Compliance by States Parties with their obligations under the Convention

Background information document submitted by the Implementation Support Unit

Summary

The Preparatory Committee decided to request the Implementation Support Unit (ISU) to prepare a background information document on compliance by States Parties with all their obligations under the Convention, to be compiled from information submitted by States Parties (see BWC/CONF.VII/PC/2, paragraph 24). The ISU duly requested submissions from States Parties, and all submissions provided to the ISU by 31 October 2011 are included in this document. Any further submissions from States Parties will be included in an addendum to this document. The information in this document is reproduced as submitted by States Parties, in some cases with minor editing. Information submitted concerning compliance with Article X of the Convention is included in the background information document on *Implementation of Article X of the Convention* (BWC/CONF.VII/INF.8) and is not reproduced here.

Contents

Argentina

A. National activities

Argentine legislation related to article I of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (the Biological Weapons Convention) and States parties' obligation under article IV:

Criminal Code

1. In title 7, chapter 1 (Offences against public security), article 189 bis deals with the requirements of articles 1 and 4 of the Biological Weapons Convention:

> "Anyone who, for the purpose of contributing to the commission of offences against public security or damaging machines or the production process, manufactures, supplies, acquires, removes or has in their possession bombs, materials or devices capable of releasing nuclear energy, radioactive materials or nuclear substances, or their waste materials, radioactive isotopes, or explosive, inflammable, asphyxiating, toxic or biologically dangerous materials, or substances or materials used in their preparation, shall be punishable with 5 to 15 years' imprisonment.
>
> "The mere possession of the materials referred to in the first paragraph of this article, without due legal authorization or when not justifiable for domestic or industrial use, shall be punishable with 3 to 6 years' imprisonment."

2. In chapter 4 (Offences against public security: Poisoning or adulterating drinking water or foods or medicines), article 200 provides for a prison term of 3 to 10 years for anyone who poisons or adulterates, in a manner that poses a danger to health, drinking water, foodstuffs or medicinal substances intended for public use or consumption by a group of persons, without specifying the contaminating agents.

3. The article goes on to impose a penalty of 10 to 25 years' imprisonment if a person dies as a result.

4. Article 202 punishes with 3 to 15 years' imprisonment anyone who spreads a disease that is infectious or dangerous to humans.

5. Article 80 (Offences against the person – Offences against life), in its paragraph 2, qualifies the offence set out in article 79 with the following: anyone who kills another person with malice, premeditation, malevolence or any other insidious procedure shall be liable to life imprisonment.

Act No. 20.451 on weapons and explosives – Regulations, Decree No. 395/75

6. In section 3 (Classification of material: Weapons of war and munitions), the following are classed as devices whose use is prohibited: "(g) Toxic missiles"

Act No. 24.051 on hazardous waste – Regulations, Decree No. 831/93

7. On the simultaneous application of the articles preceding article 55: any act that involves the use of bacteria, viruses or rickettsiae to poison or adulterate drinking water, food or medicines, or that might poison, adulterate or contaminate, such as to pose a danger to health, the ground, water, air or the environment in general, or spread a disease that is infectious or dangerous to humans, shall be encompassed in one of the definitions of an

offence. If someone dies, the judge shall apply the norm he or she deems appropriate, and may apply the maximum penalty provided for in the above-cited article 80.

8. In Argentine legislation, in other words, the activities prohibited by the Biological Weapons Convention are covered by the definitions in articles 189 bis (abstract offences or offences in preparation), 200 and 202 of the Criminal Code, and article 55 of Act No. 24.051, when the person carrying out the said activities does so in the conditions provided for in the legislation with the aim of performing the act defined as an offence, regardless of whether it is attempted or accomplished.

The existence of a national point of contact

9. The Directorate of International Security, Nuclear and Space Affairs, of the Ministry of Foreign Affairs, International Trade and Worship, are the contact point for the Convention. It has a unit run by a civil servant, whose details are in the possession of the Implementation Support Unit.

The presence of an export (and import) control regime, as well as a summary of the relevant rules and measures or a link to them

10. By Decree No. 603/92, Argentina established the National Commission to Control Sensitive Exports and War Materials (CONCESYMB) to control the transfer of nuclear, chemical and missile-related, or dual-use, materials, equipment, technologies, technical assistance and/or services.

11. By a joint decision of the foreign, industry and defence ministries in 1993, after Argentina joined the Australia Group, the Commission took charge of the lists of biological agents that affect humans, additional warnings, animal pathogens and vegetable pathogens, as well as dual-use equipment.

12. Also, in 1998 export and import controls were extended to chemical substances and equipment, biological agents, plant, animal and GMO pathogens, and dual-use biological equipment, as set out in the Australia Group's lists.

13. Finally, by Decree No. 437/2000, the two lists of war materials established under the Wassenaar Arrangement, which Argentina has signed, have been incorporated in Decree No. 603/92 for control purposes.

14. The Commission's basic task is to grant export licences for material or technology featuring in the annexed lists, import certificates (when requested by the vendor) and delivery certificates.

15. In addition, the Commission retains the powers of the former Commission to Coordinate Policy on the Export of War Materials, established by Decree No. 1097/1985. Accordingly, pursuant to article 3 (a) of Decree No. 1097/1985, taken up by Decree No. 603/1992, manufacturers of war materials that are essentially for military use must first apply for authorization to initiate and conclude negotiations on the placement of their products abroad. Subsequently, the vendor must in every case apply for an advance export licence for both war materials and sensitive or dual-use materials.

16. The lists of products controlled by the Commission are updated regularly by means of a joint decision of the foreign, industry and defence ministries, in accordance with the guidelines and/or new lists of international agreements or regimes to which Argentina is a party (Missile Technology Control Regime, Australia Group, Wassenaar Arrangement and Nuclear Suppliers Group).

17. Before any war materials, whether dual-use or sensitive, can be exported, prior authorization must be received for the materials covered by the Decree. Applications are

analysed on a case-by-case basis and the decisions on them take account of Argentina's international commitments, development and defence policies, international conditions (the particular or regional context and so on) and the specific conditions applicable to each case, taking care that the regulations do not restrict lawful trade and that international non-proliferation criteria are incorporated in domestic law.

The presence or absence of any biodefence activity, as well as a summary of the relevant rules and measures or a link to them

18. Argentina has no active biodefence programmes. Defence against hostile acts of a biological nature takes the form of protection, dissemination and prevention measures.

The presence of biosafety and biosecurity regimes, as well as a summary of the relevant rules and measures or a link to them

Measures to ensure the safe transport of dangerous biological agents and toxins

Regulations pertaining to Act No. 24.449 of 20 November 1995 on road traffic and safety (Decree No. 779/95)

Article 35

"Notwithstanding the transport and traffic regulations, the goods transported and the taxation provisions, motor vehicles transporting dangerous goods may circulate only when the following documents are carried:

(a) Legible cargo declaration issued by the sender, containing the following information on the dangerous product being transported:

(i) The correct designation for the transport, the class or division with, where applicable, the compatibility group, and the UN number, in that order;

(ii) Packing group, if appropriate;

(iii) Declaration issued by the sender in accordance with the legislation in force, stating that the product is properly packed to withstand the normal risks of loading, unloading, stacking, transshipment and transport, and that it complies with the regulations in force;

(b) Written instructions (what to do in case of emergency), as a precaution against accidents, which briefly set out:

(i) The nature of the risk posed by the dangerous goods being transported, as well as emergency measures;

(ii) The steps to be taken if a person comes into contact with the materials being transported or with the goods that could become separated from them;

(iii) The steps to be taken in case of fire and, in particular, the methods that should not be used to extinguish it;

(iv) The steps to be taken in case of a rupture or deterioration of the packaging or tanks, or in case of a leak or spillage of the dangerous goods being transported;

(v) If the vehicle is not able to continue on its way, the necessary steps to be taken to transfer the cargo or any handling restrictions to be observed;

(vi) Emergency telephone numbers for the fire service, the police, civil defence, environmental officers and, where necessary, the bodies responsible for classes 1 and 7, for the length of the route.

These instructions shall be provided by the sender of the cargo in accordance with the information supplied by the manufacturer or importer of the product being transported.

(c) When transporting substances in bulk, the original certificate authorizing the vehicle and fittings to transport dangerous goods, issued by the competent authority;

(d) The evidence or document to attest that the vehicle has passed the obligatory technical inspection;

(e) The original document proving that the driver has passed the obligatory basic course for drivers of vehicles used for the transport of dangerous goods by road."

Resolution 208/99 (incorporating the Rules on Violations and Sanctions in respect of the Agreement to Facilitate the Transport of Dangerous Goods in the Southern Common Market into the General Regulations on the Transport of Dangerous Goods by Road, 15 June 1999)

Article 1

"The Rules on Violations and Sanctions in respect of the Agreement to Facilitate the Transport of Dangerous Goods in the Southern Common Market (MERCOSUR), adopted by Decision No. 8/97 of the Council of the Common Market, which is contained in annex I and forms an integral part of this resolution, shall be incorporated into the General Regulations on the Transport of Dangerous Goods by Road adopted by Decree No. 779 of 20 November 1995."

Technical Standards for Transport by Land, Resolution No. 195 of the Secretariat for Public Works and Transport (25 June 1997)

Chapter I, 1.1

"Materials considered as dangerous have been classified according to the type of risk they pose, in accordance with the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations, seventh edition, revised 1991. The definition of classes of risk given below can be found in items 1.5 to 1.13 of this chapter:

Division 6.2 – Infectious substances ..."

Chapter I, 1.10

"Infectious substances: These are substances that contain microorganisms capable of causing disease through the action of bacteria, viruses, rickettsiae, parasites, fungi or recombinant micro-organisms (hybrid or mutant), that are known or believed to cause infectious disease in animals or humans. The classification for toxins, genetically modified micro-organisms, biologicals and analytical samples, as well as the packing requirements for substances in this division, can be found in appendix 2 of this annex."

Appendix 2, 2.2.3.3

"The following information shall be supplied:

(a) Inside the package: a detailed list of the contents shall be placed between the secondary packaging and the outer packaging; and

(b) On the outside of the package: the Division 6.2 label shall be attached to the outer packaging (fig. 6.2, chap. VII, item 7.4, of the annex), as well as the other labels or markings required by the nature of the contents."

MERCOSUR Technical Regulations for the Transport of Infectious Substances and Analytical Samples, to be incorporated in national legislation (Resolution No. 145/2003, of 25 March 2003)

Article 2

"2.1.1. Contact the consignee of the samples (the importing laboratory) in advance so that it can take the necessary precautions, including, where necessary, obtaining an import licence or equivalent document granting prior authorization.

- The shipment shall be transported by the most suitable means and most direct route.
- Delivery shall be made on a work day during the week, not at the weekend or on a public holiday in the country of destination.

2.1.2. Prepare the necessary documentation, including the authorizations and customs and health clearance necessary for shipment of the sample.

2.1.3. Notify the consignee in advance of the formalities completed and the method of shipment (transport) in order to ensure the material dispatched is received.

2.1.4. Pack and identify the infectious substance or biological sample for laboratory analysis in accordance with the biosecurity standards set out in the United Nations Recommendations on the Transport of Dangerous Goods.

2.2.1. Obtain the necessary authorizations from the national authorities for the entry of infectious substances and/or biological samples to the State party.

2.2.2. Provide the sender with the permits, authorization documents and other documents required by the national authorities in the receiving country, and give the number of that authorization (those documents) in all original shipment documents.

2.2.3. Make the necessary arrangements to receive the material sent from abroad by the most efficient and timely means at the time of delivery.

2.2.4. Notify the sender as soon as the material sent arrives.

The material should not be dispatched before:

- The prior arrangements between the sender, transporter and consignee have been finalized;
- The consignee has confirmed with the national authorities that the material can be legally imported;
- The consignee has confirmed that there will be no delay in shipping the material.

2.3.1. Provide the sender with the dispatch and shipment forms, with instructions for filling them in.

2.3.2. Inform the sender about the appropriate packaging.

2.3.3. Advise the sender about the quickest route for shipping the material.

2.3.4. Keep and file shipping and transport documents for at least five years.

2.3.5. Check the conditions in which the material must be kept during transport.

2.3.6. Track the material transported and notify the sender of any expected or unexpected delays that may occur during transport.

2.3.7. Do not transport infectious material or biological samples for laboratory analysis in the same compartment as passengers.

2.3.8. Keep the material at the recommended external temperature from the moment it is received from the sender to its handover to the consignee in the country of destination.

2.3.9. Contact the sender, consignee and health authorities in the event of an accident or spillage of the infectious substance or biological sample.

2.3.10. Notify the sender of material sent from abroad within eight hours of its arrival.

2.3.11. The transporter must have an operating licence or be registered with the Ministry of Health, or with a body designated by the latter, in accordance with the legislation in force.

2.3.12. Transport solely on the basis of the Guía Aérea (Master Airway Bill, or MAWB), issued by the airline carrier, or the bill of lading for international transport by river, sea, rail or land, regardless of whether the cargo is infectious or not.

2.3.13. Ensure the immediate and complete unloading and storage of the cargo in the receiving country within two hours of the arrival of the transporting vehicle."

Article 3

"To be carried out in accordance with the provisions of:

3.1. 'Guidelines for the safe transport of infectious substances and diagnostic specimens' (World Health Organization, WHO/EMC/97.3, Geneva, 1997)

3.2. 'Dangerous goods regulations' (International Air Transport Association, 40th ed., 1 January 1999)"

Section 5 – Packing – Instructions Nos. 602 and 650

Notes

(1) When transport is effected between States parties, labels, forms and print on the packaging shall be in the language of the sending country.

(2) When transport is effected to countries outside the zone, the language shall be English …

Article 4

"To be carried out in accordance with the provisions of:

4.1. 'Guidelines for the safe transport of infectious substances and diagnostic specimens' (World Health Organization, WHO/EMC/97.3, Geneva, 1997)

4.2. 'Dangerous goods regulations' (International Air Transport Association, 40th ed., 1 January 1999)"

Section 3 – Classification

3.6.2. Division 62. Infectious Substances …

Article 5

"Shipments of infectious substances and/or biological samples for laboratory analysis between health services, researchers and professionals from the networks of certified analytical laboratories in States parties of MERCOSUR shall be accompanied by the forms and documents listed below:

5.1. Form identifying the material sent (in an annex).

5.2. Documents that must accompany the shipment.

The documents required for shipment can be obtained from transport companies, which must attach to the package:

- A declaration of dangerous items;
- A pro forma shipping list that includes the address of the recipient, the number of packages, and details of the contents, weight and value (NB: indicate that the contents are of 'no commercial value' when their value is negligible);
- The airway bill if the shipment is being sent by air;
- The import/export permit and/or declaration if required by the State party;
- If the outer packaging of the shipment contains receptacles with a capacity of over 50 ml, at least two "This Way Up" labels (arrows) must be placed on opposite sides of the package."

Article 6

"For the export and import of infectious substances and biological samples for laboratory analysis and evaluation, certain customs and health inspection procedures must be carried out by the sender and consignee of the material sent.

6.1. Sender

- File a simplified export declaration or its equivalent with the State party's customs or similar authority;
- Ask the competent health authority in the State party to inspect and release the exported goods.

6.2. Consignee

- File a simplified import declaration or its equivalent with the State party's customs or similar authority;
- Ask the competent health authority in the State party to inspect and release the imported goods."

Resolution incorporating the obligatory basic course for drivers of vehicles used for said transport into the General Regulations adopted by Decree No. 779/95. Creation of the Register of Vocational Training Service-Providers (Resolution No. 110/97, of 5 December 1997)

Article 7

"Duly certified providers must hold a certificate attesting to the adoption and delivery of the obligatory basic course for drivers of vehicles used for the transport of dangerous goods by road to be able to issue the national licence qualifying drivers to transport dangerous goods by road under the jurisdiction of the Transport Secretariat."

Article 8

"The obligatory basic course for drivers of vehicles used for the transport of dangerous goods by road does not exempt the sender or consignee of the goods from the obligation to offer training, guidance and information to the transporter and drivers of vehicles carrying dangerous goods."

Article 9

"The vocational training service-providers of the obligatory basic course for drivers of vehicles used for the transport of dangerous goods by road may be liable to a warning, a fine or suspension or cancellation of their operating licence, under the relevant sanctions regime laid down by the Transport Secretariat."

Regulations pertaining to Act No. 24.449 of 20 November 1995 on road traffic and safety (Decree No. 779/95)

Article 54

"Failure to observe the regulatory provisions related to the transport of dangerous goods leaves the perpetrator liable to the sanctions applicable under the relevant regime."

Article 55

"The application of the penalties provided for in the preceding article does not exclude others provided for in specific laws or exempt the perpetrator from any civil or criminal liability incurred in that respect."

Authorization for activities related to dangerous biological agents or toxins

Resolution No. 422/2003 on animal health (20 August 2003)

Article 6

"The pathogens listed in annex I of this resolution, defined as exotic pathogens, may only be handled with the express prior authorization of the National Food and Agriculture Health and Quality Service (SENASA) and on premises expressly equipped for this purpose. SENASA shall establish and control the biosecurity conditions to be met by evaluation, production, control and research laboratories handling infectious material."

The presence of education and outreach activities with the life sciences (including codes of conduct), as well as a summary of the relevant rules or measures or a link to them

19. The Ministry of Foreign Affairs, International Trade and Worship (Directorate of International Security, Nuclear and Space Affairs) and the Ministry of Defence (Institute of Scientific Research and Defence Technology) run educational and promotional programmes in the life-sciences field in general and on subjects related to the Biological Weapons Convention within the framework of, and in cooperation with, public (civil and military) and private institutions, with regard to biosecurity and bioprotection and codes of conduct, especially in collaboration with academic, research and professional institutions.

Interactions with industry and the private sector, as well as a summary of the relevant rules and measures or a link to them

20. As part of the preparations for the Seventh Review Conference of the Biological Weapons Convention, Argentina has invited a number of companies working in the field of

life sciences, health and veterinary science to work together and support its position at the Conference.

The presence of disease surveillance regimes, as well as a summary of the relevant measures or a link to additional information

21. The National Early Warning and Rapid Response Centre (CENARR) formally reports to the Ministry of Health. Its role is to respond in a timely fashion to the occurrence of public-health events of national or international importance, with the additional aim of strengthening the system of detection, analysis and reporting of such events.

22. CENARR is both a physical and a virtual centre which links the four cross-sectoral levels of warning and response (local, intermediate, national and international levels) and which has the capacity to detect, verify and evaluate public-health risks 24 hours a day, seven days a week; to notify the international organizations and authorities immediately and within 24 hours of evaluating an event; and to alert the rapid response team.

23. The tasks of CENARR are to:

(a) Verify information from different sources about events that might constitute public-health events of national or international importance;

(b) Carry out a risk assessment of public-health events, damage and emergencies of national or international importance;

(c) Identify, record and monitor public-health events of national or international importance continuously, systematically and in a timely fashion, using both official and unofficial sources;

(d) Cooperate closely with national emergency systems to coordinate the response to public-health events of national or international importance;

(e) Provide timely information on the occurrence of public-health events of national or international importance to the various operational bodies at the local, intermediate and national levels;

(f) Establish and maintain mechanisms to assure uninterrupted contact with WHO focal points for the International Health Regulations;

(g) Activate the rapid response team when the assessment of the situation calls for its intervention, and take joint action within its sphere of competence.

The presence of an emergency response capacity that might be used following the use of a biological weapon, as well as a summary of the relevant measures or a link to additional information

24. At the national level, the Office of the Under-Secretary for Prevention and Promotion Programmes in the Ministry of Health, which oversees the National Directorate for Trauma, Emergencies and Disasters and the Directorate of Epidemiology, is responsible for making decisions and recommendations in relation to activating the Plan on Preparations for Chemical, Biological and Nuclear Emergencies. At the operational level, the Plan is coordinated with the federal security forces that report to the Ministry of National Security (the Federal Police, the Argentine Coastguard, the National Gendarmerie and the Airport Security Police) and the provincial governments (provincial police).

