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IMPLEMENTING ARTICLE X OF THE BTWC: AVOIDING DUPLICATION

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The Biological and Toxin Weapons Convention (BTWC) was opened for signature on 10 April 1972 and entered into force on 26 March 1975 with the United Kingdom, the United States and the former Soviet Union as the depositary governments. The Convention is to eliminate biological weapons and prohibit their development, production, stockpiling, acquisition and retention. It has 15 articles. The initial ones address the prohibition. Article X addresses the peaceful uses of biology and the minimizing of the impact of the Convention on peaceful activities.

It is apparent that whilst the purpose of the Convention is to eliminate and prohibit biological weapons, the Convention was drafted so as to strike a balance between the effective elimination of biological weapons on the one hand and avoiding the hampering of peaceful activities in biology on the other. There is consequently an undertaking in Article III to do nothing to aid the proliferation of biological weapons:

Each State Party to this Convention undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention

This is balanced by the undertakings of Article X to avoid hampering and, indeed, to facilitate the peaceful uses of biology:

(1) The States Parties to this Convention undertake 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. Parties to the Convention in a position to do so shall also cooperate in contributing individually or together with other States or international organisations to the further development and application of scientific discoveries in the field of bacteriology (biology) for the prevention of disease, or for other peaceful purposes.

Continued on page 2

THE UN SPECIAL COMMISSION AND CBW VERIFICATION

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The United Nations Special Commission (UNSCOM), established as part of the cease-fire following the Gulf war to monitor the elimination of Iraq's weapons of mass destruction and long range ballistic missiles, has seen great successes in its investigation. Undisclosed weapons programmes have been discovered, chemical and biological weapons production sites have been destroyed and rendered harmless, and thousands of proscribed weapons destroyed. But more than five years into its work, the Commission is still chasing the Iraqi weapons programmes. Even now after more than 150 on-site inspections, several hundred U-2 surveillance flights, countless meetings with supporting governments and supplier companies, and a host of other investigative efforts, UNSCOM cannot certify that Iraq has complied with its obligations with regard to the disarmament requirements of the cease-fire agreement — Security Council resolution 687 (1991).

Council resolutions make it clear that the burden of responsibility for disclosing and eliminating its chemical and biological weapons programmes rests on Iraq. This is an unyielding requirement, and one that the Security Council and Special Commission are always mindful of. For the arms control community, however, the greatest interest lies in the ability of the Commission to uncover information, without direct Iraqi support, and to verify Iraqi statements and declarations.

Continued on page 7

<i>Guest Article by Graham Pearson</i>	1–6
<i>Guest Article by Stephen Black</i>	1, 7–8
<i>Progress in The Hague: 14th Quarterly Review</i>	9–15
<i>US Senate Action Soon?</i>	15
<i>News Chronology: February–May 1996</i>	16–39
<i>CWC Ratifications</i>	37
<i>Forthcoming Events</i>	38
<i>Recent Publications</i>	39–40

Continued from page 1

(2) This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international cooperation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological (biological) agents and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

Third Review Conference

The BTWC has review conferences at five year intervals at which the operation of the Convention is reviewed with a view to assuring that the purpose of the preamble and the provisions of the Convention are being realised. In these Review Conferences, each article of the Convention is considered in turn and the final document agreed by consensus at the end of the Conference contains language on the state of realisation of each article.

At the Third Review Conference, in September 1991, the conclusions in respect of Article X were that:

The Conference emphasise the increasing importance of the provisions of Article X, especially in the light of recent scientific and technological developments ... which have vastly increased the potential for cooperation between States to help promote economic and social development, and scientific and technological progress, particularly in the developing countries, in conformity with their interests, needs and priorities.

The Conference, while acknowledging what has already been done towards this end, notes with concern the increasing gap between the developed and the developing countries in the field of biotechnology, genetic engineering, microbiology and other related areas. The Conference urges all States Parties actively to promote international cooperation and exchange with States Parties in the peaceful uses of biotechnology, and urges the developed countries possessing advanced biotechnology to adopt positive measures to promote technology transfer and international cooperation on an equal and non-discriminatory basis, in particular with the developing countries, for the benefit of all mankind.

