation of American Scientists (FAS) was founded in 1945 by members of the Manhattan Project. The Federation is concerned with science and society issues in general, and in particular with matters of international security. FAS is democratically organized, with an elected National Council and Officers, and its membership comprises some four thousand natural and social scientists. The Federation is sponsored by nearly half of the American Nobel Prize winners.

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PROPOSALS FOR THE THIRD REVIEW CONFERENCE OF THE BIOLOGICAL WEAPONS CONVENTION

The Federation of American Scientists
Working Group on Biological and Toxin Weapons Verification

EXECUTIVE SUMMARY

The Federation of American Scientists (FAS) Fund established the Expert Working Group on Biological and Toxin Weapons Verification to develop proposals for consideration by the Third Review Conference of the Biological Weapons Convention. The Group, which consists of scientific and diplomatic experts, has developed short-term proposals that can be acted upon immediately by the Review Conference, and long-term proposals forming the basis of a Verification Protocol to the Convention that could be the subject of negotiations following the Third Review Conference. A large, international group of scientists, academics, industry representatives and policy makers (listed in Appendix B) commented on the draft proposals and made many contributions to the Report that follows. The proposals that constitute this report are those that the Group considered to be the most important and the most feasible.

The Short-Term Proposals

Article I. The three proposals underscore the scope of the Convention by clarifying its prohibitions with regard to biochemicals, agents pathogenic to animals and plants as well as humans and the creation of new biological agents and toxins.

Article III. This proposal seeks to stem the proliferation of biological weapons and to encourage States to accede to the Convention. It prohibits the transfer of biological agents, toxins, material, equipment and information relevant to the Convention to non-Parties and prohibits collaboration with non-Parties on activities permitted under the peaceful purpose clause of the Convention.

Article IV. This proposal asks States Parties to declare the actions they have taken to assure domestic compliance with the Convention.

Article V. There are six proposals. The first recommends that the Review Conference take action to initiate negotiations leading to a Verification Protocol to the Convention. The second proposal establishes the right of any State Party to request the Secretary General to conduct an inquiry into compliance concerns not limited to the use of biological and toxin weapons. The third proposal concerns the level of containment work with infectious agents; it recommends universal adherence to WHO standards. The fourth proposal reiterates the importance of the measures adopted at the Second Review Conference and asks all States Parties to submit declarations responding to those measures, even if only to state they have nothing to report. The fifth proposal expands one of the measures of the Second Review Conference by asking States Parties to declare all facilities that conduct

any activities permitted by, and directly related to, the Convention. The last proposal recommends that the Review Conference establish a continuing body to oversee the functioning of the BWC between Review Conferences.

Article VI. The Group did not make any specific proposals but urges the Review Conference to address the issue of sanctions against those who violate the terms of the Convention.

Article XII. the Group recommends that Review Conferences be held at least every five years.

The Long-Term Proposals

The long-term proposals are intended as the basis of a Verification Protocol to the Convention and, therefore, all of them are included under Article V. The proposals are of several types:

- 1) requirements for containment;
- 2) the prohibition of open air release of certain agents;
- 3) annual declarations of certain facilities and activities relevant to the Convention; and,
- 4) procedures for the inspection of declared facilities, challenge inspections and routine monitoring.

The members of the FAS Working Group sincerely hope that delegations to the BWC's Third Review Conference will seriously consider the merits of the proposals.

Appendix A

The proposed declarations include facilities that handle biological agents or toxins in categories that are developed in an Appendix to the report. The Appendix includes examples of agents and toxins that would be included under each category, but a complete list of agents and toxins controlled under a Verification Protocol would have to be completed during the Protocol negotiations and updated periodically.

Appendix B

This appendix lists those who participated in the process of developing and commenting on the proposals for the report.