25. At the international level, Argentina now has a number of experts in various fields of knowledge who are on the list of experts qualified to conduct investigations into the alleged use of biological weapons.

26. A greater effort is needed to improve training for experts in various regions so that they can respond to investigations into the alleged use of biological weapons. Much remains to be done at both the national and the international level to build capacity in this area. Argentina is continuing with its efforts to set up multidisciplinary groups with the aim of extending and building on the work to raise awareness of the mechanisms established by the United Nations in relation to investigations into the alleged use of chemical, biological and toxin weapons.

B. Working with other States Parties

The presence of relevant bilateral or collective cooperation, as well as a summary of activities or a link to additional information; offers to provide assistance in implementing the Convention and/or training personnel for action following the use of a biological weapon

27. Argentina is in the implementation phase of a bilateral cooperation programme which involves joint training activities and efforts to build and strengthen detection capabilities, mostly dealing with issues related to the Biological Weapons Convention and with controls on sensitive and dual-use exports. The programme has been up and running since 2010, when it was presented in Peru, and there are plans to extend it to other Latin American countries that have shown an interest in such cooperation activities.

Participation in meetings held under the auspices of the Convention (such as meetings of experts and meetings of States parties)

28. Within the framework of the eleventh session of the Ad Hoc Group, Argentina, Brazil, Chile, Colombia, Mexico and Peru issued a joint declaration on strengthening the Biological Weapons Convention. The declaration contains an express reference to the Mendoza Declaration and sets out the signatories' shared commitment to produce a definitive, legally binding text that will improve the implementation of the Convention and provide for appropriate measures to make it more effective and so help it become universal;

29. The declaration is in line with the Political Declaration of MERCOSUR, Bolivia and Chile as a Zone of Peace, signed on 29 July 1998 in Usuhaia, which expresses support "in the pertinent international fora [for] the full force and improvement of international instruments and mechanisms for the non-proliferation of nuclear weapons and other weapons of mass destruction";

30. At the Sixth Review Conference of the Biological Weapons Convention, in 2006, Argentina, together with Peru, Chile, Costa Rica, Bolivia, Colombia, Brazil, Ecuador, Uruguay, Mexico and Guatemala, submitted five working papers, on "Universalization" (BWC/CONF.VI/WP.9), "Scientific cooperation and technology transfer, article X" (BWC/CONF.VI/WP.10), "Follow-up mechanism" (BWC/CONF.VI/WP.11), "Confidence-building measures" (BWC/CONF.VI/WP.12) and "Support unit" (BWC/CONF.VI/WP.13).

31. In these working papers, Argentina proposed and undertook to:

(a) Promote universalization through regional and bilateral efforts;

(b) Encourage the withdrawal of reservations to the 1925 Geneva Protocol;

(c) Provide assistance to any State that requests it in bringing their legislation into line with the Biological Weapons Convention;

(d) Implement and support regional and international policies to facilitate scientific cooperation and technology transfer under article X;

(e) Propose the implementation of a major new mechanism to follow up on commitments and meetings;

(f) Within this framework, give the annual meeting of States parties the power to take decisions on challenges to the Biological Weapons Convention, a proposal that has met with widespread agreement during the inter-sessional period;

(g) Encourage analysis and reinforcement of confidence-building measures;

(h) Provide technical and legal assistance to any State that requests it for the preparation of their declarations on confidence-building measures.

Participation in confidence-building measures

32. Since 1992, Argentina has submitted on time and in due form the agreed information and data on confidence-building measures to the United Nations Secretariat, in line with the recommendations and Final Declaration of the Third Review Conference of the Biological Weapons Convention.

C. Working in regional forums

33. At the regional level, Argentina, Chile and Brazil signed the Mendoza Declaration of 5 September 1991, in which they declared their full commitment to the aims of the Biological Weapons Convention and urged other countries in the region to do likewise;

34. Within the Organization of American States (OAS), Argentina supported AG/RES. 1966 (XXXIII-O/03) and AG/RES. 2000 (XXXIV-O/04) ("The Americas as a biological- and chemical-weapons-free region");

35. In 2008, Argentina and the Organization of American States co-sponsored a seminar on the implementation of Security Council resolution 1540 (2004).

D. Working in other international forums

Reports provided to the United Nations Security Council Resolution 1540 Committee, as well as a summary of the information provided or a link to additional information

36. Argentina supplied the reports on measures to implement Security Council resolution 1540 (2004) in 2004 (S/AC.44/2004/(02)/13), 2005 (S/AC.44/2004/(02)/13.Add.1) and 2007 (S/AC.44/2004/(02)/13.Add.2). There are no legislative changes to report;

37. Argentina also submitted a plan of action for the implementation of resolution 1540 to the 1540 Committee (in 2009);

38. In June 2006, a seminar entitled "International cooperation on security" was held to discuss the implementation of Security Council resolution 1540 at the Spanish Cooperation Training Centre in Antigua, Guatemala. The seminar was organized by the Argentine Ministry of Foreign Affairs and the Spanish Ministry of Foreign Affairs and Cooperation, in collaboration with the Spanish International Cooperation Agency. Its objective was to provide a forum for dialogue and "horizontal cooperation" in order to boost the active participation of the region's countries in the application and follow-up of Security Council resolution 1540 on non-proliferation of weapons of mass destruction, as well as other international instruments. It was attended by officials from Guatemala, Costa Rica, Nicaragua, Honduras, El Salvador, Panama and the Dominican Republic, as well as from Spain and Argentina;

39. In 2005 and 2008, Argentina again co-sponsored, with the United Kingdom and the Organization of American States respectively, seminars on the implementation of resolution 1540. In October 2011, it was invited, together with Peru, Brazil and Costa Rica, to attend a seminar on the same subject in Lima, Peru.

Status with, and any relevant reservations to, the Biological Weapons Convention

40. Argentina ratified the Biological Weapons Convention on 27 November 1979. It has participated in the six previous review conferences (chairing the Third Conference, in 1991), the meetings of the Ad Hoc Group of Governmental Experts (VEREX) and the meetings of the Ad Hoc Group set up to prepare, ultimately without success, a verification protocol for the Convention.

Status with, and any relevant reservations to, the 1925 Geneva Protocol

41. At the previous (sixth) review conference of the Biological Weapons Convention (2006), Argentina, together with Peru, Chile, Costa Rica, Bolivia, Colombia, Brazil, Ecuador, Uruguay, Mexico and Guatemala, submitted five working papers. In one of these (CABT/CONF.VI/WP.9, on "Universalization"), it undertook to promote the withdrawal of reservations to the 1925 Geneva Protocol.

Participation in other relevant international regimes, such as the Australia Group or Proliferation Security Initiative

42. Argentina is a member of the Australia group and the Proliferation Security Initiative. As such, it took part in the plenary meeting of each of these mechanisms (in Paris and Honolulu).

E. Working with international organizations

43. Argentina would like to stress the importance of the technical support given by the Food and Agriculture Organization of the United Nations, the World Health Organization and the World Organization for Animal Health in investigations by the United Nations Office for Disarmament Affairs into the alleged use of biological and toxin weapons. The relevant Argentine institutions and departments (Ministry of Health, Ministry of Agriculture, Fisheries and Livestock) work with these organizations on the response to the alleged use of biological weapons to develop ways of coordinating work with States parties, including by improving early warning, detection and response mechanisms.

Australia

44. Information is provided under subheadings relating to key provisions of the Convention and draws on Australia's submission of Confidence Building Measures covering the 2010 calendar year, which is available publicly at www.unog.ch/bwc/cbms.

A. Article I

45. Australia has never had an offensive biological research, development or production program or obtained biological weapons through transfer and has never acquired or retained biological weapons or their means of delivery. We have implemented legislative and regulatory measures that give effect the prohibitions of this Article, and have initiated a variety of other actions to raise awareness in the biotechnological sector of the threat posed

by biological weapons, including the need to enhance the security of hazardous biological substances.

B. Article II

46. Australia has never had an offensive biological research, development or production program or obtained biological weapons through transfer, and, accordingly, has had no need to destroy or divert to peaceful purposes any biological weapons, as required under the provisions of this Article.

C. Article III

47. Australia's compliance with this Article with respect to international transfers is demonstrated by our implementation of effective export control legislation, a summary of which is provided in our recent CBM return (Form E, p. 47).

48. Our commitment to the principles of the Article is underscored by our permanent chairing of the Australia Group and our regional outreach program with respect to the BWC, Chemical Weapons Convention (CWC) and UN Security Council Resolution 1540.

49. Since the last BWC Review Conference in 2006, Australia has reviewed the security of hazardous biological materials within Australia. The National Health Security Act 2007 (NHS Act) was passed by the Australian Parliament in September 2007. It has two main operative parts: Part 2 of the Act enacts Australia's responsibilities under the International Health Regulations 2005 and formalised surveillance systems in Australia, while Part 3 established a regulatory scheme for biological agents of security concern.

50. Part 3 of the NHS Act enabled a national regulatory scheme (based in the Department of Health and Ageing) to regulate the handling of Security Sensitive Biological Agents (SSBAs) and agents suspected of being SSBAs. The NHS Act established: a list of SSBAs to be regulated; a National Register that is informed by mandatory reporting; purposes for which the SSBAs may be handled; security (physical, personnel, information management, disposal and transport) standards that must be met while handling SSBAs; exemptions from regulation; and an inspection scheme to monitor compliance with the regulatory scheme. Further information is provided in our CBM return (Form E, p. 48).

D. Article IV

51. Australia has implemented a number of legislative enactments to satisfy our BWC obligations to counter biological weapons proliferation and prevent bio-terrorism, as outlined in our recent CBM return (Form E, p. 47). The principal enactments are: the Crimes (Biological Weapons) Act 1976; the Customs Act 1901 and associated regulations; and the Weapons of Mass Destruction (Prevention of Proliferation) Act 1995. In addition, the National Health Security Act 2007, the Quarantine Act 1908 and the Gene Technology Act 2000, as well as legislation administered by the various State and Territory governments within Australia, regulate activities with biological materials, and thereby assist to implement our legislative obligations under the BWC.

Crimes (Biological Weapons) Act 1976

52. This Act, which is administered by the Attorney-General, makes it unlawful for Australians to develop, produce, stockpile or otherwise acquire or retain microbial or other biological agents or toxins whatever their origin or method of production, of types and in

quantities that have no justification for prophylactic, protective or other peaceful purposes; or weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict. The Act extends to the activities of Australian citizens outside Australia. Contravention of the Act is an indictable offence.

Customs Act 1901 and Customs (Prohibited Exports) Regulations 1958

53. Under the Customs Act 1901, the Customs (Prohibited Exports) Regulations 1958 prohibits the exportation from Australia of defence and dual-use goods listed in the 'Defence and Strategic Goods List' (DSGL) without prior permission from the Minister for Defence or an authorised person. Under the regulations, the Minister for Defence may authorise in writing a person employed in the Department of Defence to approve exports of defence and dual-use goods listed on the DSGL. Applications to export goods listed in the DSGL are considered on a case-by-case basis against published policy criteria to ensure exports of defence and dual-use goods are consistent with Australia's broader national interests and international obligations.

54. The DSGL is divided into two parts: Part 1 of the DSGL covers defence and related goods, which are those goods and technologies designed or adapted for use by armed forces or goods that are inherently lethal; Part 2 of the DSGL covers those goods that have a dual use. Dual-use goods comprise equipment and technologies developed to meet commercial needs, but which may be used either as military components or for the development or production of military systems or WMD. As such, Part 2 includes human pathogens and toxins, animal pathogens, plant pathogens and equipment capable of being used to develop biological weapons.

55. Under the *Defence Trade Controls Bill 2011,* Australia is currently considering measures to strengthen controls over the export, transfer and brokering of defence and dual-use goods, technology and services. Changes under consideration include regulating intangible exports (such as person-to-person contacts or emails) and the provision of 'defence services' for all items listed on the DSGL. In addition, general 'brokering' rules for Australian entities that deal internationally with DSGL goods and technology even where transactions take place outside of Australia may be introduced.

56. The DSGL is amended from time-to-time to reflect changes in the various multilateral non-proliferation and export control regimes of which Australia is a member.

Weapons of Mass Destruction (Prevention of Proliferation) Act 1995 and associated regulations

57. The Act is administered by the Department of Defence and complements the existing controls contained in the Customs Act 1901 and the Customs (Prohibited Exports) Regulations 1995. The WMD Act and the associated Regulations provide the legislative basis for controlling the movement of goods and services that will or may assist in the development of a WMD program. It prohibits the supply or export of goods, not otherwise controlled by the Customs Act, or the provision of services, in circumstances where the goods or services may be used to assist in the development, production, acquisition or stockpiling of WMD, including biological weapons or their delivery systems. The prohibitions under the legislation apply where the person involved knows or suspects the connection with a WMD program, including a biological weapons program.

58. The Act applies extraterritorially as well as within Australia, covering the activities of Australian citizens or residents, as well as bodies incorporated in Australia. It provides a mechanism for exporters to obtain written guidance from the Government on the risk of a particular planned transaction contributing to a biological weapons program.

National Health Security Act 2007

59. In recent years, Australia reviewed the regulation, reporting and security around the sale and handling of hazardous materials, including biological materials. As noted in our response to compliance with Article III, one outcome of this review was the National Health Security Act 2007 (NHS Act), passed by the Australian Parliament in September 2007.

Quarantine Act 1908 and associated regulations

60. The Quarantine Act 1908 provides broad powers to the Director of Quarantine to control the importation and use of biological materials in Australia with the aim of preventing or controlling the introduction, establishment or spread of diseases or pests that will (or could) cause significant damage to human beings, animals, plants and/or other aspects of the environment or economic activities.

Gene Technology Act 2000 and associated regulations

61. The Gene Technology Act 2000, supported by the Gene Technology Regulations 2001, regulates dealings with genetically modified organisms (GMOs) to protect the health and safety of people and the environment. The legislation is administered by an independent statutory office holder, the Gene Technology Regulator, and provides a risk-based system for regulation of GMOs. There are also legislative provisions for accreditation of organisations, certification of physical containment facilities and extensive monitoring and enforcement powers.

62. In addition, Australia has implemented effective plant, animal and human disease surveillance systems, coordinated respectively through the Department of Agriculture, Fisheries and Forestry and the Department of Health and Ageing. These systems have been implemented in the context of protecting humans and agriculture from inadvertent disease establishment and spread. But equally, they comprise part of the national strategy to detect deliberate/suspicious disease outbreaks – whether by state or non-state actors. These surveillance systems relate to compliance with Articles VI, VII, X and, thereby, implementation of IV.

E. Article V

63. Australia considers that an objective of Article V is to provide a mechanism that gives States Parties confidence that other States Parties are compliant with the Convention. A key means of providing such confidence is the submission of Confidence Building Measures (CBM). Australia is one of a very few States Parties that has submitted CBMs every year and also among a very few that makes its CBM return available publicly at www.unog.ch/bwc/cbms.

64. In addition, Australia has worked actively in the Asia-Pacific region to promote compliance with the BWC. Most recently, in June-July 2011, Australia co-chaired with the EU Joint Action for the BWC, the Philippines and the United States, a regional BWC workshop in Makati City, Manila. The seminar, which was attended by ASEAN States Parties, as well as China, Japan, Norway, the Republic of Korea and the United Kingdom, discussed national implementation and CBMs, capacity building in bioterrorism prevention, disease detection and surveillance and preparation for the Seventh Review Conference.

65. Australia has consistently participated in and contributed to BWC meetings of the last intersessional period, both formal Meetings of Experts and Meetings of States Parties and in informal workshops and seminars which aim to solve any problems with

implementation of the Convention. Australia's commitment to encouraging engagement in the BWC is also evident in its coordination of the BWC Western Group.

F. Article VI

66. Australia has complied with Article VI, most notably through our on-going support of the UN Secretary General's investigative mechanism, as set out in General Assembly Resolution 42/37 of 30 November 1987.

G. Article VII

67. Australia stands ready to assist States that have been exposed to inadvertent and deliberate disease outbreaks. We have shared our experience in developing and implementing disease surveillance strategies and have provided practical assistance to countries affected by natural outbreaks of human, animal and plant diseases.

68. In addition, we have assisted States Parties in the South East Asian region, by convening workshops to share Australian experience of developing national policies and practices that raise awareness of the security threat posed by hazardous biological materials, and that enhance the security of such materials.

H. Article VIII

69. Australia acceded to the Geneva Protocol of 1925 on 24 May 1930 and withdrew its reservations on 9 December 1986.

I. Article IX

70. Australia ratified the Chemical Weapons Convention on 6 May 1994 before its entry into force on 29 April 1997. Australia implements its obligations under the CWC primarily under the Chemical Weapons (Prohibition) Act 1994 and its associated regulations, as well as under the Customs (Prohibited Imports) Regulations 1956 and the Customs (Prohibited Exports) Regulations 1958.

Canada

71. Canada views the request emanating from the Preparatory Committee and the subsequent letter from the President-designate dated 6 June 2011, as embracing not only national observance of legally binding obligations established by the Biological and Toxin Weapons Convention (BTWC), but also the political commitments resulting from undertakings by States Parties as reflected in the Final Documents of past Review Conferences (i.e. obligations relating to the submission of annual declarations under the agreed Confidence Building Measures (CBMs)). This Canadian submission does not replicate all of the information that we have provided under the CBMs, and should be seen as complementary to those submissions.

A. Article I

72. Canada is in full compliance with its obligations under Article I. Furthermore, in keeping with the political commitment of the CBMs, we have reported on the nature of the

former Canadian biological weapons programme as it existed historically and as terminated long before the entry into force of the BTWC. We continue to encourage other States Parties to report at an appropriate level of detail.

B. Article II

73. Canada is in full compliance with its obligations under Article II, and once again we refer States Parties to the text of our replies under the CBMs for other related information.

C. Article III

74. Since the BTWC entered into force in 1975, Canada has fully complied with its obligations under Article III. Over time, Canadian measures to implement its obligations have evolved with a view to ensuring, to the extent possible, that materials, equipment and technical expertise would not be transferred to any recipient, directly or indirectly, to contribute to a biological weapons program. This we have done through the Export and Import Permits Act and related regulations, so that national authorities maintain the necessary oversight of transfers and have the necessary legal authority to intervene should there be any uncertainty or suspicious activity that would warrant such intervention. Canada is also a member of the Australia Group (AG); all goods on the AG Common Control List are part of Canada's national Export Control List. Canada remains committed to adopting additional appropriate measures with a view to preventing the transfer to any recipient whatsoever of any material, equipment or expertise that could contribute to the proliferation of biological weapons.

D. Article IV

75. Canada has a broad range of laws and processes to implement our obligations under Article IV of the BTWC. It is the Canadian view that the fulfilment of obligations under the Convention is important, and that it is necessary to go even further than adhering to the strict requirements of the Convention in order to exclude use of biological and toxin weapons in terrorist or criminal activity.

76. In June 2009, the Human Pathogens and Toxins Act (HPTA) came into force. This new law would grant the Public Health Agency of Canada (PHAC) jurisdiction over Biosafety Level 2, 3, and 4 laboratories that handle human pathogens and toxins, ensuring that they meet proper biosafety and biosecurity standards. Previous legislation covered laboratories importing human pathogens; the HPTA expanded that coverage to include those handling non-imported microorganisms. Regulations covering the HPTA's laboratory licensing process are presently in development. Additional pieces of legislation control importation and reporting of animal pathogens and plant pests. For further details on Canada's implementing legislations, please consult Canada's 2011 CBM submission (form "E").