The Conference also called upon "the Secretary General of the United Nations to propose for inclusion on the agenda of a relevant United Nations body, not later than 1993, a discussion and examination of the means of improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information regarding the use of bacteriological (biological) agents and toxins for peaceful purposes".

The Third Review Conference mandated an Ad Hoc Group of Governmental Experts (VEREX) to identify, examine and evaluate potential verification measures for the Convention from a scientific and technical viewpoint. The mandate for VEREX also said that the potential verification measures could be examined in terms of six main criteria which included: "Their impact on scientific research, scientific cooperation, industrial development and other permitted activities, and their implications for the confidentiality of commercial proprietary information".

VEREX met four times in 1992 and 1993 and produced a final report {BWC/CONF.III/VEREX/9} which evaluated 21 potential verification measures against the six main criteria. This report was circulated in late 1993 to all states parties. It included the following on Article X:

The Group examined the potential verification measures in terms, inter alia, of their impact on scientific research, scientific cooperation, industrial development and other permitted activities. In that context, delegations recalled Article X of the Convention according to which States Parties "undertake 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 the related provisions of the Final Document of the Third Review Conference, in particular those on the examination of means of improving related institutional mechanisms and those on the adoption of positive measures to promote technology transfer, consistent with all the other Articles of the Convention. Delegations recalled as well that the provisions of the Convention should not be used to impose restrictions and/or limitations on the transfer for purposes consistent with the objectives and the provisions of the Convention.

A majority of the states parties requested that a Special Conference be held to consider the VEREX report.

Special Conference

The Special Conference was held in Geneva in September 1994. A number of states parties presented working papers and made contributions to the debate on how to take forward the work of VEREX. Thus emerged the mandate agreed by the Special Conference for an Ad Hoc Group to consider appropriate measures to strengthen the Convention.

Among the papers presented at the Special Conference were ones on how steps should be taken to strengthen the Convention. Brazil emphasized the necessity of integrating a package of verification measures into a coherent system. It stated that:

The purpose of strengthening the BWC is to help achieve the mutually reinforcing objectives of "excluding completely the possibility of bacteriological (biological) agents and toxins being used as weapons" (Preambular 9) and facilitating "the fullest possible exchange of equipment, materials, and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes" (Article X).

Brazil noted that "whilst the first objective is the primary aim of the Convention, progress towards the second would be important for approaching the first". It went on to say:

Careful consideration of the issue demonstrates clearly that, far from hindering each other, the two tracks of the work of the organization which will be in charge of the BWC (verification and technical development) are mutually reinforcing. The provision of technical assistance and the establishment of a cooperative relationship with national authorities is the only practical cost-effective way of amassing information on the hundreds, or even thousands, of biological facilities potentially relevant to the Convention. Conversely, cooperation with the verification regime could

help national authorities, inter alia, in their efforts to upgrade biological safety standards and practices and to participate in the fullest possible technological interchange for peaceful purposes. {BWC/SPCONF/WP.5}

The second Brazilian paper {BWC/SPCONF/WP.4} provided further elaboration on the way in which Brazil saw technical assistance and technological development being part of a strengthened regime. The paper noted that because it is possible to engage in activities forbidden under the Convention with minimum equipment and resources, it would not be surprising if a large number of facilities around the world would have to be declared under a future BTWC regime. This would place a heavy burden on national authorities responsible for compiling declarations. Furthermore, the relatively low participation in the existing CBMs was seen as a good indicator of the difficulties faced by many countries — especially, but not only, developing countries — in keeping track of their industry. Brazil rightly identified this as a problem that will not disappear in the near future, even if national declarations are made mandatory.

Brazil was thus suggesting that the solution lies in the development of a cooperative relationship between the national authorities and the projected BTWC verification organization. That organization could usefully help national authorities to prepare declarations (which would aid transparency) and to assist national authorities in the training of personnel for monitoring national biological activities and for establishing and managing the databases needed to prepare the national declarations. Such assistance could also help in the improvement of national biological safety practices in order to upgrade them gradually in connection with multilaterally agreed standards (which would help to build confidence).