77. The Canadian Food Inspection Agency (CFIA) has developed and implemented the Containment Standards for Facilities Handling Plant Pests (2007) and the Containment Standards for Facilities Handling Aquatic Animal Pathogens (2010). These documents serve as tools to provide regulated parties the minimum acceptable physical and operational requirements for work with these pathogens and pests. Compliance with these standard and import permits will help ensure that economically and environmentally significant pest or pathogens do not inadvertently escape into the environment and become established in Canada. These tools are available in hardcopy and on the internet for access. In addition,

PHAC and CFIA are developing joint Canadian Biosafety Standards and Guidelines (CBSG) pertaining to human and terrestrial animal pathogens. These standards and guidelines are used by laboratory researchers and workers in facilities possessing, handling, storing or using such pathogens. The development of the CBSG has been initiated to help streamline various biosafety practices into a single set of standards and guidelines for stakeholders regulated by both PHAC and the CFIA. These Standards and Guidelines will combine and update the following documents:

(a) Laboratory Biosafety Guidelines 3rd Edition, 2004 (PHAC)

(b) Containment Standards for Veterinary Facilities 1st Edition, 1996 (CFIA)

(c) Containment Standards for Laboratories, Animal Facilities and Post Mortem Rooms Handling Prion Disease Agents, 2005 (CFIA)

E. Article V

78. Canada has not invoked Article V. We fully support Article V, and we do not interpret it as being a prior stage that needs be invoked before proceeding to Article VI of the Convention, should circumstances so warrant. Canada fully supports the political commitments reached at the Second and Third Review Conferences concerning the exchange of information under the heading of Confidence Building Measures, and we have consistently participated in every one of these exchanges, with the 2011 CBM submission being made publicly available.

F. Article VI

79. Canada has not invoked the provisions of Article VI nor has any other State Party invoked the provisions of Article VI against Canada.

G. Article VII

80. Canada has not been requested to provide assistance under Article VII.

H. Article VIII

81. Canada strongly supports the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, and is in full compliance with all of its obligations under this Treaty.

I. Article IX

82. A State Party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC), Canada implements fully the Convention's obligations. National implementing legislation is in place (the Chemical Weapons Convention Implementation Act), regulations under the Export and Imports Permit Act were revised to reflect the Convention, and a National Authority, located within Foreign Affairs and International Trade Canada has been established. Canada is a member of the Executive Council and participates actively in the work of the Organisation for the Prohibition of Chemical Weapons (OPCW) towards the effective implementation of the Convention, and is active in encouraging and supporting its universalization. In support of the CWC's disarmament objectives, Canada has made a

major contribution to the destruction of chemical weapons in Russia through the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction, spending $200 million since 2003 on the chemical weapons destruction facilities at Shchuch'ye and Kizner.

China

83. As a country which has suffered the effects of biological weapons and as a State party to the Biological Weapons Convention, China has always attached importance to the complete prohibition and thorough eradication of weapons of mass destruction, including biological weapons, and is resolutely opposed to the proliferation of bioweapons and bioweapon technology. It has consistently supported the aims and objectives of the Convention and has fully and strictly complied with its obligations thereunder, taking a positive part in and supporting the multilateral process of strengthening the effectiveness of the Convention.

84. China hereby reports to the Seventh Review Conference on its compliance with the Convention since the Sixth Conference, as follows:

A. Compliance with basic obligations under the Convention

85. China has never developed, manufactured, stockpiled or in any other way acquired or possessed the biological agents or toxins prohibited under the Convention, or the related weapons or means of producing or delivering them.

B. Establishment of national compliance machinery

86. For effective compliance with the Convention, China has established an inter-ministerial coordinating system encompassing the Ministry of Foreign Affairs, the Ministry of National Defence, the Ministry of Agriculture and the Ministry of Health. In keeping with the requirement expressed at the sixth Review Conference, the Ministry of Foreign Affairs has been designated the national liaison point for compliance.

C. National legislation in compliance with the Convention

87. With a view to full, effective compliance, China enacts and strictly enforces pertinent laws and regulations. The third revision of the Criminal Code makes the illegal manufacture of, trade in, transport, stockpiling and retention, theft, seizure or looting of infectious agents and other such biological material into criminal offences; organizing, leading and participating in terrorist activities of any kind, including bioterrorism, are also criminal offences, punishable to degrees varying with the gravity of the crime.

88. Since 2007, China has issued a series of ministerial regulations — a certification procedure for laboratories working with highly pathogenic microbes, operating rules for contagious human pathogen (toxin) storage facilities, operating rules for animal pathogen (toxin) storage facilities and so forth — and, in the light of changing circumstances, has amended the National Border Quarantine Act and the detailed regulations for its implementation. These new enactments have made beneficial additions to the current system of laws, further standardizing and improving biological laboratory safety and offering a stronger response to infectious illness.

D. Non-proliferation export controls

89. China resolutely opposes the proliferation of bioweapons and bioweapon technology in any form by any State, and has never in any way advised, encouraged or induced any State, group of States or international organization to engage in activities prohibited under the Convention. It is constantly tightening export controls on dual-use biological agents and technology.

90. China already has a fairly complete system of export control regulations and has issued regulations governing exports of dual-use biological articles and related equipment and technology, together with a detailed control list; it has adopted the internationally-used export permit certificate management system, end-user and end-use declaration, detailed-list methodology, and the principle of complete control.

91. China is constantly strengthening the structure of the non-proliferation export control system and has instituted a collaborative system for the issuance of permits; it has set up a special national expert-supported export control system and created an inter-ministerial non-proliferation export control emergency coordination apparatus. By running training courses in law enforcement, it is improving the skills and capabilities of its export-control law-enforcement personnel. Training courses, seminars and publicity handbooks reinforce the message to business enterprises, increasing awareness of and respect for the law as well as awareness of the need for self-regulation.

E. Confidence-building measures

92. In response to requests from review conferences, China has announced a succession of confidence-building measures over the years since 1988, thereby giving full expression to the political will and sincerity of the Government fully to comply with the Convention.

93. The Chinese Ministry of Foreign Affairs takes the lead in instituting confidence-building measures, but the Ministry of National Defence, the Ministry of Agriculture, the Ministry of Health, the Ministry of Trade and the State Food and Drug Administration are responsible for gathering and submitting information on their work to the Ministry of National Defence for consolidation and transmission. The measures China announces cover biosafety laboratories, the national biological control programme, outbreaks of infectious disease, the outcomes of biological research and vaccine production facilities. To bolster confidence and transparency among parties to the Convention, China has also begun to announce conditions at Biosafety Level 3 laboratories.

F. Biosafety and security

94. China pays close attention to the questions of biosafety and security, complying strictly with the Convention provisions on the subject and Security Council resolution 1540 (2004).

95. As regards laboratory biosafety and security, China has issued many laws and regulations governing laboratories and established corresponding operating procedures; it manages the staff handling pathogenic microbes, preventing loss and leakage; it strictly enforces laboratory biosafety certification and has instituted a periodic reporting system on research activity; it has set up and is expanding periodic and unscheduled safety inspections so as to eradicate hidden hazards; it has set up a multi-ministry laboratory biosafety liaison mechanism.

96. In education and training, the Ministries of Health, Agriculture and others have used training courses, seminars, working groups, handbooks and other methods to train laboratory staff about biosafety, security and airborne transport, constantly improving their skills and vigilance. Laboratory workers undergo yearly examinations during working hours; training, examinations and health records ensure they uphold the biosafety system. Since 2006, the Ministry of Health has run yearly national training courses on pathogen transport management and issued certificates to staff who are up to standard. Since 2009, the Ministry of Agriculture has made the construction and operation of the laboratory biosafety system a part of the curriculum for veterinary laboratory examinations.

G. Epidemic monitoring and response

97. China attaches great importance to epidemic monitoring. It already has in operation a relatively complete system for disease prevention and control as well as for treatment, covering cities and rural areas.

98. As regards a disease monitoring system, the Ministry of Health and the Ministry of Agriculture respectively manage epidemic control for the human population and for plant and animal life throughout the country. The epidemic reporting network is constantly being improved and collaboration between the ministries increased; epidemic monitoring units have been set up for the timely gathering of information on epidemics, and fact-finding work is being expanded to advance prevention and control efforts concentrating on infectious disease. China already has cooperative inter-ministerial facilities for countering infectious diseases common to humans and livestock, for responding to public health incidents in ports and for reporting on outbreaks of infectious disease at schools.

99. China is constantly perfecting its emergency response system at all levels and has drawn up an emergency response plan for coping with sudden epidemics. It has perfected its system of emergency response teams and emergency supply reserves, expanded laboratory construction, increased its capacity to monitor pathogens, conducted timely training and drills, and boosted its capacity to handle emergencies.

100. The scope of China's national immunization programme has been constantly enlarged, and now covers 15 diseases in contrast to the 6 it covered in the past, with a positive effect on reducing the incidence of infectious disease. The national vaccine supervisory system underwent World Health Organization appraisal in 2011.

H. Response to public-health emergencies

101. To respond effectively to public-health emergencies, China some years ago put into effect a series of laws and regulations as well as a nationwide emergency response plan.

102. There is a unified early warning and response system for coping with public health emergencies; systems for reporting incidents and releasing information have been set up; emergency-reserve supply systems have been established, research and development for emergency-response team equipment of all types has been carried out, and the major objectives for safety and prevention have been strengthened.

103. With regard to dealing with emergencies, emergency-preparedness planning has been perfected at all levels; emergency-preparedness plans for public-health emergencies have been drafted; the responsibilities of the related institutions for responding to and dealing with emergencies have been clarified; joint interregional prevention and control machinery involving health, agriculture, quality inspection, communications, public security and civil administration departments has been instituted, as have a national expert

advisory committee and an expert advisory system on public-health emergencies; vigilance has been increased throughout society, and specialist training programmes and drills in emergency response to outbreaks of disease have been launched.

I. International exchanges and cooperation

104. China attaches great importance to positive involvement in international exchanges and cooperation in biology. For details, see its report on compliance with Article X of the Convention, in the background information document on *Implementation of Article X of the Convention* (BWC/CONF.VII/INF.8).

J. Active participation in the multilateral process of increasing the effectiveness of the Convention

105. China has attended all the meetings of States Parties and expert meetings held since 2007, has submitted many working papers providing comprehensive accounts of domestic measures taken in compliance with the Treaty and its practices with regard to biosafety, disease control, and international cooperation, and actively participated in the related discussions. It has also taken part in workshops in the United States, the United Kingdom, the Netherlands, Indonesia, the Philippines and elsewhere.

106. China attaches great importance to the Seventh Review Conference. It worked with Canada and the Implementation Support Unit to host an international workshop on "strengthening international efforts to prevent the proliferation of biological weapons – the role of the Convention" in Beijing in November 2010. It also attended the meeting in Wilton Park and the workshops in Montreux, Berlin and the Philippines, taking part in an extensive exchange of ideas.

107. China has consistently supported the multilateral process of increasing the effectiveness of the Convention and is approaching the seventh Review Conference and related discussions with a constructive attitude, improving links and cooperation with all parties and working together to improve the effectiveness of the Convention overall.

Cuba

A. Confidence-building measures

108. Cuba has taken various steps under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (the Biological Weapons Convention). Since 1991 it has participated in the exchange of information through the annual submission of forms for confidence-building. The following agencies participate in this exchange:

(a) Civil Defence Scientific Research Centre

(b) Institute of Veterinary Medicine

(c) Central Quarantine Laboratory of the National Plant Health Centre

(d) Pedro Kourí Institute of Tropical Medicine

(e) National Environmental Health Directorate of the Ministry of Public Health

(f) Finlay Institute, research centre and centre for serum and vaccine production

(g) Genetic Engineering and Biotechnology Centre

(h) National Biological Preparations Centre (BIOCEN)

(i) National Centre for Plant and Animal Health (CENSA)

(j) Laboratory for Biological Pharmaceutical Products (LABIOFAM)

(k) National Centre for the Production of Laboratory Animals (CENPALAB)

(l) Empresa de Productos Biológicos Carlos J. Finlay

B. Legal framework

109. In the field of biology, Cuba has a range of legal instruments whose fundamental purpose is to protect humankind and the environment. In Cuba's case, the legislation specifically governing the implementation of the Biological Weapons Convention cannot be viewed in isolation from the other legislation on biosafety. It has always been State policy to support the implementation of the Convention in the country's legal framework for biosecurity as the most effective way to achieve the Convention's objectives. That framework has been updated over the past five years.

110. Decree-Law No. 190/1999, on biosecurity, continues to be at the apex of the legislation on the subject. It sets out the basic principles and the scope of biosecurity, highlighting its contribution to sustainable development. The legislative pyramid extending below Decree-Law No. 190/1999 includes the following statutes:

(a) Agreement No. 4728/2003, whereby the Executive Committee of the Council of Ministers appointed the Ministry of Science, Technology and the Environment as the national authority responsible for the implementation of the Biological Weapons Convention;

(b) Resolution No. 38/2006, which updates the risk classification scheme for biological agents and toxins affecting human, animal and plant health. New classification criteria are established and specific mention is made of genetically modified agents;

(c) Resolution No. 8/2000, which brings into force the General Regulations on Biosecurity for facilities handling biological agents and their products, organisms and fragments thereof containing genetic information;

(d) Resolution No. 180/2007, which regulates the procedures for granting biosecurity clearances;

(e) Resolution No. 103/2002, which establishes biosecurity requirements and procedures for facilities working with biological agents and their products, organisms and fragments thereof containing genetic information;

(f) Resolution No. 112/2003, which establishes the biosecurity requirements and procedures for facilities working with plants and animals that present a biological hazard;

(g) Resolution No. 2/2004, which establishes regulations for accounting and control of biological material, equipment and related technology;

(h) Resolution No. 103/2008, which establishes regulations for Government inspections of environmental regulatory activities;

(i) Resolution No. 136/2009, which establishes regulations on the comprehensive management of hazardous waste.

(j) Resolution No. 2/2004, which was drawn up specifically in the light of the Convention, sets out the rules for the implementation of the National System for Accounting and Control of Biological Material, Equipment and Related Technology.

111. Under the System, facilities are required to submit a set of statements, logs and reports in order to ensure tighter control over the biological agents covered by the Convention and the related equipment and technology.

112. The System covers all the facilities registered with the Internal Safety Registry established for that purpose by the National Biosecurity Centre. Facilities engaged in any of the following activities fall under the System:

(a) The production of vaccines for human use;

(b) The production of vaccines for veterinary use;

(c) The production of biopesticides and biofertilizers;

(d) The use of the biological materials listed in annex 1, which forms an integral part of the regulations;

(e) Work involving inoculants for plants;

(f) Genetic modifications;

(g) Technology transfers involving the activities mentioned in the above paragraphs;

(h) The use of the following equipment:

(i) Static, dynamic or explosive aerosol chambers

(ii) Equipment for generating aerosols of micro-organisms or toxins and simulants

(iii) Biosecurity cabinets (Class III, or Class I convertible to Class III)

(iv) Flexible film isolator or other chambers equivalent to Class III and anaerobic chambers.

113. Registration is mandatory not only for the facilities engaged in the activities mentioned above, but also for installations which have biosecurity level III or level IV facilities or carry out activities involving new technologies or new scientific knowledge.

114. With the entry into force of the regulations on accounting and control of biological material, equipment and related technology, Cuba has made the exchange of information linked to the submission of the forms for confidence-building obligatory, reflecting the highest level of political commitment to the procedure.

115. Act No. 93, the national counter-terrorism law enacted in December 2001, includes penal measures linked to compliance with the bans established in the Biological Weapons Convention. The Act refers specifically to different forms of terrorist activity, including those involving chemical or biological agents, which have recently been of particular interest to the international community.

116. As to pathogens that affect humans, the Ministry of Public Health, the highest authority on human health matters in the country, has set up a system for monitoring and controlling pathogenic micro-organisms that could be used as biological weapons at different levels. The system is operated through the International Health Control Agency at airports, ports and marinas. The mechanism involves doctors, nurses, hygienists and other professionals, including two certified biosecurity inspectors, as well as a liaison centre to monitor epidemiological events. Monitoring activities are carried out, both at the central

and the regional levels, at production facilities, in quarantine centres and in the primary and secondary health-care sectors, through department heads in charge of hazardous places such as laboratories, and by quality control specialists, security personnel, occupational health experts and biosafety experts.

117. Monitoring and control activities are based on enforcement of the standards set out in the following legal instruments:

(a) Act No. 13, on safety and hygiene at work, of 29 December 1977

(b) Act No. 41, on public health, of 15 August 1983

(c) Act No. 81, on the environment, of 11 July 1997

(d) Decree No. 58, of 1979, establishing the regulations governing the committees of experts established for project evaluation

(e) Decree No. 100, of 1984, establishing the general regulations on State inspections

(f) Decree No. 101, of 1982, establishing the general regulations of the Act on safety and hygiene at work

(g) Decree No. 104, of 1982, establishing the rules and violations associated with international health control

(h) Decree No. 139, of 1988, establishing the general regulations of the Public Health Act

(i) Decree-Law No. 190/1999, on biosecurity, and its complementary legislation

(j) Decree-Law No. 200/1999, on violations of environmental norms

(k) Resolution No. 19/2003, of the Ministry of Labour and Social Security

(l) Resolution No. 132/2004, of the Ministry of Science, Technology and the Environment, on the cross-border movement of biological samples

(m) Resolution No. 111/1996, of the Ministry of Science, Technology and the Environment, on the regulations on biological diversity

(n) Joint resolution issued by the Ministry of Public Health and the State Committee for Labour and Social Security, on international travellers, of 1982

(o) Joint resolution issued by the Executive Secretariat of Nuclear Affairs and the Ministry of Public Health, on the regulations for the medical supervision of people exposed to hazards at work, of 1987

(p) Cuban Standard 18002/05, on health and safety at work; System for managing health and safety at work; Guidelines for the implementation of Cuban Standard 18001

(q) Cuban Standard 18011/05, on health and safety at work; General guidelines for the evaluation of systems for managing health and safety at work; The inspection process

(r) Cuban Standard 452/06, on containers, packaging and related materials; General health standards

(s) Cuban Standard 454/06, on the transportation of food items; General health standards

(t) Biosafety standards for each area of risk

C. Control mechanisms

118. Cuba has also boosted its control mechanisms by developing an inspection system to verify compliance with current legislation. This system covers all installations presenting a biological hazard, as well as those which form part of the National System for Accounting and Control of Biological Material. The key elements of the inspection system are its different control mechanisms, which include various kinds of inspections:

(a) Routine inspections;

(b) Inspections for the granting of biosecurity clearances;

(c) Inspections to verify compliance with the conditions attached to existing clearances;

(d) Safety inspections.

119. Safety inspections are designed to check compliance with the provisions on the implementation of the Convention and are carried out every two years. In the past five years, 26 safety inspections, involving various levels of complexity, have been carried out for different purposes:

(a) Inspections for the Internal Safety Registry. Six inspections of this kind have been carried out. This type of inspection aims to verify whether facilities indeed carry out some of the activities listed in the regulations on accounting and control of biological material, equipment and related technology (established by Resolution No. 2/2004), which require them to be incorporated into the system by registering them with the Internal Safety Registry and subsequently assigning them a unique identification number.

(b) Inspections to verify implementation of Resolution No. 2/2004. Once registered, a facility is granted one year in which to set up its own mechanisms for implementing an accounting and control system in the pertinent areas and in keeping with regulation guidelines. This type of inspection involves checking whether the facility has established formal procedures for implementing the control system and whether those procedures are up to standard and sufficiently modern. To date, 15 such inspections have been carried out.

(c) Inspections of operations logs. These inspections are more thorough and detailed inasmuch as they aim to verify on site the information published in the half-yearly reports. The reported data is collated with the data found in the logs that all facilities are obliged to keep in the places in which listed agents and equipment are used. To date, five such inspections have been carried out.

120. The analysis of the data contained in the reports on the inspections mentioned above clearly shows that the use of biological agents and the associated technology is both transparent and traceable. In keeping with the basic mission of Cuban science in the field, biological agents and the associated technology are used in medical research projects whose objective is to improve people's lives and in agricultural research that aims to increase the yields of crops that are important to the country, as well as in other areas of scientific research.

121. As part of efforts to tighten controls, a clearance scheme has been introduced which makes activities involving biological hazards subject to safety procedures and the evaluation of the risks they pose to human health and the environment. Different types of clearance are granted under this important scheme, including in the form of:

(a) Licences;

(b) Permits;

(c) Notifications;

(d) Certificates.

122. A certificate in this case is a safety clearance, granted for activities that are covered by the Convention and the accounting and control system. The main purpose of a safety certificate is to certify transparency with regard to the peaceful use of biological material in Cuba. A safety certificate must be obtained for the following activities:

(a) The delivery, receipt, or transfer (subject to the corresponding request being submitted and assessed by the relevant agencies) of biological agents and toxins, as well as organisms belonging to established risk categories, and equipment, technology and material, in general, between agencies within the country or between Cuba and other States, to ensure that such items are not destined for use in activities that are prohibited nationally or internationally;

(b) The destruction or neutralization of biological agents and toxins, when, owing to their volume, characteristics or location, their presence is considered dangerous or a possible violation of the international agreements to which Cuba is party;

(c) The established uses of biological materials, equipment and technology;

(d) Other activities related to the fulfilment of commitments Cuba has assumed under international legal instruments on the subject or matters related thereto.

123. So far, 10 clearance certificates have been issued for activities such as the transfer and use of listed biological agents.

D. Implementation of Resolution No. 2/2004

124. On the practical front, in the past five years, the regulations governing accounting and control of biological material, equipment and technology have been applied as follows:

125. Fifteen installations are now registered as “other activities”. Most are engaged in the production of vaccines, biopesticides and biofertilizers, the use of certain listed biological materials and equipment, genetic modification and work involving inoculants for plants.

126. These installations submit an annual inventory to the competent authority of all the biological material, listed or otherwise, on their premises. They also submit a report on operations, as applicable, every six months to the same authority, with data on listed agents and equipment. These data enable the regulating agency to assess inventory movements over the course of a year, and as such constitute a useful tool for monitoring each movement of a reported agent or piece of equipment.

E. Training

127. As regards the training of human resources involved in biosafety in general, Cuba has organized several activities aimed at training both technical and managerial personnel. This training, which has included Convention-related topics, has been provided by the National Biosecurity Centre and its provincial branches, by institutions that face biological hazards and by the State agencies designated as focal points for biosafety issues.

128. The Ministry of Science, Technology and the Environment, which is the national authority for the implementation of the Convention, has considerable training capacity. The existence of a centre of higher education such as the Higher Institute of Advanced Science and Technology (INSTEC) facilitates training considerably. The continuation of the master’s course in biosafety, which is now preparing its fourth generation of graduates and

has been extended to other provinces in the country, has trained a large number of professionals involved in work in this area, raising their level of scientific skills and knowledge. INSTEC has also organized two diploma courses, in facilities engaged in activities involving biological risks covered by the Convention. These and other short courses for beginners, together with more specialized ones, have helped publicize the Convention in Cuba.

129. Other university-level institutions have been closely involved in the training activities: the Biology Faculty of the University of Havana has held a total of five postgraduate courses in biosafety in the period covered by this report, which were attended by about 500 persons.

130. The National Biosecurity Centre, meanwhile, has continued to train new inspectors through its biosafety inspector certification courses, which are held annually. In the period covered by this report, approximately 150 specialists have been certified in the regulation of human, animal and plant safety.

131. In 2007–2011, State agencies that play a key role in promoting the Convention, such as the Ministry of Public Health, organized training activities nationwide, including 12 courses, 5 workshops and 30 training events at workplaces and schools belonging to the National Health System. Biosafety is now the subject of three consecutive modules in the degree course in medicine given by the Medical Sciences Faculty of the 10 de Octubre municipality in Havana and a component of the bachelor's degree course in health technology. Health education and promotion activities include the distribution of posters and leaflets about biosafety. At the provincial level, 1,442 courses and radio and television spots have been arranged by the different provinces. Nineteen persons in Cuba now hold master's degrees in biosafety. Teaching staff from the health sector work with teachers in other agencies to give talks on biosafety in their courses and workshops. A multimedia teaching tool on biosecurity and health has been developed. Independent, targeted training is provided in different health institutions and areas. Health sector personnel have published articles on the subject in national and international journals, as well as two books: *Bioseguridad básica* (Basic biosafety) and *Bioseguridad y SIDA* (Biosafety and AIDS).

132. In plant health, the Plant Health Research Institute of the Ministry of Agriculture has held several workshops, courses, seminars and conferences on various topics, such as biosafety in laboratories, for facilities that produce biopesticides, entomophaga or entomopathogens.

133. Training activities have also been carried out by agencies in the veterinary health system and by scientific institutions such as the Centre for Genetic Engineering and Biotechnology, the Finlay Institute, the Civil Defence Scientific Research Centre and the Pedro Kourí Institute of Tropical Medicine.

F. Code of ethics for the scientific community

134. The country's scientific community has a professional code of ethics which reflects the altruistic intentions of Cuban science. Professional ethics among regulators are considered to be of the utmost importance in the ongoing process to strengthen the Cuban regulatory system, which, in addition to covering biosafety issues, covers the chemical, nuclear and environmental sectors in general, and there is a Code of Ethics for Regulatory Activities. The Code of Ethics for Employees of the Cuban State, meanwhile, emphasizes the need for ethics to be a key component of policy in Cuba.

G. Other Convention-related activities

135. In addition to specific measures to implement the Convention, Cuba has submitted national reports under United Nations Security Council resolution 1540, on terrorism and weapons of mass destruction, which was adopted by the Council on 28 April 2004. These reports, which describe both the legislative measures implemented and the activities carried out, show that Cuba has no intention of possessing any weapon of mass destruction.

136. Cuba has participated actively in the meetings of technical experts and States parties held under the current intersessional mechanism and has enriched the debates with the papers it has submitted on its own experience of the topics under discussion.

Cyprus

137. Cyprus was among the first countries that ratified the BWC in 1973. Cyprus's position is aligned with that of the EU, namely of the "Strategy Against the Proliferation of the Weapons of Mass Destruction" (adopted on 12 December 2003, in Brussels), which, among other things, calls for the universality of all the important International Treaties and Conventions, that deal with such proliferation, including the BWC.

138. Cyprus fully complies with its obligations under the BWC, submitting, pursuant to Articles V and X of the Convention, an annual Confidence Building Measures report.

139. Cyprus regularly participates in international meetings, conferences, fora and workshops for the exchange of scientific and technological information relating to biological agent management, within the framework of the BWC, WHO, ECDC and the Health Security Committee of the EU.

Czech Republic

140. The former Czechoslovakia signed the Biological and Toxin Weapons Convention (BTWC) on 10 April 1972 and ratified Convention on 30 April 1973. After the split of Czechoslovakia in January 1993, the Czech Republic undertook commitments to international law and on the 24 March 1993 became the member state of the BTWC.

A. Article I

141. The Czech Republic has never developed, produced, stockpiled or otherwise acquired or retained:

(a) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;

(b) weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

B. Article II

142. The Czech Republic has never led an offensive biological research, development or production programme and has never acquired biological weapons or their means of delivery. Therefore provisions of Article II did not impose any obligation upon the Czech Republic.

C. Article III

143. The Czech Republic adheres to the obligation of Article III. Export of dual use items is regulated through national legislation which is based on EU legislation [Council Regulation (EC) 1334/2000 setting up a Community regime for the control of exports of dual use items and technology (as last amended by Council Regulation No. 428/2009)]. Rules for export and import of selected biological agents and toxin are also specified in Act on some measures related to a ban on bacteriological (biological) and toxin weapons (Act No. 281/2002 Coll., as amended).

D. Article IV

144. The obligations of Article I have been fully incorporated into Czech legal system by way of the Act on Some Measures Related to Ban of Bacteriological (Biological) and Toxin Weapons in 2002. There are also a number of other legislative measures and regulations that are closely connected to objective of the Convention (area of biosafety, GMO's, dual-use items, export, import and transport of biological agents and toxins). This legislation specifies penalties in case of its violation and breaches are punishable under the Penal Code.

E. Article V

145. The Czech Republic has not invoked Article V and this Article has not been invoked against it. The Czech Republic has never participated in consultations under Article V.

146. The Czech Republic fully supports the Confidence Building Measures (CBMs) to strengthen the Convention adopted by the Second and Third Review Conferences of the States Parties. Since 1993, when the Czech Republic became a member state of the Convention, it has regularly participated in the information exchange through CBMs. The Czech Republic has decided to make CBMs returns public available on the web site of the UN Office at Geneva.

147. As a Member State of European Union the Czech Republic supports the EU Strategy against proliferation of WMD and actively took part in the EU Joint Action in support of the BTWC. It assisted other States Parties to the Convention *inter alia* to fulfil for the first time their CBM obligation (Republic of the Philippines, The former Yugoslav Republic of Macedonia).

148. In 2010 the Czech Republic has offered, through ISU, assistance to the State Parties to the Convention in implementing their BTWC obligations. In 2011 the Republic of Poland took advantage of this offer during the Seminar on BTWC Implementation.

F. Article VI

149. The Czech Republic has not lodged any complaints with the Security Council regarding any other States Parties acting in breach of obligations under the provisions of the Convention.

G. Article VII

150. The Czech Republic has not been requested to provide or support assistance under Article VII, nor has it invoked the provision of Article VII to receive assistance.

H. Article VIII

151. The former Czechoslovakia has ratified the 1925 Geneva Protocol on 16 August 1938. Czechoslovakia has withdrawn its reservations to the Geneva Protocol on 25 September 1990. After the split of Czechoslovakia in January 1993, the Czech Republic has undertaken commitments to international law, and consequently to the Geneva Protocol.

I. Article IX

152. The Czech Republic has signed the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction on 14 January 1993 and ratified it on 6 March 1996.

Denmark

153. Denmark is fully committed to implementing the Convention at a national level (including providing and implementing national legislation, control mechanisms, etc.) and is in full compliance with its obligations. Furthermore, Denmark is aligned with the EU-position in relation to the BTWC.

154. The authority responsible for the Danish biosecurity legislation is the Centre for Biosecurity and Biopreparedness (CBB). CBB has extensive experience with ensuring a high level of biosecurity in Danish companies working with biological materials. This includes issuing permits, educating local staff in biosecurity etc. CBB is willing to share this experience and its knowledge on "best practice" including distributing the Danish Executive Order on securing specific biological substances, delivery systems and related materials, which is available in 22 languages.

155. The Confidence Building Measures under the BTWC and the mandatory data to be reported to the UN under Security Council Resolution 1540 are in many ways closely related. Therefore, Denmark finds it relevant to coordinate information reported to the 1540-Committee (under UNSCR 1540) and the CBMs under BTWC.

Finland

156. Finland attaches great importance to effective implementation of the BWC and is in compliance with all the provisions of the Convention. This submission contains information on specific relevant developments that have taken place in Finland since the Sixth Review Conference of the Convention in 2006.

A. Articles I and II

157. Finland has never developed, produced, stockpiled or otherwise acquired or retained microbial or other biological agents, or toxins of types or in quantities that have no justification for prophylactic, protective or other peaceful purposes. Neither has Finland ever developed, produced, stockpiled or otherwise acquired or retained weapons, equipment or means of delivery designed to such agents or toxins for hostile purposes or in armed conflict.

B. Article III

158. Finland's national report to the UNSC 1540 Committee (submitted on 28 October 2004 and amended 2005, 2006, 2007 and 2011) contains information on Finland's efforts to prevent transfers of prohibited agents and equipment. Finland is committed to providing assistance to other States for fulfilling the provisions of the resolution 1540.

C. Article IV

159. Finland's legislation on biological weapons is based on the Biological Weapons Act 257/1975 and Decree 258/1975. Corresponding penal provisions have been included in the Penal Code and in its amendments. The amended Code criminalizes the use, development, preparation, procurement, storage, possession, transport and delivery of biological weapons or related equipment. A comprehensive chapter on terrorist offences was also added to the Penal Code in 2003 and since then this chapter has been amended on the basis of new relevant international obligations.

160. It should be noted that other parts of legislation, e.g. the Firearns Act (1/1998 as amended) and the Communicable Diseases Act (583/1986 as amended) contain provisions that can also relate to biological weapon and related material. Furthermore, concerning national mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins, Finland is currently considering the need to revise its related legislation.

D. Article V

161. Finland has participated annually in the information exchange through the Confidence Building Measures (CBM). The 2011 submission has been posted on the Internet site of the United Nations Office at Geneva (http://www.unog.ch/bwc).

162. As a Member State of the European Union, Finland is committed to the EU BTWC Action Plan, which concerns, *inter alia*, efficient use of the CBMs. In addition to ensuring annual submissions on all CBM topics by EU Member States, the EU will take diplomatic action towards other States Parties to the Convention to fulfil their CBM obligations and develop and discuss possible improvements to the effectiveness of CBMs. In line with this commitment, the EU supported the UN Office for Disarmament Affairs in producing Guide to Participating in the Confidence-building measures of the BWC.

E. Article VI

163. To reflect the understandings of the 2003 Meeting of States Parties on enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease, Finland submitted in February 2011 to the UN updated information of Finnish qualified experts and analytical laboratories which may be used by the UN Secretary-General for the purposes of investigations of the reports of use of chemical and biological weapons. As a Member State of the European Union, Finland is also committed to the EU BTWC Action Plan which supports increasing the effectiveness of the current UN Secretary General’s mechanism.

F. Other

164. Based on the 2003 Finnish Strategy to Secure Vital Functions of Society and the 2004 Government Report on Finnish Security and Defence Policy, a Centre for Biothreat Preparedness was established in May 2005 in Helsinki. The Centre, which employs seven experts, is a centre of excellence for Finnish scientific and laboratory know-how on biological defence, as well as on biothreat assessment and preparedness. The Centre is composed of two Units; the Biological Defence Unit of the Finnish Defence Forces, and the Biological Threat Unit of the National Institute for Health and Welfare, where scientific work is carried out in a special biological safety laboratory (BSL-3). The Centre actively seeks domestic and international collaboration.

165. The Deployable CBRN laboratory of the Finnish Defence Forces, developed for the EU Battle Groups, is equipped with a deployable, diagnostic biological and chemical laboratory. The development of the laboratory was led by Army Staff in cooperation with the Defence Forces Technical Research Centre and the Centre for Biothreat Preparedness, together with the Centre for Military Medicine. The Centre for Biothreat Preparedness has established the biosafety and microbial identification requirements for the laboratory. Deployable CBRN laboratory will be designated in the NRF Reserve Forces Pool for the year 2012.

France

A. Article I

166. Since it ratified the Convention, France has not produced, developed, stockpiled, acquired or retained agents or toxins for any purposes other than prophylactic, therapeutic or peaceful purposes.

B. Article II

167. As France has not retained biological weapons as defined in article I since it ratified the Convention, this article is not applicable.

C. Article III

168. As a member State of the European Union, France applies Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.

169. In addition, the legislative and regulatory machinery was strengthened in 2010 in order to control the production, manufacture, transport, import, export, retention, supply, transfer, acquisition and use of micro-organisms and toxins. This legislative machinery is defined in the Public Health Code (Book I, Title III, Chapter IX) and reflects the obligations set out in Security Council resolution 1540 (2004); a description of it can be found in the database of the 1540 Committee.

D. Article IV

170. The obligations set out in article IV have been incorporated into French law, and any violation of them is punishable by criminal sanctions. The Defence Code prohibits the

development, production, retention, stockpiling, transport, acquisition, transfer, import, export, sale and brokering of microbial and other biological agents and toxins, regardless of their origin and method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes (Defence Code, Book III, Title IV, chapter I, on banned weapons, arts. L 2341-1 to L 2341-7).

171. The French legislation applicable to violations of the Biological Weapons Convention was strengthened in 2010, with the adoption of a new law to combat the proliferation of weapons of mass destruction and their means of delivery.

E. Article V

172. France supports the consultation and cooperation arrangements set out in article V of the Convention. In terms of practical support for the transparency and cooperation sought by the article, France submits its confidence-building measures to the United Nations Office for Disarmament Affairs every year. France also played an active role in the expert meetings and meetings of State parties held between 2006 and 2011.

F. Article VI

173. France supports the mechanism provided for in Security Council resolution 620 (1988), which encourages the Secretary-General to investigate allegations of the use of chemical and biological weapons. These provisions, together with the European Union action plan on biological weapons, will help the Secretary-General of the United Nations to mobilize experts and laboratories quickly and efficiently when an inquiry is launched into such allegations.

174. France has notified the Secretary-General of its single national focal point for cases where the mechanism to investigate alleged use is activated. The establishment of a single focal point is intended to ensure that French expertise can be suitably and quickly mobilized.

G. Article VIII

175. France has withdrawn its reservations to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, of which it is the depositary, and encourages all States parties to do likewise, in accordance with General Assembly resolution 59/70 of 17 December 2004.

Georgia

A. General remarks

176. Georgia has accepted all relevant arms control obligations of the former Soviet Union included those under the Biological Weapons Convention –signed on 10 April 1972. The Parliament of Georgia ratified the Convention on March 6, 1996, and has extensive measures in place to ensure that all activities on its territory are treaty-compliant and that prohibited activities are deterred and detected and perpetrators are punished.

B. Mandated activities

177. At the Sixth Review Conference in 2006, States Parties agreed to undertake a number of specific actions to strengthen the implementation of the Convention, including the establishing of contact points; submitting Confidence-Building Measures; detailing assistance provisions; and reporting information (on issues such as National measures to prohibit and prevent the development, production, stockpiling, transfer, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in the Convention; National biosafety and biosecurity measures; and National implementation of Article X).

178. The Georgian Ministry of Foreign Affairs and the Ministry of Health, Labor and Social Affairs (MoHLSA) are the responsible national authorities for coordinating the national implementation of the Convention in Georgia. A National Contact Point from MoHLSA was nominated for communicating with other States Parties and relevant international organizations and for preparing the Confidence-Building Measures reports. Since it ratified the treaty, Georgia submitted eleven CBM Returns (on 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, and 2011, respectively).

National measures to prohibit and prevent the development, production, stockpiling, transfer, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in the Convention

179. Georgia has a legislative framework in place to ensure the prohibitions and preventions as required by the Convention, implements an export control system, and institutes measures to ensure security and oversight of pathogens and toxins and to enhance the preventive and response capabilities for natural or deliberate epidemics in cooperation with international mechanisms. In addition, the basic tenets and understandings reached in the BWC intersessional process are implemented by Georgia through:

(a) Legislation and regulations;

(b) Biosafety and biosecurity;

(c) Oversight of life sciences research;

(d) Education and awareness of dual use issues and biological risk

(e) Disease surveillance, containment, and response.

180. Georgia has been actively involved in the 2007-2010 BWC intersessional process (conducting joint presentations with the U.S. and UK at the Meeting of Experts in 2009 and a joint presentation with the U.S. on "Southern Caucasus Partnerships in Countering Biological Threats" in 2010). On the sides of the 2010 BWC Meeting of Experts, Georgia also presented at the First European Union Joint Action Workshop, on "Practicalities for BWC Implementation and Confidence Building Measures Reporting", since technical assistance and exchanges of experience gained from preparing the annual CBM reports can increase compliance with voluntary reporting and strengthen the BWC through increased transparency and openness.