Such a cooperative approach was identified as having several advantages. First, it would help the BTWC organization to gain a clearer appreciation of relevant biological activity in each state party and around the world. Second, it would be of great utility to many countries that are trying to improve their national biosafety standards and practices and thereby also help to accomplish the goals of Article X. Third, it would provide a framework for donor countries who might be interested in providing additional assistance for the improvement of biosafety practices in other countries — which is a mutually beneficial form of cooperation as it helps to contain the spread of diseases as well as building confidence about biosafety practices in the state party. Fourth, it would provide a strong incentive for many countries to sustain active participation in the implementation of the Convention and would thereby increase political and practical support for the overall biological disarmament regime of the BTWC.

These ideas were reflected in the mandate agreed at the Special Conference for the new Ad Hoc Group (AHG), namely that the AHG was “to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention, to be included, as appropriate, in a legally binding instrument”. More particularly, the AHG is mandated, among other things, to consider:

Specific measures designed to ensure effective and full implementation of Article X, which also avoid any restrictions incompatible with the obligations undertaken under the Convention, noting that the provisions of the Convention should not be used to impose restrictions and/or limitations on the transfer for purposes consistent with the objectives and the provisions of the Convention of scientific knowledge, technology, equipment and materials. {BWC/SPCONF/1}

The Ad Hoc Group

The AHG met to consider procedural matters during 4–6 January 1995 and for its first two substantive sessions during 10–21 July and 27 November–8 December. Two further meetings are planned for 15–26 July and 16–27 September 1996. At the first substantive session, four Friends of the Chair (FOCs) were appointed to assist the Chairman on, respectively, Definition of Terms and Objective Criteria; Confidence-Building and Transparency Measures; Measures to Promote Compliance; and Measures Related to Article X.

Ambassador Jorge Berguno of Chile was appointed FOC on Article X measures. At the July 1995 meeting, a FOC paper entitled *Elements for a Structured Discussions on Article X on the BWC* {pp 38–47 of BWC/AD HOC GROUP/28} was produced which identified some possible elements for consideration under a variety of headings: general remarks; mandate; international context of a BWC compliance regime; scope and content of possible scientific and technical exchanges; possible institutional arrangements; possible additional ways to enhance international cooperation; financial arrangements; scientific areas which could be promising for cooperation under Article X; reporting, administrative and review procedures; safeguards and limitations; relationship between Article X and other articles of the BWC; and the role of Article X within a compliance assurance regime. In essence this paper sought to list all possible topics which might be discussed in future sessions of the AHG relating to Article X. At the November/December 1995 meeting, a further FOC paper on Article X was produced, *Further Notes on the Elements for Structured Discussion on Article X* {pp 64–69 of BWC/AD HOC GROUP/29}. This did not replace, modify or improve the July paper but aimed at reflecting the AHG discussion and identifying where further analysis was required.

The new FOC paper recognises that some aspects overlap “with matters being discussed in other fora”. This question of overlap is elaborated in respect of cooperation regarding (a) International Public Health and Disease Control, and (b) Network for Exchange of Epidemiological Data. It was noted that whilst specific items in these areas are within the competence of several international organizations (WHO, IOE and FAO), it is the WHO that plays a primary role in the implementation of its International Health Regulations. The FOC also recognised that there was a system of double reporting of disease outbreaks due to infective agents or toxins both to the WHO and to the BWC (under CBM B) in which the WHO (jointly with IOE and FAO) receives a larger amount of information and possesses the expertise required to adequately process such information. It is suggested that *inter alia* existing WHO

declarations might be processed in a manner relevant to the BWC in a special office of the WHO.

Likewise in respect both of data-banks and a clearing-house, the FOC noted that there are several existing capabilities such as the Global Bioinformatics Network, the network of the International Centre for Genetic Engineering and Biotechnology (ICGEB) and the clearinghouse of the 1992 Convention on Biological Diversity (CBD) currently in a pilot phase, as well as proposals for new data-banks and networks. The FOC paper ends by noting that it has introduced “a note of caution and a dose of realism” with regard to the July 1995 FOC paper and recognising the need to concentrate on “core areas” relevant to the BWC.