References available for download on the ISU website

181. References available for download on the ISU website:

(a) Southern Caucasus Collaboration and Partnership in Countering Biological Threats - National Paper submitted by Georgia and the United States:

http://www.unog.ch/80256EDD006B8954/(httpAssets)/3384FE9CC96BB4EFC1257774002F473C/$file/Georgia-US_Paper_for_2010_BWC_MX-07082010.pdf

(b) Southern Caucasus Collaboration and Partnership in Countering Biological Threats Joint Presentation by Georgia and the United States:

http://www.unog.ch/80256EDD006B8954/(httpAssets)/932F6DB05822DFDBC125778B0046DE8C/$file/4_Georgia_US_BWC_Briefing.pdf

(c) Global and Regional Disease Surveillance Networks' Convergence at the National Level Joint Presentation by Georgia and the United States:

http://www.unog.ch/80256EDD006B8954/(httpAssets)/BF08514482C3C8BFC1257624005288CC/$file/BWC_MSP_2009_MX-Statement-090826-AM-Georgia-US.pdf

(4) Building Capability for Improving Agricultural Plant Health across Georgia through UK Assistance and Cooperation- Joint Presentation by Georgia and the United Kingdom:

http://www.unog.ch/80256EDD006B8954/(httpAssets)/084CF27DA25D74C9C125762400531FAE/$file/BWC_MSP_2009_MX-Statement-090826-PM-Georgia-UK.pdf

C. Article I

182. In accordance with the Article I of the Convention, Georgia has never developed, produced, stockpiled or otherwise acquired or retained:

(a) Microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;

(b) Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

D. Article II

183. As such, Article II of the Convention does not apply to Georgia, as it possesses none of the agents, toxins, weapons, equipment or means of delivery specified in Article I.

E. Article III

184. Georgia fully subscribes to Article III of the Convention, and consequently it has never transferred to any recipient whatsoever, directly or indirectly, nor in any way assisted, encouraged or induced 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.

185. Of note, in January 2011, Ministry of Internal Affairs (MIA) Border Police of Georgia participated in the OSCE workshop "to identify the proper role of the OSCE in Facilitation of UN Security Council Resolution 1540" (see: http://www.osce.org/fsc/75187) where it highlighted the following activities in support of border security:

(a) On 11 March 2000 a Memorandum of Understanding was signed between the State Department of State Border Defence of Georgia and OSCE Mission in Georgia. Since that time till 2004 OSCE was monitoring Georgian-Russion state border, namely at the directions of Dagestani, Chechnia, Ingushetia and North Osetia. According to the main provisions of Memorandum of Understanding parties cooperated in surveillience area, State Border Defence Department performed its responsibilities of ensuring security of Mission members, their deployment places and their flights. Cooperation in border defence and

security issues between OSCE and Border Agency of Georgia was continued, on 13 June 2005 a Protocol of Cooperation was signed between OSCE Mission in Georgia and Ministry of Interior of Georgia. According to the Protocol cooperation areas and main activities were defined, i.e. training of personal within the frame of Georgian Border Guards training program, ensuring security of Mission members, buildings, equipment and their flights safety.

(b) On 19 April 2007 the Border Police of Georgia officially called for OSCE Mission in Georgia to further support in development of Border Management system, in this regard, a Memorandum of Understanding on "Transitional Institutional Support Program" was signed between OSCE Mission in Georgia and MIA Border Police of Georgia was signed on 01 May 2008. The program was elaborated in accordance with the main principles of Integrated Border Management Strategy of Georgia and considered the development of State Border Management system in following three directions: i) development of intra-agency capabilities, ii) interagency coordination and iii) transborder cooperation with neighbouring countries. The primary goal of the program was the facilitation of cooperation between the border defence agencies by sharing experience and exchange of information and confidence building focusing on interagency coordination and international cooperation.

186. Of potential interest to other countries, the Georgian legislation stipulates the possibility of involvement of population in the border protection policy, their encouragement and enjoyment of privileges. In particular, article 32.4 of the Law on State Border of Georgia reads as follows: "the residents in the contiguous villages of the state border of Georgia as border defenders enjoy the privileges". At the same time according to article 7 of the Law on Border Police of Georgia "in order to discharge its duties, the Border Police shall cooperate with the State and local government authorities, public organizations, legal and natural persons pursuant to the rule established by the legislation of Georgia", and "the citizens of Georgia shall have the right to be engaged in a state border defence affairs on the voluntary basis and provide assistance to the Border Police in fulfilling its functions and tasks". The Border Police of Georgia actively cooperates with the local population in the border protection sphere, especially directed at revealing and prevention activities of state border violators and illegal migrants. It should be noted that because two thirds of the state border of Georgia is mountainous, 95 % of the border guards are locals. It should be also mentioned that in the border protection activities also involve the family members, relatives and friends of the border guards. With the support of local population there were revealed and prevented 11 facts of violation of the state border of the country in 2009-2010.

187. Of note, the statement of the Ministry of Internal Affairs (MIA) Border Police of Georgia at the OSCE workshop "to identify the proper role of the OSCE in Facilitation of UN Security Council Resolution 1540 noted that: "In order to implement the resolution 1540 (2004) adopted by UN Security Council at its 4956th meeting we consider that it is expedient to continue cooperation in the border protection sphere taking into account the fact that representatives of Georgian legitimate authorities can not control the occupied territories of Abkhazia and Tskhinvali Region (former South Ossetian autonomous region). Thus, international organizations are unable to control and therefore have no detailed information, in accordance with UN resolution, concerning proliferation of nuclear, biological, chemical and all types of weapons of mass destruction to ensure taking of appropriate steps".

Other relevant initiatives under Article III of the Convention

188. Other relevant initiatives under Article III of the Convention:

(a) The agreement between the State Border Guard Department of Georgia and the US Department of Defense on the "Preventing the proliferation of weapons of mass destruction: to assist in export control system for Georgia" – signed on January 26 and 30 in 1998 in Tbilisi and in Washington.

(b) The agreement "To avoid the development of biological weapons related to the cooperation in the field of technologies, pathologies and proliferation of information" between the Ministry of Defence of Georgia and the US Department of Defense - ratified on May 7, 2003;

(c) "Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade" – ratified on December 1, 2006.

Relevant legislative acts and regulations

189. Relevant legislative acts and regulations:

(a) The 1998 Law of Georgia "On State Border of Georgia";

(b) The 1998 Law "On Nuclear and Radiation Safety" – 30 October, 1998;

(c) Georgian Criminal Code - entered into force on 22 July 1999; (Article 237 - Weapons, ammunition, explosive substances or explosive devices for the purpose of unlawful acquisition or extortion; Article 288 - Violation of environmental dangerous substance or wastes treatment rules; Article 323 - Terrorist act; Article 324 - Technological terrorism; Article – 406 – Production, purchase or realization weapons of mass destruction,);

(d) "National Security Concept of Georgia" approved by Parliament of Georgia

(e) "Integrated Border Management Strategy of Georgia" approved by N 59 Decree of President of Georgia on 04 February, 2008

F. Article IV

190. In accordance with the Article IV of the Convention, the Georgian legislation prohibits individuals and legal entities from engaging in activities in violation of article I of the BWC.

G. Article V

191. In accordance with the Article V of the Convention, Georgia continuously engages in consultations and cooperation with other States Parties in addressing any issues related to the implementation of the provisions of the Convention.

192. In 2010 and 2011, Georgia hosted two international workshops which successfully focused on linking international RESPONSE to a bioterrorism incident, stemming from the convergence of criminal and terrorist networks, with PREVENTION via non-proliferation mechanisms such as:

(a) The Biological Weapons Convention (BWC) – by emphasizing the effective prohibition of the development, production, acquisition, transfer, retention, stockpiling and use of biological and toxin weapons and highlighting the treaty as a key element in the international community's efforts to address the proliferation of WMD;

(b) UN Security Council Resolution 1540 (UNSCR 1540) – by emphasizing the requirement that all UN Member States refrain from providing support to non-state actors that attempt to develop, acquire, manufacture, possess, transport or use nuclear, chemical or biological weapons and their means of delivery, and the obligation of Member States to establish and to enforce domestic controls to secure WMD-related materials and prevent their proliferation; and

(c) NATO's Comprehensive, Strategic-Level Policy for Preventing the Proliferation of WMDs and Defending against CBRN Threats – by emphasizing its focus on prevention and strengthening international non-proliferation mechanisms and increased information exchange, engagement, cooperation, and joint training with Partner nations, international and regional organizations, and civilian entities.

193. These workshops were as follows:

(a) The Southern Caucasus Workshop on Public Health, Security, and Law Enforcement Partnership in Bio-Incident Pre-Planning and Response and the associated Southern Caucasus BioShield 2010 Tabletop Exercise were held in Tbilisi, Georgia, 11-12 May 2010.

(i) These events were a joint effort of the US Department of Defense (DOD), Defense Threat Reduction Agency (DTRA); US Department of Health and Human Services, Office of the Assistant Secretary for Preparedness and Response (HHS/ASPR); and Georgia's Ministry of Labor, Health and Social Affairs (MoLHSA), National Center for Disease Control and Public Health (NCDC).

(ii) About 80 participants were in attendance, from inter-governmental organizations (WHO, INTERPOL, NATO), US Government [DOD, HHS (ASPR and CDC), Department of Energy (Sandia National Laboratories), Department of State (US Embassy in Georgia and the Bureau of Verification, Compliance, and Implementation), and Department of Justice (FBI)], and from public health, security, or law enforcement organizations from Georgia, Azerbaijan, Armenia, Kazakhstan, Moldova, and Romania. Non-governmental organizations such as VERTIC (Verification Research, Training and Information Centre), Bechtel, and Global Green USA were also represented at the workshop.

(ii) The workshop and tabletop exercise aimed to:

(1) Foster improved understanding of the respective procedures and requirements of public health, security, and law enforcement communities in response to a biological incident, and enhance their joint effectiveness in pre-planning and response at the national and regional/international level;

(2) Enhance understanding of intergovernmental organizations' role and their interaction in the process of sharing information and coordinating the international response;

(3) Emphasize the concept that information exchange in the early stages of a biological incident is critical to effectively containing the outbreak/mitigating the consequences of a biological incident and to apprehending the potential perpetrators;

(4) Review existing legal and regulatory infrastructure of national measures consistent with the obligations under the Biological Weapons Convention (BWC), UN Security Council Resolution 1540 (UNSCR 1540), and WHO International Health Regulations (IHRs) to deter, prevent, or respond to biological incidents or threats. Information about the workshop, lessons learned, and follow-up actions could be found at:

http://www.phe.gov/Preparedness/international/Pages/southerncaucasus.aspx

(b) The workshop on "Countering Biological Threats: National Implementation of the Biological Weapons Convention and Multinational Outbreak Response and Bioterrorism Investigation Demonstration" was held in Tbilisi, Georgia, 17-19 May 2011.

(i) The workshop was organized by the US Department of Defense (US European Command, Armed Forces Health Surveillance Center, Center for Disaster and Humanitarian Assistance Medicine, and the Defense Threat Reduction Agency) and the US Department of Health and Human Services, Office of the Assistant Secretary for Preparedness and Response (ASPR) with the support of the National Center for Disease Control and Public Health of Georgia (NCDC), the Georgia Central Public Health Reference Laboratory (CPHRL), and the Ministry of Internal Affairs of Georgia. It included awareness training, a tabletop exercise designed to review the technical guidelines and procedures associated with the "United Nations Secretary General's Mechanism on Investigation of Alleged Use of Biological and Chemical Weapons" (UNSGM), and a practical demonstration of consequence management capabilities of Georgia's Ministry of Internal Affairs CBRN Rapid Response Team.

(ii) Of note, the tabletop exercise was a first of its kind at the international level for awareness raising and review of the UNSGM Technical Guidelines and Procedures including their updated appendices for timely and efficient investigations of reports on the possible use of chemical and biological weapons. The tabletop exercise was facilitated by two representatives of the UN Office for Disarmament Affairs (UNODA), Dr. Gabriele Kraatz-Wadsack, Chief, Weapons of Mass Destruction Branch, and Mr. Franz Kolar, Political Affairs Officer.

(iii) Workshop participants were offered guided tours of the Georgia Central Public Health Reference Laboratory (CPHRL) whose mission is to promote public and animal health through infectious disease detection, epidemiological surveillance, and research for the benefit of Georgia, the Caucasus region, and the global community (see: http://cphrl.org/en/index.html).

(iii) The workshop aimed to:

(1) promote interagency (in particular public health-law enforcement but also civilian-military) cooperation, coordination and synchronization for preparing, detecting, and responding to infectious disease outbreaks, whether natural, accidental, or deliberate in nature;

(2) establish regional partnerships to enhance training and disease surveillance and containment initiatives; and

(3) strengthen the core capacities required by the WHO International Health Regulations (IHRs) and existing national measures consistent with the obligations under the Biological Weapons Convention (BWC) and the UN Security Council Resolution 1540 (UNSCR 1540) to deter, prevent, and respond to biological incidents or threats. Information about the workshop, lessons learned, and follow-up actions could be found at:

http://www.phe.gov/Preparedness/international/Pages/counteringthreats.aspx

H. Article VI

194. Georgia has not invoked the provisions of Article VI, nor has any other BWC State party invoked its provisions against Georgia.

I. Article VII

195. Georgia has not received any requests for assistance under Article VII, and has not requested assistance under this article.

J. Article IX

196. On Article IX of the Convention, it should be noted that Georgia ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) in accordance with the resolution of the Georgian Parliament of Georgia on March 9, 1995. Georgia affirms its commitment to the effective implementation of the CWC

K. National biosafety and biosecurity measures

197. In order to be comprehensive and ensure an effective implementation, a national legislative system on biosafety and biosecurity has to be considered in the context of other pertinent legislation and extant measures, and should have "buy-in" from all relevant stakeholders. In Georgia, such stakeholders include the Ministry of Labor, Health and Social Affairs (MOHLSA); the National Security Council; the Ministry of Internal Affairs; and the Ministry Regional Development and Infrastructure.

198. Ensuring biosafety and biosecurity in Georgia is one of the main responsibilities of the National Center for Disease Control and Public Health (NCDC), which comprises a network of 11 regional and 66 district (rayon) Centers for Public Health and also houses the Georgian national collection of especially dangerous pathogens. NCDC was built on the foundation of the Georgian Station for Plague Control in 1996 and its statute was approved by the President of Georgia by Presidential Decree 55 on 21 February 2003. NCDC now employs 440 personnel (60% are specialists with graduate-level education).

199. The designation of NCDC as the National Focal Point for the WHO IHRs provided a strong renewal of commitment to advance the legislative framework for biosafety and biosecurity in Georgia in the context of the national efforts to meet the core capacity requirements of the IHR. Moreover, experts from Georgia are very active in collaborating with the WHO and other organizations and partners in technical consultations related to the IHR. For instance, Georgian experts participated in the technical consultation on checklist and indicators for monitoring progress in the implementation of IHR core capacities in Member States organized by WHO in Lyon, France, 4-6 August 2009.

200. The strategic vision for an effective and comprehensive framework for biological risk management in Georgia (comprising biosafety and biosecurity) involves a set of regulations on biosecurity (based on the U.S. Select Agents Rule and similarly covering facilities and personnel registration, security risk assessments, emergency response, record keeping, inspections, duties of Responsible Official, training, notifications for theft, loss or release, etc); biosafety norms (consistent with the "Biosafety in Microbiological and Biomedical Laboratories" guidance published by the U.S. Centers for Disease Control and Prevention [CDC] and the WHO "Laboratory Biosafety Manual"); regulations for import, export, containment, transfer, and handling of biological agents and toxins; and guidelines for safe transportation of infectious substances and diagnostic materials.

201. To that end, and in accordance with the Georgian National Center for Disease Control and Public Health (NCDC) statute which specifies "participation in preparing normative and methodological documentation under its competencies," experts from the NCDC Department of Biosafety and Threat Reduction and other institutions of MOHLSA

have prepared a draft model law with the components mentioned above, in consultation with personnel from the U.S. Department of Health and Human Services (HHS), U.S. Department of Defense (DoD), and U.S. Department of State. However, this effort could only partly be completed since other pertinent legislative efforts should be pursued in parallel (for instance those regarding the criminal code and also the administrative code of Georgia, which will contribute to deterrence by increasing the penalties for misuse, theft, and diversion of biological agents). A close collaboration among the public health, law enforcement, the judicial branch and other stakeholders is necessary to ensure that the biological risk management framework is viewed holistically in the context of the national legislative system.

202. The recently revised legislation on public health (adopted on 27 June 2007) currently specifies in its Chapter V, "Providing Biosecurity/ Biosafety," the relevant measures, authorities and responsibilities in these areas, as follows:

(a) Cl.16 – Providing Biosecurity/Biosafety;

(b) Limitation of Posession, Use, Transfer, Transportation and Destruction of Causative Agents of Especially Dangerous Infections;

(c) Destruction of Causative Agents of Especially Dangerous Infections;

(d) Import and Export of Causative Agents of Especially Dangerous Infections;

(e) Institutions Responsibilities on Biosafety/Biosecurity;

(f) Establishing a Unique Laboratory System for Detection, Surveillance and Response to Causative Agents of Especially Dangerous Infections.

203. In addition to drafting and implementing pertinent legislation, Georgia is collaborating with the United States on enhancing its biosafety and biosecurity by training its workforce and improving its biological infrastructure. The Defense Threat Reduction Agency (DTRA) is implementing the Cooperative Biological Engagement Program (CBEP) in Georgia aimed at reducing the biological risk by securing/consolidating pathogens, training scientists in biosafety and biosecurity techniques, and regulatory reform; establishing a sustainable detection, response, and communication network to monitor biological outbreaks; and undertaking cooperative biological research projects to understand disease baseline, increase transparency, encourage higher ethics, standards, and strengthen the integration of scientists into the international community.

L. National measures to enhance the preventive and response capabilities for natural or deliberate epidemics in cooperation with international mechanisms

204. A critical challenge in Georgia is to ensure the quality and effectiveness of disease surveillance and associated public health response. Georgia recognizes that a qualitative surveillance system should be sensitive (detect intended health events), specific (low false positive/negative reporting), representative, timely, simple (easy to understand and implement), flexible (customizable), and acceptable.

205. Internationally notifiable diseases, such as plague, cholera, yellow fever, poliomyelitis, viral hemorrhagic fevers, tularemia, anthrax, rabies, SARS, smallpox, tick-borne encephalitis, and influenza caused by a new virus subtype, must be reported via the public health communication channels immediately. Urgent notification must also be done for groups of cases of any infectious disease, excluding acute respiratory infections and influenza.

206. Annual review and updating of the list of notifiable and reportable diseases (based on the current epidemiological situation) is done by The National Center for Disease Control and Public Health (NCDC) of Georgia. The main responsibilities of NCDC include conducting surveillance on communicable and non-communicable diseases; disease control and prevention; health promotion activities; collection and processing of medical statistical data; and biomedical research. In addition, NCDC houses the Georgian national collection of especially dangerous pathogens. The NCDC network comprises 11 regional Public Health Centers (CPH) and 66 district (rayon) CPH.

207. The NCDC and CPHs are using the GEOEPID software to process the disease surveillance-related data and identify short-term and long-term trends in communicable disease morbidity and mortality, characterize and compare the epidemiological situation per region and per country, analyze distribution of cases by age groups, assess lab results confirmation, and most importantly, assess the impact of preventive and response actions to improve the disease surveillance system as a whole.

208. Georgia participates in European (24 EU Member States and Turkey) surveillance networks such as the Diphteria Surveillance Network (DIPNET), the associated European Sero-Epidemiological Network (ESEN), and the European Influenza Surveillance Scheme (EISS).

209, In addition, a number of WHO accredited laboratories exist in Georgia and participate in global, WHO-coordinated infectious disease surveillance networks, such as:

(a) FluNet

(b) Global Polio Laboratory Network

(c) Global Salm-Surv surveillance network for foodborne diseases

(d) Global Rotavirus Laboratory Network

210. The laboratory network for infectious disease surveillance in Georgia is a critical component of the health care systems which have been undergoing a major reform since 2002. The World Health Organization's International Health Regulations (IHRs) also provided an additional impetus to strengthen and improve the Georgian national public health capacity for disease prevention, surveillance, risk assessment, control and response systems. The consistent policies, operating procedures and the operational and technical capacity required by the IHRs would help ensure early warning and efficient international management of a biological incident, whether naturally occurring or deliberate in nature.

211. In this context, the common understandings reached at the 2008 BWC Meeting of State Parties are highly relevant in that Georgia is an active party in developing and implementing national measures to improve biosafety and biosecurity, including lab safety and security of pathogens and toxins. The report of the 2008 BWC Meeting of State Parties states that: "recognizing that biosafety and biosecurity measures contribute to preventing the development, acquisition or use of BTW & are appropriate means of implementing the BWC, States Parties agreed on the value of…international cooperation on biosafety and biosecurity at the bilateral, regional and international levels" and also that "pursuing biosafety and biosecurity measures could also contribute to the fulfillment of [State Parties] other respective international obligations and agreements, such as the revised IHRs of the WHO, and relevant codes of OIE…"UNSCR 1540 (2004) that places obligations on all states and is consistent with the provisions of the Convention."

212. The emergence of new infectious diseases and the risk of bioterrorism constitute a challenge for the public health system. A rapid and effective response to potential outbreaks relies on a qualitative global surveillance system and international collaboration. By contrast, inadequate surveillance and response by one country poses a potential risk to the

region and international community. Based on the principle that "a threat for one is a threat for all" when it comes to infectious diseases caused by EDPs, Georgia is a proponent of efficient integration and coordination of disease surveillance networks through international collaborations.

213. To that effect, the Georgia Central Public Health Laboratory, envisioned to become fully active in 2012 (http://cphrl.org/en/index.html) will strengthen such international partnerships. The CPHRL is a state-of-the art facility that will work in close coordination with ongoing disease surveillance activities under the Ministry of Health and the Ministry of Agriculture to enable Georgia and the surrounding region to better anticipate and respond to human and animal diseases of regional significance, such as influenza (H5N1 and H1N1), African Swine Fever, Crimean Congo Hemorrhagic Fever, and other diseases which have potentially significant consequences for human and animal health.

214. The CPHRL will promote public and animal health through infectious disease detection, epidemiological surveillance, and research for the benefit of Georgia, the Caucasus region, and the global community.

Germany

A. General remarks

215. The Preparatory Committee decided to request the Implementation Support Unit to prepare eight background information documents, including a background information document on compliance by States Parties with all their obligations under the Convention, to be compiled from information submitted by States Parties. With regard to this request Germany provides the following information about its compliance with BTWC obligations. Germany understands this report as unilateral statement on how national implementation measures comply with the obligations under the Convention, but not as a replacement of matters that need to be established in a general compliance monitoring/control system.

216. The report follows the structure of the Convention, but provides also information on other issues identified in the intersessional process as being relevant for the national implementation of the BTWC.

B. Article I

217. Germany ratified the Biological Weapons Convention with the Biological Weapons Implementation Act of 21 February 1983. At that time, German legislation fulfilling the obligations under Article I of the Convention prohibiting biological weapons activities was already in place since 1955. In the context of acceding to the Western European Union, Germany signed in 1954 Protocol no. III on the Control of Armaments. The Protocol prohibits, *inter alia*, the production of biological weapons by Germany. The obligation under the Protocol was implemented with the Act Regarding the Accession of the Federal Republic of Germany to the Brussels Treaty and the North Atlantic Treaty of 24 March 1955. Additional BW related prohibitions were implemented by the War Weapons Control Act of 20 January 1961. The Act prohibits activities named in Article I of the BTWC and penalizes any breach of the prohibitions. It contains also a clause on extraterritorial application. A War Weapons List is annexed to the Act listing, *inter alia*, human, animal and plant pathogens and toxins as well as genetic sequences related to listed agents, which are considered having biological weapons potential.

C. Article II

218. With regard to Article II, the Federal Republic of Germany declared with its submission of the Confidence Building Measures declaration 1991 that it never has had an offensive biological weapons research and developed programme or possessed biological weapons.

D. Articles III and IV

219. Legislation on prohibiting and preventing the proliferation of biological weapons and on materials that can be misused for weapons purposes related to the obligations under Articles III and IV of the Convention is in Germany in place since 1961. The Foreign Trade and Payments Act of 28 April 1961 and the Foreign Trade and Payments Regulation of 18 December 1986 provide the legal foundation for export control of biological dual-use materials. Important elements in German export control legislation include, *inter alia,* export licensing, end-user certificate, list of dual-use materials, catch all-clause, intangible transfers, transit control, brokerage, administrative and criminal penalization of breaches of law, extraterritorial applicability, etc. German export control legislation is in line with EU Regulation (EC) 428/2009 of 05 May 2009 and the list of goods provided in this Regulation.

220. With regard to the prevention part of Article IV, States Parties developed in the intersessional process common understanding and called upon States Parties at the Sixth Review Conference to apply legislative, administrative, judicial and other measures, including penal legislation designed to actions taken anywhere by natural or legal persons and to ensure the safety and security of microbial or other biological agents or toxins in laboratories, facilities, and during transportation, to prevent unauthorized access to and removal of such agents or toxins. This call is understood preventing non-state actors from achieving access to dangerous biological materials for weapon purposes. Taking into account the recommendation of the Sixth Review Conference, Germany started a comprehensive review of all relevant laws, regulations, guidelines and technical rules in the fields of public, occupational, animal and plant health, genetic engineering, handling and transport of dangerous goods, war weapons control, security vetting of personal, penal code, etc. for assessing and identifying whether existing German legislation and procedures cover all measures discussed under prevention auspices in the intersessional process. The assessment was done by using a matrix developed on the basis of measures addressed as biorisk management measures in the CEN Workshop Agreement CWA 15793 Laboratory Biorisk Management Standard (February 2008). The result of the review process is available on the ISU website. Using the catalogue of measures from CWA 15793 proved to be a useful approach for assessing German legislation and procedures, irrespective that Germany disagrees with the overall concept of the CEN Workshop Agreement. German laboratories and other bio-facilities are regularly controlled by public health, veterinary and other relevant state agencies. Laws and regulations contain penal and administrative enforcement clauses.

221. In the wider context of prevention, German activities of raising awareness in academia, industry, and professional organisations regarding the risks of possible misuse of agents as well as S+T developments in life sciences resulted in adoption of codes of conducts and similar documents by research and industry organizations like Deutsche Forschungsgemeinschaft, Max-Planck-Gesellschaft, International Association Synthetic Biology and BIO Deutschland. However, exertion of influence on academic education is limited due to autonomous decision making by universities on curricula.

E. Article V

222. In 1986 and 1991, under Article V States Parties agreed on Confidence Building Measures (CBMs). Germany belongs to the States Parties that submitted CBM declarations to UNODA every year from the beginning. Starting in 2007, Germany made its CBM declarations public available without any restrictions.

F. Article VI

223. With regard to Article VI and in the absence of a detailed mechanism in the Convention for investigating alleged use of biological weapons, Germany supports the UN Secretary-General's investigation mechanism set out in document A/44/561 and endorsed by the General Assembly in its resolution 45/57 by regularly nominating experts and laboratories to UNODA. Updates of laboratories and experts named by Germany were provided to UNODA in 2008 and 2011.

G. Article VII

224. The provisions described in Article VII of the Convention were not invoked so far. As a preventative measure Germany will make available two million doses of smallpox vaccine to World Health Organization (WHO). The vaccine is stored in Germany together with national stocks and will be handed over to WHO when requested. Regarding own preparedness in case of alleged use of BW on German territory legislation exists that in case of emergency allows import of drugs and vaccines that are not licensed in Germany.

H. Articles VIII and IX

225. Germany is a State Party to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925 and the Chemical Weapons Convention and fully recognizes the obligations under the Geneva Protocol and the objective of effective prohibition of chemical weapons as requested in Articles VIII and IX of the Convention.

I. Article XIV

226. Article XIV describes the procedure States have to follow for ratifying or acceding to the Convention for achieving universality. In 2006, Germany started a process of annual demarches, alone and/or together with other States Parties, to States in Africa and Asia. Meanwhile, some of the States on the German agenda joined the BTWC. Demarches to the remaining four States on Germany's agenda will continue on an annual basis. ISU is informed on the activities.

J. Compliance monitoring

227. As already stated above, Germany believes that compliance with the Convention requires more than the unilateral description of measures taken nationally for implementing BTWC obligations. For this reason, Germany has taken steps that may assist other States Parties in monitoring national German activities relevant to the implementation of the BTWC. Steps increasing transparency include making German annual CBM declarations public available but also the activities in the two following sections.

228. Germany provides regular updates of laws, regulations, guidelines and technical rules relevant for full implementation of the obligations under the Convention to the ISU. All documents are posted on the open accessible part of the ISU website under National Implementation Database and linked to source documents presenting recent versions of German legislation.

229. With regard to military biodefence research and development activities which are seen by some as a critical part of activities in life sciences, Germany refers to the annual declaration of such activities under the CBMs, and here especially to the bi-annually organized Biodefence Conference of the Institute of Microbiology of the German Federal Armed Forces. The conference cycle started in 1995. The next conference will be held from 25 to 28 October 2011 in Munich, Germany. All conferences were announced to States Parties with CBM Form D open for participants from all States Parties. Today, military and civil scientists coming from more than thirty States usually participate in the conference.

Greece

230. Greece provides every year the Annual Declaration form according to the Conference (Provision of Article V and X) and shares data, via the HCDC, on outbreaks and outbreak control measures with WHO, ECDC and neighbouring countries.

India

231. Para 24 (b) of the Report (BWC/CONF.VII/PC/2) of the Preparatory Committee of "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" decided to request the Implementation Support Unit to prepare "a background information document on compliance by States Parties with all their obligations under the Convention, to be compiled from information submitted by States Parties".

232. The following information is submitted by India in this context:

(a) India attaches high importance to the BTWC as the first non-discriminatory disarmament treaty banning a complete category of weapons of mass destruction. India signed the Convention in 1973 and ratified it in 1974. India is in compliance with all its obligations under the Convention. India is committed to improving the effectiveness and strengthening the implementation of the BTWC and supports efforts for its universalization.

(b) India has a broad-based regulatory framework to prevent the misuse of biological sciences and technology. The over-arching legislation "Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act of 2005" builds on the existing regulatory framework to prohibit unlawful activities in relation to weapons of mass destruction and their means of delivery. The Act defines biological weapons in the same manner as the BTWC and prohibits unlawful manufacture, acquisition, possession, storage, handling, development, transfer or transport of biological weapons or their means of delivery.

(c) India is committed to maintaining effective national export controls matching the highest international standards. The export of about 150 micro-organisms and toxins is controlled under India's export control regulations. The list of these organisms and toxins is contained in Special Chemicals, Organisms, Materials, Equipment and Technologies (SCOMET) List under the Foreign Trade (Development and Regulation) Act of 1992 (amended in 2010).

(d) India has put in place comprehensive systems for disease surveillance matching international standards and has formulated national guidelines on biological disasters covering management of epidemics and pandemics and bioterrorism, including agro-terrorism.

(e) India attaches importance to full and effective implementation of Article X of the Convention. The BTWC State Parties must facilitate the fullest possible exchange of equipment, materials and technology related to the use of biological agents and toxins for peaceful purposes consistent with their obligations under the Convention. India is both a provider and recipient of assistance in the fields of biological sciences and technology.

(f) India believes that a multilaterally agreed mechanism for verification of compliance can provide the assurance that all States Parties to the BTWC are in compliance with their obligations under the Convention. CBMs are an important measure to enhance trust and confidence amongst member states. India has submitted its national CBMs and encourages other member states to do so.

Italy

233. In line with the commitments agreed at the Sixth Review Conference in 2006, the Italian Government has consistently operated during the intersessional period to implement the BTWC obligations and the decisions agreed at the 2006 Review Conference.

234. In this respect, the following measures have been carried out:

(a) Italy has regularly submitted its annual Confidence Building Measures (CBMs) declarations.

(b) The Ministry of Health of Italy has actively participated in the implementation of surveillance, identification and diagnosis of infectious diseases within the FAO, the WHO and the OIE. All infectious diseases are notified on the national territory in accordance with the provision established in the Ministerial Decree adopted on 15 December 1990. Information on infectious diseases is circulated by the Ministry of Health through the "National Epidemiological Bullettin", released twice a year through the Ministry's website www.sanita.it.

(c) A National Defence Plan has been prepared by the Ministry of Interior in order to address the challenges posed by possible biological, chemical or radiological terrorist attacks. Specific plans have been also devised by all other Government Agencies in Italy.

(d) The National Centre for Disease Prevention and Control (Centro Nazionale per la Prevenzione ed il Controllo delle Malattie – CCM) is tasked to liaise between the Ministry of Health on the one hand, and regional governments on the other as regards surveillance, prevention and promptly responding to emergencies. It was established by Law 138 dated 26 May 2004 and by the Health Ministry Decree of 1 July 2004, then amended by the Labour, Health and Social Policy Ministry Decree of 18 September 2008, which redefined its structure. CCM is a network of structures which already exist in Italy and operates in coordination with the Italian Institute of Health (ISS), the Institute for the prevention and security of labour (ISPESL), the zoo-profilactic institutes, universities, and other laboratories. CCM supports the national alert and rapid response systems in the event of bioterrorist attack.

(e) The National Committee on Biosecurity, Biotechnology and Life Sciences adopted on 15 June 2010 a Code of Conduct on Biosecurity, aimed at increasing awareness on biosecurity issues among scientists, companies and organisations active in the field.

235. Furthermore, specific efforts within the European Union and other international organisations and arrangements, including the G8, have been carried out in order to promote the universalisation of the Convention.

Iran (Islamic Republic of)

236. The Islamic Republic of Iran has fully implemented the Convention, and draws attention to the following points:

A. Overview

237. The BWC has a pivotal role to play in combating and eradicating the threat of biological weapons and is essential for the maintenance of international and regional peace and security. The Islamic Republic of Iran believes in a total ban on the use of biological weapons, which is explicit and devoid of judgmental interpretations and emphasises the urgent need for the States Parties to remove this deficiency.

238. The Islamic Republic of Iran strongly believes that the BWC should be comprehensively strengthened though resuming negotiations on a legally-binding instrument which includes a verification system to which only a certain State Party is opposed.

239. Iran is of the view that a compliance report should encompass all provisions of the Convention including Article X[1].

B. National laws and regulations on handling and application of biological agents and toxins

240. Following the signature of the Convention by the Government of Iran in 1972 and its subsequent ratification in by the parliament in 1973, the Convention was integrated into the country's legal system. Therefore, violation of the provisions of the Convention is considered illegal and would be accordingly prosecuted and punishable as a criminal offence under the laws currently in force in the Islamic Republic of Iran.

241. In the framework of the principles and purposes of the Convention, a number of laws and regulations are in effect including: Environment Protection and Improvement Act of 1974 and its subsequent amendment in 1992; Islamic penal code of 1996 (Articles 675, 679-80, 686 and 688-9); Regulations on transportation of dangerous substances including chemical, biological, nuclear items and equipment or devices dangerous to the safety of humans and animals of 2002 and the subsequent relevant Directives and administrative procedures of 2005; Government's Directive on production, ownership, acquirement, theft, unlawful transportation, movement, storage and distribution of nuclear, chemical and biological substances of 2003; National Bio-safety Act of 2009.

242. Furthermore, appropriate guidelines for monitoring and conducting research activities on new substances and/or newly emerged infectious agents are continuously developed by the Ministry of Health and Medical Education and implemented with the help of national experts in line with policy guidelines of the World Health Organization.

[1] Note by the ISU: information submitted by States Parties (including the Islamic Republic of Iran) on their compliance with Article X is included in BWC/CONF.VII/INF.8.

Ireland

243. Ireland has only one addition to make to the information provided in its national CBM submission (submitted on 18 April 2011) which is to report that the Biological Weapons Act 2011, which makes further provision in Irish law for the Biological and Toxin Weapons Convention, was signed into law by President Mary McAleese on 10 July 2011. The legislation received all-party support at each of its Oireachtas (parliamentary) stages and was welcomed by all sides as a significant contribution to Ireland's legal framework on weapons of mass destruction.

Japan

A. Article I

244. Since its ratification of the Convention on 8 June 1982, Japan has never developed, produced, stockpiled or otherwise acquired or retained:

(a) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;

(b) weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

B. Article II

245. Since Japan did not possess any of the agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention at the time of its ratification, this article does not apply.

C. Article III

246. Japan complies with the obligations of Article III and, under strict supervision and control, inter alia, the Export Trade Control Ordinance (enacted in 1949), has never transferred to any recipient whatsoever any of the agents, toxins, weapons, equipment or means of delivery specified in Article I.

D. Article IV

247. To implement Article IV of the Convention, Japan enacted in 1982 the Law on the implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. The Law was revised in 2001 when Japan ratified the International Convention for the Suppression of Terrorist Bombings, to add an article regarding the prohibition and penalties against the use of biological weapons and the discharge of biological agents and toxins.

248. Through the amendment in 2006 of the Law concerning the Prevention of Infectious Diseases and Medical Care for Patients with Infections (hereinafter referred to as the Infectious Diseases Control Law), from June 2007 the control systems were established including on-site inspection to the possessor of the specific pathogens by the staff of Ministry of Health, Labour and Welfare and National Police Agency, in addition to

restriction on the possession, transport, delivery and, import of pathogens. Also, from April 2008, the information reported by the designated medical institutions for syndromic surveillance has been collected in order to gain an understanding of outbreaks of unknown infectious respiratory diseases and unknown infectious skin disease.

249. With the amendment of the Law concerning Infectious Diseases in May 2008, the Immigration Control and Refugee Recognition Act (Article V, Paragraph I, Clause I) was also amended to add patients of infectious diseases, such as H1N1 influenza, including Suspected Disease Carriers and Disease Carriers Who Have No Symptoms, to the ground for denial of landing (Date of Enforcement: May 12, 2008).

250. Since 2002, seminars for countering biological weapons have been held every year except 2009 by the Ministry of Defense. From 2006 to 2010, the seminars for countering biological weapons, which mainly focused on the control of H1N1 influenza, were held.

251. With a view to decreasing the risk of outbreak and expansion of infectious animal diseases by the leakage of pathogens, the Law concerning Animal Infectious Disease Control was amended in April 2011 and restrictions were established on the domestic possession and transfer of pathogens according to their danger levels.

252. From 2008 to 2011 the government of Japan undertook eight drills for national protection against biological terrorism (five drills on smallpox and three drills on anthrax). Additionally, in April 2009 the Cabinet Secretariat invited a counter NBC-disaster expert to the new position of senior officer on countermeasures against NBC threats.

253. In August 2011, a symposium entitled "Emerging Risks Posed by the Development of Life Sciences and the Role of Scientists" was held in Tokyo by the Science Council of Japan in cooperation with the Ministry of Foreign Affairs and the Ministry of Defense.

E. Article V

254. Japan has not invoked the provisions of Article V, nor has any other State Party invoked these provisions against Japan. Japan fully supports the Confidence Building Measures developed at previous Review Conferences and has consistently participated in the exchange of information.

F. Article IX

255. Japan ratified the Chemical Weapons Convention in 1995 and is strongly committed to its effective implementation.

Kazakhstan

256. The legislative framework for ensuring biosafety in Kazakhstan comprises a number of laws and regulations. The Export Control Act was adopted on 18 June 1996 to address the main danger in this area: the possibility of materials, equipment or technology that may be used for the production of a weapon of mass destruction falling into the hands of terrorist groups or States. The country has thus established principles and rules regarding the control of exports of weapons, military equipment, raw materials, special-purpose products and technologies, and scientific and technical information; these efforts, in turn, are aimed at upholding the interests of international and national security alike.

257. Kazakhstan has acceded to international legal instruments and inter-State treaties in the field of biosafety and has adopted a number of laws and agreements:

(a) The National Security of the Republic of Kazakhstan Act, of 26 June 1998, among the main elements of which are the provisions on ensuring biosafety;

(b) The Act of 17 January 2008 ratifying the Cartagena Protocol on Biosafety to the Convention on Biological Diversity;

(c) The Government Decision of 16 January 2008 establishing the Commission on Biosafety Issues;

(d) The Agreement on the Procedure for Cooperation in the Sanitary Evaluation of Potentially Dangerous Products Imported into the States Members of the Commonwealth of Independent States (Cholpon-Ata, 16 April 2004), which was ratified by a Government decision of 10 December 2004;

(e) The amendment to the Agreement between the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan and the Department of Defense of the United States of America concerning the Elimination of Infrastructure for Weapons of Mass Destruction, signed pursuant to a Government decision of 10 December 2004;

(f) The Food Quality and Food Safety Act of 8 April 2004.