The wider dimension

Any consideration of Article X of the BTWC needs to take place against a background of the wider aspects relating to the peaceful uses of biotechnology and microbiology. The UN Conference on Environment and Development held in Rio de Janeiro during 5–14 June 1992 (the Rio Summit) produced a *Declaration of Principles* and *Agenda 21*, a series of aspirations, relating to all aspects of the environment and development. In addition, two legally binding treaties — the CBD and the Convention on Climate Change — were opened for signature. Both *Agenda 21* and CBD are important steps in promoting the peaceful uses of microbiology and biotechnology — and thus, as both are concerned with all living species, are much broader than BTWC Article X, which is effectively limited to “the use of bacteriological (biological) agents and toxins”.

Whilst the *Declaration of Principles* and *Agenda 21* are voluntary, they represent an agenda shared by developed and developing countries for a wide variety of topics relating to the environment and to the development (including economic and technological) of world states. The *Principles* include:

Principle 1. Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 3. The right to development must be fulfilled so as to equitably meet development and environmental needs of present and future generations.

Principle 6. The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of environment and development should also address the interests and needs of all countries.

Principle 7. States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth’s ecosystem.

Principle 9. States should cooperate to strengthen endogenous capacity — building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies including new and innovative technologies.

Principle 17. Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on

the environment and are subject to decision of a competent national authority.

These clearly promote health, protection of the environment and the right to development.

Chapter 16 of *Agenda 21* is entitled “Environmentally sound management of biotechnology” and includes sections on: Increasing the availability of food, feed and renewable raw materials; Improving human health; Enhancing protection of the environment; Enhancing safety and international mechanisms for cooperation; and Establishing enabling mechanisms for the development and the environmentally sound application of biotechnology. It is thus apparent that Chapter 16 covers a broad range of activities which embrace the peaceful uses referred to in Article X of the BTWC.

A joint initiative taken by the UK and the Netherlands following the Rio Summit has been to develop guidelines on safety in biotechnology. These are now being taken forward by the United Nations Environment Programme (UNEP) as their “International Technical Guidelines on Safety in Biotechnology”. These guidelines “recognise that adequate mechanisms for risk assessment, risk management, exchange of information, and capacity building at national, regional and international levels, can contribute significantly to safety in biotechnology” (no 8). They also “address the safety of biotechnology in all types of research and development and including the marketing of living products, with a view to the protection of human health and the environment” (no 9). They “recognise that before biotechnological products are placed on the market, they may also need to comply with specific product requirements, such as food safety or efficacy or quality, but these are not addressed in the Guidelines”. In addition to the multilateral UNEP approach, these guidelines have also formed the basis of a UK bilateral agreement with Argentina — which in respect of *Agenda 21* (and the CBD) is a member of the G77.

The Convention on Biological Diversity entered into force in December 1993. Its purpose is set out in Article I:

The objectives of this Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

Several sections of the Convention are directly relevant to the peaceful uses of microbiology and biotechnology such as Article 5 (Co-operation), Article 12 (Research and Training), Article 14 (Impact Assessment and Minimizing Adverse Impacts), Article 16 (Access to and Transfer of Technology), Article 17 (Exchange of Information), Article 18 (Technical and Scientific Co-operation) and Article 19 (Handling of Biotechnology and Distribution of its Benefits). Biotechnology is defined broadly in Article 2 as meaning “any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use”. Technology is defined to include biotechnology. Two specific mea-

asures of relevance to Article X of the BTWC are being implemented that arise from specific requirements under the CBD.

One is the clearinghouse mechanism. In CBD Article 18 it is stated that the “Conference of the Parties, at its first meeting, shall determine how to establish a clearing-house mechanism to promote and facilitate technical and scientific cooperation”.

The other specific measure is the biosafety protocol. In CBD Article 19 it is stated that the “Parties shall consider the need for an modalities of a protocol setting out appropriate procedures, including, in particular, advance informed agreement, in the field of the safe transfer, handling and use of any living modified organism resulting from biotechnology that may have adverse effect on the conservation and sustainable use of biological diversity”.