258. To ensure biosafety and protect the population from potential physical and biological threats, Kazakhstan acted unilaterally to close the Semipalatinsk nuclear test site and the Aral Sea biological weapon test site, dismantle the Stepnogorsk complex and convert scientific research institutes and industrial enterprises producing dual-use products (including the Almaty biocombine and the Agricultural Scientific Research Institute) to other purposes.

259. In 2004, pursuant to a Government decision, the Scientific Research Institute for Biosafety Issues, a branch of the National Centre for Biotechnology under the Science Committee of the Ministry of Education and Science, was given the status of "national strategic facility". This status was conferred on account of the Institute's collection of especially dangerous strains of micro-organisms, its research work with dangerous pathogens, its mobilization reserve stocks and the presence at the Institute of narcotic and toxic substances and their precursors and of classified documents the theft or loss of which could harm national security and human life and health, inflict losses on the country's agro-industrial complex and have incalculable environmental and biological consequences.

260. In the course of its work, the Institute implements all necessary biological and physical protection measures to prevent access to sensitive materials as a result of theft or deliberate release, which could lead to the use of dangerous pathogens as bioweapons. Active steps are being taken to strengthen the physical protection and biosafety of the Institute's facilities. In ensuring biosafety, the Institute is guided by a number of internal documents: the Instructions on organization of work, safety equipment and anti-epidemic measures in laboratories; the Guidelines on biological and public-health safety at the Institute; the Instructions on safeguarding biological and public-health safety in carrying out work with highly pathogenic avian flu; and the Requirements for the safeguarding of biological and public health safety and the provision of supplies and equipment for work with highly pathogenic viruses.

261. The Institute was designated as the country's national depository for especially dangerous infectious pathogens, pursuant to the Government Decision of 30 July 2002 on the national collection of micro-organisms; one of the main elements of the Institute's work is monitoring especially dangerous human and animal infections as a key component of Kazakhstan's biosafety system.

262. In 2008, the Institute successfully completed implementation of programme O.0383, entitled "Scientific and technical support for biological and chemical safety in the Republic

of Kazakhstan in the period 2006–2008". Under the programme, biological hazards were monitored; fundamentally new means of pathogen detection and protection were created; ranking and forecasting of biological risks was conducted; and measures were developed to manage them. To ensure chemical safety, effective means and methods of detecting dangerous chemicals in the environment and in foodstuffs and medicines were developed and introduced, along with a system for preventing chemical risks and dealing with the effects of chemical pollution.

263. A zonal diagnostic laboratory was put into operation at the Institute as part of the joint biological threat reduction programme between Kazakhstan and the United States. Since 2010, the laboratory has been participating in the implementation of scientific and technical programmes in the area of biosafety. Construction of an autonomous BSL-3 laboratory has begun.

264. Paragraph 54 of the Declaration and article VII of the Biological Weapons Convention are being implemented within the framework of the Agreement between the Republic of Kazakhstan and the United States of America concerning Destruction of Intercontinental Ballistic Missile Silos, Post-Accident Clean-Up and Prevention of Nuclear Weapon Proliferation, of 13 December 1993.

265. In 1996, measures for the elimination of weapons of mass destruction infrastructure were incorporated in the Framework Agreement, including steps to increase biosafety. In 2004, a programme to prevent the proliferation of biological weapons was launched under the first-mentioned Agreement. The programme provides for the construction of a modern diagnostic laboratory at the M. Aikimbaev Kazakh Scientific Centre for Quarantinable and Zoonotic Infections of the Ministry of Health and the modernization of existing laboratories. The measures planned under the programme are not only of practical, but also of political significance for Kazakhstan and the United States.

266. In 2009, the Ministry of Health completed construction of two zonal diagnostic laboratories, one at the Kazakh Scientific Centre for Quarantinable and Zoonotic Infections and the other at the Urals Anti-Plague Station. Scientific projects are under way at the laboratories, and training and seminars are being conducted. As part of the programme, a joint initiative on biological projects was developed, the purpose of which is to strengthen and ensure the protection of especially dangerous pathogens, provide support for epidemiological surveillance and lend assistance in modernizing the work of laboratory services in Kazakhstan.

267. On 30 March 2010, a ceremony was held at the Kazakh Scientific Centre for Quarantinable and Zoonotic Infections to mark the start of construction of the Central Reference Laboratory, which will be the only facility of its kind in the countries of Central Asia. The Central Reference Laboratory will become the country's main laboratory for diagnosing human and animal infectious diseases and a centre for international scientific research and will conduct theoretical and practical training for staff of the Ministry of Health, the Ministry of Agriculture and the Ministry of Education and Science.

268. The building of the new facility is being entirely financed by the United States Government through the Defense Threat Reduction Agency and the Nunn-Lugar Cooperative Threat Reduction Program. On completion, the Central Reference Laboratory will be a world-class scientific research facility contributing to the strengthening of the health and well-being of the peoples of Kazakhstan. Construction is scheduled to end in 2013.

269. The Central Reference Laboratory:

(a) Will be a four-storey building constructed in line with the highest seismic requirements to withstand an earthquake of magnitude 9;

(b) Will be the securest and best protected laboratory with the most up-to-date equipment in Kazakhstan and is expected to be the leading such facility in Central Asia;

(c) Will use the latest international biological research technologies;

(d) As a result of the cooperation made possible by having leading scientists of the Ministry of Health, the Ministry of Agriculture and the Ministry of Education and Science work together in a single facility, will be designated the country's main laboratory and, as such, will provide the final corroborative diagnosis of both human and animal diseases;

(e) Will enable Kazakh researchers to collaborate with colleagues from many countries on joint scientific research initially financed by the United States Government, which in turn will enhance the capacity of health workers to respond to, and prevent, outbreaks of the most dangerous diseases;

(f) As a centre of expertise and a leader in training, will conduct continuous instruction for persons working in health care, agriculture and science (technical specialists and heads of laboratories) at national, province and district level.

270. On completion, the Central Reference Laboratory will be placed under the authority of the Ministry of Health and will perform work for two additional ministries: the Ministry of Agriculture and the Ministry of Education and Science.

Netherlands

A. Implementation of the Convention

271. The Netherlands signed the Biological and Toxin Weapons Convention on 10 April 1972 and ratified the Convention on 22 June 1981. The domestic Biological and Toxin Weapons Act was enacted on 25 March 1981. This legislation provides for the necessary measures to be taken under domestic law to enable the Netherlands to fulfil its obligations under the Convention.

272. The Netherlands is in full compliance with all its obligations under the Convention.

B. Article I and II

273. The Netherlands has never developed, produced, stockpiled or otherwise acquired or retained microbial or other biological agents or toxins of types or in quantities that have no justification for prophylactic, protective or other peaceful purposes, nor has it ever developed, produced, stockpiled or otherwise acquired or retained weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

C. Article III

274. Export of dual use items is regulated in the Netherlands under EU legislation in the Decree on Strategic Goods, on the basis of the Council Regulation setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items. This regulation entered into force on 27 August 2009, replacing an earlier regulation dating from 2000. The regulation stipulates that a license is required for the export of certain types of items and technology, lists of which are regularly updated in accordance with the development of science and technology.

D. Article IV

275. The implementation of Article IV of the Biological and Toxin Weapons Convention is covered by the Biological and Toxin Weapons Act of 25 March 1981. Furthermore, a number of other legislation, regulations and measures are in place that serves the purpose of the Convention, even though not specifically adopted for that purpose (regulations for bio-safety, transport of hazardous materials, GMO's). An overview of relevant legislation, regulations and measures can be found at the end of this report.

E. Article V

276. The Netherlands has not invoked Article V, nor has any other State Party invoked Article V in order to engage the Netherlands in consultations. The Netherlands fully supports the Confidence Building Measures developed at previous BTWC Review Conferences and has consistently participated in all rounds (on an annual basis) of information exchange in the framework of the Confidence Building Measures.

277. The Netherlands welcomes the additional transparency measures some States Parties have taken by sharing their Confidence Building Measures with other State Parties.

F. Article VI

278. The Netherlands has not invoked the provisions of Article VI, nor has any other State Party invoked these provisions against the Netherlands.

G. Article VII

279. The Netherlands has not been requested to provide assistance under Article VII, nor has it invoked the provision of Article VII to receive assistance.

H. Article IX

280. The Netherlands has signed the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction on 13 January 1993 and ratified it on 30 June 1995. The Netherlands, host country to the Organisation for the Prohibition of Chemical Weapons is strongly committed to the effective implementation of the Chemical Weapons Convention.

New Zealand

A. Implementation of the Convention

281. New Zealand signed the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction on 10 April 1972 and ratified it on 13 December 1972. The Nuclear Free Zone, Disarmament and Arms Control Act 1987 implements the Convention in New Zealand. This legislation provides for the necessary measures to be taken to enable New Zealand to fulfil its obligations under the Convention. New Zealand is in full compliance with all of its obligations under the Convention.

B. Article I

282. New Zealand has never developed, produced, stockpiled or otherwise acquired or retained biological agents or toxins in quantities that have no justification for defence or other peaceful purposes, or the weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes in armed conflict.

C. Article II

283. Article II does not apply to New Zealand (see note under Article I)

D. Article III

284. New Zealand is in full compliance with Article III. New Zealand implements controls on the transfer of goods which could be used for the development or production of biological weapons. All export applications are treated on a case-by-case basis under regulations implemented by the Ministry of Foreign Affairs and Trade.

285. The New Zealand Government has alerted Government and private research laboratories to the possibility that they may receive requests from other countries for information or equipment that could be used for the production of biological weapons, and advised them of the likely characteristics of a suspicious request.

286. The New Zealand Government has undertaken consultations with Government and private research laboratories to gather information for the purposes of its Confidence Building Measures Declaration to the Biological Weapons Convention.

287. Only a small number of facilities in New Zealand deal with listed human, animal, or plant pathogens.

E. Article IV

288. The New Zealand Nuclear Free Zone, Disarmament and Arms Control Act 1987 implements the Convention in New Zealand, and specifically prohibits the manufacture, stationing, acquisition, possession or control of any biological weapon (as defined in Article I of the Biological Weapons Convention) in New Zealand.

F. Article V

289. To date, New Zealand has not invoked the provisions of Article V, nor have the provisions of article V been invoked with respect to New Zealand. New Zealand has participated fully in the confidence building measures established following the Second Review Conference, and has made declarations under the scientific and technological data exchange every year since that time, declaring New Zealand conducts no research related to any aspect of biological warfare, including research for protective or defensive purposes, that there have been no suspicious outbreaks of infectious diseases and similar occurrences caused by biological agents or toxins, and that we have encouraged the publication of results and promotion of knowledge and contacts.

G. Articles VI and VII

290. New Zealand has not invoked the provisions of Articles VI and VII, nor have the provisions of these articles been invoked against New Zealand.

H. Articles VIII and IX

291. New Zealand is a party to the Chemical Weapons Convention which entered into force on 29 April 1997, and has submitted full initial and subsequent annual national declarations to the Organisation for the Prohibition of Chemical Weapons.

Norway

292. Norway signed the Convention on 10.04.1972 and ratified the Convention on 26.03.1975.

A. Article I

293. Norway has never developed, produced, stockpiled or otherwise acquired or retained microbial or other biological agents or toxins of types or in quantities that have no justification for prophylactic, protective or other peaceful purposes, nor has it ever developed, produced, stockpiled or otherwise acquired or retained weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

B. Article II

294. Norway has never had an offensive biological research, development or production program or obtained biological weapons through transfer, and, accordingly, has had no need to destroy or divert to peaceful purposes any biological weapons, as required under the provisions of this Article.

C. Article III

295. Norway complies fully with the understanding not to transfer or in any way assist, encourage or induce anyone else to acquire or retain biological weapons. This is demonstrated through a number of Acts and Regulations:

(a) Export control legislation, Act of 18 December 1987 relating to Control of the Export of Strategic Goods, Services, Technology (18.12. 1987 No. 93)

(b) Act relating to the regulation of imports and exports (6.6. 1997 No. 32)

(c) Customs Regulations regulating the powers of the customs authorities to investigate illegal imports and seize, destroy or dispose of any illegally imported substances, and legislation relating to control of the export of strategic goods, services and technology, etc (18.12. 1987 No. 93)

(d) Act relating to control of the export of strategic goods, services and technology (18.12. 1987 No. 93)

(e) Act relating to measure to prevent spreading of infectious diseases etc. from abroad (The quarantine act, 19.12. 1952 No. 1)

(f) The Norwegian General Civil Penal Code Section 147 and 153 prohibits the manufacture, production, acquisition, possession, stockpiling, development, transport, transfer, and use of biological weapons as well as participating as an accomplice, assisting or financing such acts (Act of 22 May 1902 No. 10)

(g) Act relating to the police (The Police Act): Provisions for preventing and investigating the proliferation of weapons of mass destruction and equipment, material and technology for the production of such weapons (4.8. 1995 No. 53)

(h) Regulations notifying and responding to serious events that may have implication for International Health Regulations (IHR-provisions) FOR-2007-12-21-1573

D. Article IV

296. Article IV on national implementation is covered by a number of Acts and Regulations, directly or indirectly in compliance with the Convention. In addition to the Acts and Regulations mentioned under Article I, this includes:

(a) Regulation on road and rail transport of dangerous goods (No.1264),

(b) Act on measures to prevent plant diseases and pests (The Plant Diseases Act, 14.3. 1964 No. 1)

(c) Act relating to measures to combat livestock diseases(8.6. 1962 No. 4)

(d) Act relating to the production and use of genetically modified organisms, etc. (Gene Technology Act)(2.4. 1993 No. 38)

(e) Regulations relating to impact assessment pursuant to the Gene Technology Act (16.12. 2005 No. 1495)

(f) Regulations relating to the labelling, transport, import and export of genetically modified organisms (2.9. 2005 No. 1009)

(g) Regulation concerning the declaration and labeling of microbiological products (22.1. 1998 No. 93)

(h) Act relating to control of communicable diseases (5.8. 1994 No. 55)

(i) Act on the application of biotechnology in medicine (No. 56)

(j) Ordinance concerning the protection of workers from risks related to the use of biological agents at work (No.1322)

(k) Ordinance which Amends Ordinance No.1322 of 1997 concerning the protection of workers against hazards at work involving biological material (No.864)

(l) Contagious Disease Act, 1994

(m) Regulations on the conduction of investigations of infectious diseases from biological material for non-diagnostic purposes (FOR-1998-12-22-1432)

(n) Regulations concerning infectious waste from the health sector and animal health sector (FOR-2005-10-11-1196)[2]

[2] English version of the different Acts and Regulations is to be found on : http://www.ub.uio.no/cgi-

E. Article V

297. In accordance with the relevant decisions of States Parties at the Second, Third and Sixth Review Conferences of the Convention, Norway has annually submitted declarations on Confidence Building Measures (CBM's) to States Parties through the BWC Implementation Support Unit (ISU) under the UN Office for Disarmament Affairs. The Norwegian CBM is available to the public.

F. Article VI

298. Norway has not lodged any complaints with the Security Council of the UN regarding any other States Parties acting in breach of the obligations under the Convention, nor has any other State Party invoked these provisions against Norway.

G. Article VII

299. No State Party has requested assistance under article VII, nor has Norway invoked the provision of Article VII to receive assistance.

H. Article VIII

300. Norway ratified the 1925 Geneva Protocol on 27.07.1932.

Pakistan

A. General

301. The Biological and Toxin Weapons Convention (BTWC) obligates States Parties to "never in any circumstances to develop, produce, stockpile or otherwise acquire or retain biological agents or toxins including its means of delivery, which have no justification for peaceful purposes". Rapid advancements in life sciences have led to additional alarm in view of dual use application of biotechnology. Despite the limits exercised by the BTWC, the fear of Bio-agents falling in the hands of non state actors has become a major cause of concern for international peace and security. Pakistan being a responsible state party to the BTWC is aware of the potential negative use of biological agents and is fully aware of its obligations for preventing any act of biological related incidents.

B. Scope

302. This submission provides a brief overview of the following:

(a) Policy approach towards life sciences and BTWC;

(b) Legislative and administrative initiatives;

(c) Developments in biotechnology;

(d) Human health;

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(e) Animal health;

(f) Plant health;

(g) Public-private partnership;

(h) Capacity-building as first responders;

(i) Challenges and the way forward.

C. Policy approach

303. Pakistan ratified BTWC on 25th September 1974 as a non-possessor state and is committed to strengthening this regime through national implementation measures. It encourages multilaterally negotiated, non-discriminatory and cooperative efforts on all issues pertaining to BTWC. Pakistan emphasizes on effective implementation of the Convention, including establishment of a compliance regime and verification mechanism. It shares the concerns of international community about the potential use of biological weapons and is fully aware of its obligations. Taking necessary steps in conformity with BTWC and International Health Regulations (IHR) 2005, Pakistan has introduced stringent bio-safety and bio-security measures. While enhancing efforts in mitigation of biological risks, Pakistan has adopted effective legislative and administrative steps. Pakistan's comprehensive reports on UNSCR 1540 to the relevant Committee, provide a detailed matrix of information on existing procedures, mechanisms and legislations as well as their enforcement.

D. Legislative and administrative measures

1. Legal instruments

304. Pakistan's national regulatory framework includes basic legislations and bio-safety associated rules and guidelines. Basic legislations comprise Pakistan Export Control Act-2004, Anti Terrorism Act 1997, Drugs Act 1976 and Rules, Plant Quarantine Act 1976 and Rules, Animal Quarantine Act 1979 and Rules and Pakistan Penal Code. Export Control Act 2004 includes a comprehensive coverage of export, re-export, transit and trans-shipment of biological materials. The Strategic Export Control Division regulates strategic exports according to a National Control List 2005, which has been revised in 2011. Pakistan Bio-safety Rules 2005, Bio-safety Guidelines 2005, Plant Quarantine Act 1976 and Animal Quarantine Act 1979 deal with safety aspects of bio-related materials and facilities.

2. Draft BTWC legislation.

305. A stand-alone draft BTWC legislation has been finalized through an intricate inter-agency consultative process spread over years. Having been considered by the federal cabinet, it is ready for consideration by the Parliament. This legislation comprehensively prohibits designing, development, manufacturing, stockpiling, transport, import, export, sale, acquisition and possession of biological agents and toxins including their means of delivery. It also envisages establishment of an Implementation Authority and an Oversight Committee

3. Administrative measures

306. Some administrative measures initiated by Pakistan are as follows:

National Point of Contact.

307. National Point of Contact has been established at the Ministry of Foreign Affairs and notified to the BTWC Implementation Support Unit (ISU).

Inter-Agency Working Group

308. An Inter-Agency Working Group involving a blend of policy experts and life scientists from public and private sector has been established at the Ministry of Foreign Affairs. The Group holds regular meetings to discuss regulating life sciences activities.

Education and awareness

309. Awareness enhancement for researchers, academia and Law Enforcement Agencies on bio-risk management, export control and dual-use of biological materials, is an ongoing process at various levels through seminars, conferences and workshops.

Oversight of biological research activities

310. Monitoring and Implementation Mechanism of National Bio-Safety Guidelines at Federal level is based on three tiers; i.e. National Bio-safety Committee, Technical Advisory Committee and Institutional Bio-safety Committees.

National Bio-Safety Centre

311. Being a signatory to Cartagena Protocol on Bio-safety, Pakistan has established an implementation system for the regulation of Genetically Modified Organisms (GMOs) under Pakistan Bio-safety Rules 2005 and National Bio-safety Guidelines 2005.