At the second annual Conference of Parties to the CBD held in Djakarta in November 1995, action was agreed to implement both of these measures. On the clearinghouse mechanism, the Secretariat of the CBD was instructed to initiate a two-year pilot phase which will concentrate on utilising existing data bases in a neutral, transparent, cost-effective, efficient and accessible manner to promote the transfer of technology through exchanging and disseminating information. On the biosafety protocol, an open-ended Ad Hoc Working Group was established to negotiate in “the field of the safe transfer, handling and use of living modified organisms, a protocol on biosafety, specifically focusing on transboundary movement, of any living modified organism resulting from modern biotechnology that may have adverse effect on the conservation and sustainable use of biological diversity”. The decision makes it clear that the UNEP International Technical Guidelines on Safety in Biotechnology may be used as an interim mechanism during the development of the protocol and to complement it after its completion.

It is therefore apparent that two CBD initiatives — the clearinghouse and the biosafety protocol — which are relevant to BTWC Article X are being progressed satisfactorily under the auspices of the CBD. It is not evident that there is a compelling reason why another treaty (the BTWC) needs to duplicate or augment the CBD initiatives. In addition, there are extensive and sizeable national foreign aid programmes between the developed and developing worlds, generally on a bilateral basis, which are focussed on providing assistance to developing countries to promote improved health of people, animals and plants as well as tackling environmental problems. Although these all contribute to the same objectives as those of Article X, there is no argument to suggest that these existing arrangements should be changed to one involving a BTWC organisation. However, there would be benefits from the BTWC Organization being fully aware of the activities on *Agenda 21* and to implement the CBD including, as the FOC on Article X has recognised (in BWC/AD HOC GROUP/WP.23 of 30 November 1995), an exchange of views with Parties to the CBD to explore possible coordination and if ways and means could be found to enable the BTWC to become aware of the experience arising from the CBD work on a clearinghouse.

Render unto Caesar

There is a broad range of international activities related to the BTWC Article X undertakings regarding peaceful uses of microbiology and the prevention of disease arising from the Rio Summit, *Agenda 21* and the Convention on Biological Diversity and which are being carried out as part of national aid programmes to developing countries. There is no compelling argument why the BTWC should duplicate or compete with these ongoing activities which are being carried out in a transparent manner. The AHG mandate in respect of Article X measures should be focused on measures that would be of direct relevance to the BTWC. It is suggested that emphasis should therefore be given to measures — such as international biocontainment standards and international licensing procedures for pharmaceutical drugs and vaccines — which would improve transparency and build confidence that activities being carried out are indeed in compliance with the BTWC and which would complement the international safety guidelines on biotechnology and the protocol for the safe handling, use and transfer of living modified organisms in respect of transboundary movement.

Such measures need to be devised so as to complement and facilitate the compliance measures being compiled as part of the legally binding instrument to strengthen the BTWC. A parallel to the existing initiative in which some governments in the developed world help developing countries to meet their obligations under the CBD in respect of a strengthened BTWC could be valuable.

It is evident that in all international negotiations today, whether these be related to arms control such as the strengthening of the BTWC or in the promotion of the environment and development such as the CBD, there is a universal recognition of the need to make optimum use of scarce resources and to avoid unnecessary duplication. Whilst it is undoubtedly true that increased international transparency in biotechnology and microbiology would help to build confidence in compliance with the BTWC, it is doubtful whether states parties will agree to the provision of resources in respect of BTWC implementation to promote peaceful uses of biotechnology and microbiology unless there is a clear linkage to measures to strengthen compliance with the Convention, and that such activities are not already being carried out under the auspices of other agreements.

It is therefore essential in considering Article X of the BTWC that a pragmatic and realistic approach be taken in answering such questions as:

- (a) Is the proposed activity to implement Article X central to the purposes of the BTWC as expressed in its preamble?
- (b) Is it essential that the proposed activity be carried out by a BTWC organization — or is some other existing organization carrying out the activity already or is better equipped to do so?
- (c) Does the proposed activity directly complement and augment/enhance measures to strengthen compliance with the Convention?
- (d) What is the most cost-effective way of carrying out the proposed activity?

The FOC papers on Article X prepared for the Ad Hoc Group have identified a wide range of possible measures and, as the FOC has indicated, there is a need to concentrate “on ‘core areas’ relevant to the BWC”. It is suggested that the above questions could be used to identify which of those measures identified by the FOC offer the most promise.

Consideration of the two FOC papers reveals that, whilst many of the possible elements for discussion identified in July 1995 are much broader than the Convention (and hence are better addressed elsewhere such as under *Agenda 21* and the CBD), there are some that are specific to the Convention and which are not already the subject of politically binding CBMs. They include:

- IV.4(c): Assistance in the preparation of declarations and reports required or relevant to the Convention.
- XII 2(a): Some of the cooperative measures could be implemented in connection with validation or information visits, during which information may be gathered on biotechnological activities at one or several geographically close facilities.
- XII.2(b): Validation or information visits could be preceded by regional or national seminars on implementation of the BWC, conduct of inspections, biosafety, identification of agents, diagnostics, vaccine production, etc., organised in conjunction with other multilateral organizations.
- XII.3(b): Emphasis on the study of deviant patterns, on particular interests of the BWC and on the comparative advantages of the Convention’s framework to deal with a matter pertaining to Article X, rather than entrusting it to a global programme.

There will also clearly be benefit for the projected BTWC Organization in its being fully aware of ongoing activities carried out under the auspices of international organizations such as WHO, FAO, IOE and ICGEB, as well as on the implementation of *Agenda 21* and of the CBD as all of this will help the organization to gain a clearer appreciation of biological activity in each state party and hence obtain, over time, a better pattern and understanding of the biological activities, approaches and standards in individual states parties.

Specific measures that merit further consideration as Article X measures in a legally binding regime to strengthen the Convention may therefore be listed as follows:

- (1) The BTWC Organization should provide assistance to states parties in drawing up the legislation that is likely to be required to implement the legally binding regime.
- (2) The BTWC Organization should provide assistance to states parties in preparing their declarations both for a future strengthened regime and for the continuing politically binding CBMs.
- (3) The BTWC Organization should conduct regional or national seminars on implementation of the BTWC, conduct of inspections, biosafety, identification of agents, diagnostics, vaccine production, &c, organized in conjunction with other multilateral organizations. Those on biosafety, for example, might advantageously

be coordinated with the *Agenda 21* and CBD initiatives on biosafety guidelines.

- (4) The BTWC Organization, in carrying out its regional or national seminars and/or non-challenge visits, could also involve, as appropriate, representatives of other international bodies and thereby facilitate the resolution of matters pertaining to Article X.
- (5) The BTWC Organization should on a continuing basis be made fully aware of the activities being carried out under the auspices of international organizations such as WHO, FAO, IOE and ICGEB, as well as on the implementation of *Agenda 21* and of the CBD as all of this will help the organization to gain a clearer appreciation of biological activity in each state party.
- (6) The BTWC Organization, in carrying out its regional or national seminars and/or non-challenge visits, should draw upon its knowledge of activities being carried out under the auspices of international organizations such as WHO, FAO, IOE and ICGEB, as well as on the implementation of *Agenda 21* and of the CBD, in order to promote the fullest possible exchange of scientific and technological information for the use of biological materials and toxins for peaceful purposes, and thereby aid in the implementation of Article X.
- (7) The BTWC Organization, in its analysis of information provided to it by international organizations (such as WHO, FAO, IOE and ICGEB), should be required to make recommendations based on its understanding of the biological activities in a state party as to how the objectives of Article X might be fostered by actions taken by the international organizations.

Such participation by the BTWC Organization in Article X activities would bring benefits to the Organization and to the States Parties collectively through the improved confidence gained from the additional information, increased transparency and enhanced understanding of the national pattern of activity in microbiology within States Parties.

It is concluded that the way forward in respect of Article X is to focus on possible measures that would directly facilitate the purposes of the BTWC as expressed in its preamble. Consideration should also be given to adopting a parallel approach in respect of a strengthened BTWC to the existing initiative in which some governments in the developed world aid developing countries meet their obligations under the CBD. The move of the FOC on Article X to focus on “core areas” relevant to the BTWC is strongly welcomed as it will be more effective for more general measures on biological and biotechnological coöperation to be progressed under their existing non-arms-control agreements such as *Agenda 21* and CBD. Specific activities to be undertaken by the future BTWC Organization that will both strengthen the BTWC and improve the implementation of Article X are identified.

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