National Bioethics Committee

312. A Bioethics Committee under the Pakistan Medical Research Council (PMRC) is an advisory body dealing with all aspects of bioethics in the health sector in the country. All research projects involving human subjects, including the use of fetal material, embryos and tissues, wherever conducted, are reviewed by the Research Ethics Committee (REC) before commencement of research.

Code of Conduct for Life Scientists

313. Guidelines on "Code of Conduct for Life Scientists" were issued in 2010 to relevant stakeholders for implementation and compliance. The stakeholders are encouraged to customize their codes according to their respective roles and tasks, within the broad theme of "Science for Humanity as their fundamental objective.

E. Developments in biotechnology

314. The Government of Pakistan has identified biotechnology as one of the important economic drivers. Pakistan has 32 academic and research centres that are involved in research activities related to biotechnology. Most institutes hold adequate facilities, particularly in tissue culture, bio-fertilizers and microbial work. However, a few biotech centres and universities have the capacity to carry out projects by employing recombinant DNA technology. Their major emphasis is on agricultural biotechnology. Pakistan is the eighth largest country where genetically modified cotton is grown over an area of nearly three million hectares. National Bio-safety Committee has so far approved over one hundred cases for conducting research in development of genetically modified crops at laboratories, green houses and for field evaluation. However, de-regulation for commercial

cultivation has been notified only for nine cotton varieties, including one hybrid variety. All genetically modified studies are well documented on prescribed international format and are monitored on regular basis by National Bio-safety Centre. The production of industrial enzymes which are employed in food, paper, textile and leather industries is an area where considerable work has been carried out but mostly at laboratory level. Another area relates to bio-fuel (bio-ethanol) production through biotechnology, which has considerable commercialization potential.

F. Human health

1. Health profile and challenges.

315. With a population of approximately 175 million, Pakistan is the sixth most populous country in the world with a growth rate of 1.73% with doubling time of 39 years. Major infectious diseases with high degree of risk in the country are food or waterborne diseases which include bacterial diarrhea, hepatitis A1 E and typhoid fever. Vector borne diseases include dengue fever and malaria whereas commonly known animal contact disease is rabies. Communicable diseases include tuberculosis, hepatitis, malaria, HIVIAIDS, hemorrhagic fevers, polio, measles, pandemic influenza and other zoonotic diseases. Common chronic ailments are diabetes, heart diseases, chronic respiratory diseases and cancers etc. In addition, natural calamities like Earthquake-2005and Floods-2010 posed real challenges to the health managers.

2. Clinical diagnostic laboratories

316. Public sector clinical diagnostic laboratories are based at tehsil, district, tertiary and teaching health units which mainly provide clinical diagnostics and management services. On the other hand, private sector clinical laboratories are available in larger numbers and cater for clinical diagnostics only.

3. Public health laboratories

317. There are two dedicated public health laboratories in Pakistan, namely *Public Health Laboratories Division, National Institute of Health* (NIH), *Islamabad* and *Laboratory of Institute of Public Health, Lahore.* Public health testing of food, water and drugs is available in the Nutrition and Drugs Control Division of NIH. The *Public Health Laboratories Division* (PHLD) comprises state of the art laboratories which can provide laboratory support for effective diagnosis of epidemics. A BSL-3 laboratory is also under construction. *Field Epidemiology Laboratory Training Programme* (FELTP) which was initiated in 2006 is imparting training to medical professionals from all over Pakistan.

4. Epidemic preparedness

318. A *Disease Early Warning System* (DEWS) established in 1998 has now been upgraded to an Epidemic Investigation Cell, having responded to 1,505 outbreaks up to July 2011. This Cell, in addition to monitoring and responding to all alerts has issued guidelines for case management and is regularly disseminating seasonal alert precautionary measures.

5. New initiatives

319. A National Strategic Framework for the establishment of *Public Health Laboratories Network* (PHLN) was launched in 2007. This Network would generate laboratories-evidenced quick response, complementing national and international obligations under IHR 2005. It would monitor trends to establish disease patterns, undertake mapping and identify populations at risk. The network would also help identify

health priorities and specific needs. Human-Livestock interface linkages would be another dimension of the initiative.

G. Animal health

1. Health profile

320. Pakistan's national herd consists of 67 million cattle and buffaloes, 90 million sheep and goats and one million camels. In addition, there is a vibrant poultry sector in the country with more than 942 million birds produced annually. These domestic farm animals produce 46.4 million tons of milk, making Pakistan fourth largest producer of milk in the world after India, USA, and China, They also provide 2.33 million tons of red meat, 0.77 million tons of poultry meat and 12.45 billion eggs.

2. Animal health challenges

321. High rate of infectious diseases, relatively weak system of surveillance, insufficient institutional capacity and moderate delivery of veterinary extension services to farmers etc are some of the major challenges, causing huge economic loss to farmers.

3. Common diseases

322. Diseases in Pakistan can be classified into bacterial, viral, parasitic1 protozoan and metabolic. The bacterial diseases include *Haemorrhagic Septicemia* (HS), *Brucellosis, Black Quarler* (BQ), *Enterotoxaemia* (ET), *Contagious Caprine Pleuropneumonia* (CCP) and Mastitis. The viral diseases include *Foot & Mouth Disease* (FMD), *Pest de Petitis Ruminants* (PPR), Avian Influenza and New Castle Disease (ND). The common zoonotic diseases include Brucellosis, Bovine Tuberculosis, Anthrax, Rabies and Highly Pathogenic Avian Influenza. Presently, the control strategy for almost all animal diseases is based on vaccination. There are four Veterinary Research Institutes (VRI) which produce vaccines against most of animal diseases. However, because of limited capacity of the VRls, the vaccination cover remains only 20-25%.

4. Support services/infrastructure

323. There are nearly 1600 veterinary hospitals and more than 4000 veterinary dispensaries in the country. In addition, 129 mobile veterinary dispensaries are operated by the extension wings of the provincial livestock departments. There are four provincial Veterinary Research Institutes and more than 40 Disease Diagnostic Laboratories/Units in the country. National Veterinary Laboratory (NVL) and National Reference Laboratory on Poultry Diseases (NRLPD) serve as reference laboratories.

5. Achievements and initiatives

324. Rinderpest eradication programme was successfully completed in 2007, when the OIE notified Pakistan as a Rinderpest free country. Similarly to deal with Avian Influenza (HPAI) which emerged in Pakistan during 2004-05, a special programme was launched by the Government of Pakistan. Under this programme, 12 regional diagnostic labs were tasked to screen more than 400,000 samples collected by 40 surveillance units from suspected birds. The last confirmed outbreak was reported in June 2008 and since then Pakistan is maintaining its status of a bird flu free country. Recently, two major initiatives have been launched. The first project relates to improvement in FMD surveillance response mechanism as well as diagnostic capacity and vaccination. The second one relates to Capacity Building of Veterinary Research Institutes and Laboratories in Pakistan.

H. Plant health

1. Profile

325. Pakistan's environment is suitable for a variety of crops and fruit plants. Wheat is the main staple food while rice is also grown extensively. The highest ever (25 million ton) wheat crop this year helped sustaining food security. Four major crops (wheat, rice, cotton, and sugarcane) contribute nearly 28 percent value addition to overall agriculture products and 5.9 percent to GDP.

2. Major challenges

326. With an agro-based economy, Pakistan has 120 R&D centres including five agriculture universities. Pakistan encountered epidemics like Leaf Rust in wheat (1978), banana bunchy top virus (1986), cotton leaf curl virus (1993), chickpea blight (1986) and sporadic viral diseases in potatoes and tomatoes. These epidemics played havoc with the crop productivity. However research institutes were able to identify causative agents and problems were diagnosed accordingly. Yellow rust, leaf rust and stem rust are a constant threat to wheat, a staple food in Pakistan. However, disease surveillance and screening nurseries are effectively managing these diseases for the last three decades and the country is safe from any rust epidemic.

3. Support infrastructure

327. A well developed infrastructure for wheat screening has been established throughout Pakistan. In addition to two race typing stations, trap nurseries have also been established at different locations to identify resistant sources against all rusts. Central Cotton Research Institute (CCRI) along with virology laboratories at the National Institute of Biotechnology and Genetic Engineering (NIBGE), Crop Disease Research Programme (CDRP), National Agriculture Research Centre (NARC), National Institute of Agriculture Biology (NIAB) also conduct research to combat virus diseases, whereas well established laboratories are producing disease free banana suckers through tissue culture.

4. New initiatives

328. A new stem rust threat has emerged from Uganda where a virulent race naming UG99 is posing threat to world wheat production. Keeping in view this threat, a Global Rust Initiative has been under-taken and Pakistan is a partner in this initiative in which resistant varieties against stem rust are being developed.

I. Public-private partnership

1. Bio-industry

329. At present, private sector bio-industry in Pakistan is at a nascent stage but several activities are taking place in the areas of human health, animal health and agricultural development. Joint ventures by Pakistani pharmaceutical industries with companies in Netherlands, Argentine, China and India are rapidly developing. A significant component of private sector investment is being made in agriculture sector. This has resulted in development of products both from traditional as well as modern biotechnology, some of which are at various stages of commercialization. Private industry is also involved in developing sugar cane varieties. Similarly, tissue culture ventures have been taken up by several private firms. All leading private sector companies follow best international practices in coordination with their overseas head offices. It is worth mentioning that significant bottlenecks in the development of agricultural biotechnology were removed by

the Government of Pakistan through institution of Bio-safety Rules and Guidelines enacted in 2005, which gave an impetus to further development. It is now mandatory for organizations in public and private sectors to follow Bio-safety Guidelines and acquire approvals from the National Bio-safety Committee before commercializing any product based on recombinant DNA technology.

2. Non-governmental organizations (NGOs).

330. *National Core Group in Life Sciences* (NCGLS) was constituted under *Higher Education Commission* (HEC) with the aim of improving teaching and research standards and human resource development in life sciences. Leading life scientists got together under this Core Group to undertake awareness enhancement and capacity building in academic institutions. For several years, this Core Group made appreciable contribution towards formulation of Bio-safety and Bio-security syllabus for under graduate, graduate and post graduate students. Similarly, a National Commission on Biotechnology worked for six years to develop policies and plans for human resource development in the field of biotechnology in Pakistan. A number of seminars, conferences and workshops were organized at national level for enhancing awareness of our scientific community in public and private sectors. Leading actors in this work include *Pakistan Association for Life Scientists* (PALS), *OIC Committee on Science & Technology Cooperation* (COMSTECH), Ministry of Livestock and Dairy Development, Ministry of Environment, *Armed Forces Institute of Pathology* (AFIP) and *Pakistan Bio-Safety Association* (PBSA) etc.

J. Capacity-building as a first responder

331. Pakistan is making consistent efforts to build capacity of its first responders through procurement of equipment and related training to identify, diagnose and mitigate the effects of bio-incidents. The *National Disaster Management Authority* (NDMA) has identified *Defence Science & Technology Organization* (DESTO) as first responder to identify and diagnose the threat of chemical and biological related incidents at national level for which a dedicated *Chem-Bio-Defence Cell* (CBDC) has been established under DESTO. The CBDC has the requisite capacity to handle small scale chemical related incidents. Its capacity to handle biological related incidents is being enhanced through procurement of requisite equipment and provision of training. Procurement of *Mobile Bio-Diagnostic Units* (MDUs) to enhance field investigation capacity is a significant first step. Efforts are also underway to build a Bio-Medical Research Center (BMRC), which would eventually become a regional hub with a reference laboratory. Once established, this facility would further enhance the capacity of CBDC to handle such incidents.

K. Challenges and the way forward

1. Challenges

332. Pakistan's preparedness to handle human health challenges can be gauged from the outcome of two large scale natural calamities occurring in a span of just five years. A massive earthquake in the year 2005 which claimed 74,698 lives and rendered 3.3 million people homeless was the first such challenge which put our health managers and first responders to the test. The second and a much larger disaster was in the form of devastating floods in 2010 which inundated one fifth of Pakistan's land mass, destroyed 1.3 million hectares of standing crops, took a toll of over 1800 lives and rendered 20 million people homeless. The floods also resulted in death of 1.2 million large and small animals and six million poultry. As regards human health issues, the Disease Early Warning System (DEWS), implemented by the World Health Organization (WHO) in collaboration with the

National Institute of Health (NIH) of the Ministry of Health, is the main national surveillance system to detect and respond to infectious disease epidemic in Pakistan. The DEWS was successfully implemented in response to floods 2010. The system has now been expanded to cover about 107 million people, or 57% of Pakistan's population. Its approaches for outbreak detection include immediate alert reporting and weekly data collection on several syndromes from over 2,800 health facilities. Our first responders and the health managers with assistance of the international community successfully responded to these challenges in a professional manner, thereby preventing the spread of any disease in epidemic proportion.

2. The way forward

333. Pakistan has a large population spread over a variety of topographic landscape. While the coastline is in the South and South-West, the North and North-West is mountainous, the midlands are plains including desert lands as well as rich agricultural regions. Thus the potential is enormous but the multiple challenges include food security, water scarcity, affinity to natural hazards and environmental challenges.

334. Amongst developing countries, Pakistan has made significant contribution towards regulating life sciences and related technologies through various national measures. However, in view of its large population, agro-based industry and evolving biotechnologies, Pakistan requires international assistance and cooperation both in terms of developing response mechanisms, equipment and related training, particularly in the following areas:

(a) Capacity-building for protection against bio-terrorism, in terms of equipment and related training;

(b) Awareness-enhancement through training workshops and courses for laboratory managers, bio-safety and bio-security professionals and bio-risk managers/researchers;

(c) Development of national accreditation plan for biological laboratories;

(d) Protection against misuse of bio-waste;

(e) Reduce occurrence of chronic diseases.

L. Conclusion

335. In recent years, advances in the field of biological sciences have opened up new avenues for the peaceful application of bio-technology as well as international cooperation in this area. The fulfilment of our international obligations under BTWC and the establishment and maintenance of effective bioethics, bio-safety and bio-security standards as well as focus on dual use education, remains not only Pakistan's national priority but also contributes towards enhancing international confidence in our system. Transparency and strict compliance of BTWC regime through implementation of national measures by all BTWC states parties have paved the way for global partnerships in the important field of bio-technology. Pakistan also looks forward for enhanced cooperation in the field of bio-capacity building, both in terms of response equipment and related training.

Poland

336. Poland signed the Biological and Toxin Weapons Convention on 10 April 1972 and ratified on 25 January 1973. The Convention entered into force for Poland on 26 March 1975. Poland is in full compliance with its obligations under the Convention.

A. Article I

337. Poland has never developed, produced, stockpiled or otherwise acquired or retained the microbial or other biological agents, or toxins that have no justification for prophylactic, protective or other peaceful purposes; weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in an armed conflict. Any such act is prohibited under the Polish law.

B. Article II

338. Poland has never had any offensive biological research, development or production programs nor has ever obtained biological weapons through transfer, and, accordingly, has had no need to destroy or to divert to peaceful purposes any biological weapons, as required under the provisions of this Article.

C. Article III

339. Poland has never assisted, encouraged, or induced any State, group of States or international organizations to manufacture or otherwise acquire any of microbial or other biological agents, or toxins that have no justification for prophylactic, protective or other peaceful purposes; weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in an armed conflict.

340. Poland complies with the obligations of this Article with respect to international transfers by the implementation of European Union regulations (incl. regulation EC No 428/2009 of 5 May 2009), setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items.

D. Article IV

341. Poland has taken necessary measures to prohibit and prevent the development, production, stockpiling, acquisition and retention of the agents, toxins, weapons, equipment and means of delivery specified in article 1 of the Convention, within its territory.

342. Poland is currently reviewing the national legislation concerning supervision of hazardous biological materials. A possible outcome of the review is the development and implementation of new regulations.

E. Article V

343. Poland fully supports the Confidence Building Measures (CBMs), adopted by the Second and Third Review Conferences and submits its CBMs annually to the United Nations Office for Disarmament Affairs. As a Member State of the European Union, Poland is committed to the EU BTWC Action Plan, which concerns, *inter alia*, assistance to States Parties with full and regular submissions of CBM declarations.

F. Article VI

344. Poland has complied with Article VI, most notably through on-going support of the UN Secretary General's investigative mechanism, as set out in the UN General Assembly resolution 42/37 of 30 November 1987. Poland submitted to the UN updated information on Polish qualified experts and analytical laboratories which may be used by the UN Secretary-General for the purposes of investigations of the reports of use of biological weapons. As a Member State of the European Union, Poland is also committed to the EU BTWC Action Plan, which had supported the increase of effectiveness of the current UN Secretary General's mechanism.

G. Article VII

345. Poland is willing to provide assistance to any Party to the Convention which may request so, if the UN Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.

Portugal

A. Portuguese Ministry of National Defence

346. The Portuguese Armed Forces fully comply with the BWC and do not possess any biological agents or their launch vehicles, nor has it plans to acquire or develop said agents.

B. National Institute of Health Dr. Ricardo Jorge

347. In order to fulfill some of the obligations under the Biological Weapons Convention, the Portuguese National Institute of Health (INSA) develops several actions. At a national level, INSA has contributed to enhance biosafety and biosecurity through the participation in courses and trainings. The participation in national and international meetings of experts and the dissemination of technical and scientific information is also a priority. In addition, INSA has invested in the training of human resources, improvement of infrastructures and development of standard operating procedures applied to investigation, response and biosafety that help to reinforce the national laboratorial capacity.

348. INSA also developed several cooperation programmes with other European and African countries. These cooperation programmes aim at promoting the technical and scientific exchange and assistance in case of a biological threat. They include the training of researchers from other institutions both national and international on subjects such as the role of the national reference laboratory in case of biological catastrophe.

349. In addition, INSA is able to provide some assistance to other countries or to identify possible partners in case of a biothreat that could not be studied in Portugal. An emergency plan (that guarantees 24h/24h, 7 days/week response) has also been designed. All the communication channels between the laboratory and the health authorities are prepared for timely dissemination of pertinent information.

350. INSA believes that the establishment of partnerships that ensure the technical exchange and international collaboration are essential to strengthen national and regional capacities. In this light, INSA, benefiting from its experience and expertise, can play an important role regarding the implementation of the Convention in the Community of

Portuguese Speaking Countries such as Mozambique, Angola, Cape Verde and Brazil. INSA already works towards this goal.

351. Partnerships as described also ensure access to some biological material needed to validate tests that otherwise would be impossible to standardize. The exchange of experiences and the update of new scientific and technical developments is, in this light, deemed essential to the mutual strengthening of the national capacity in what laboratory response is concerned. Domestically, INSA promotes the improvement of disease surveillance and outbreak investigation, namely through a close cooperation with animal health department and with other human health authorities. All these actions were optimized through the participation in international exercises and training.

352. Development and sharing of new techniques and biological materials, essential as hey may be, to improve the laboratory response, are not without risk. In this light, the Institute encourages the exchange of information with national or international health authorities, promotes the establishment and the improvement of systems for disease surveillance and detection, ensures the technical and scientific advance, facilitates the training of national and foreign scientists and encourages the establishment of collaboration with other laboratories and the exchange of pertinent information with other institutions with similar responsibilities.

Qatar

A. Articles I and II

353. Qatar is fully committed to implementing the Biological Weapons Convention. Qatar has never had any offensive or defensive biological weapons program. It was never involved in any research, development, and production, stockpiling or otherwise acquiring or retaining biological agents, toxins, weapons or means of delivering them.

B. Article III

354. Qatar does not allow the transfer of biological weapons, or in anyway assist, encourage or induce anyone else to acquire or retain them. Any request for such transfer is referred to the Ministry of Defense which either takes an immediate decision to stop such international transit or refers the name of the agent to Qatar National Committee for the Prohibition of Weapons, which advices against such transfer.

C. Article IV

355. Qatar drafted legislation and regulatory measures to prohibit involvement in any such activity. This legislation was jointly formulated with advice from VERTIC and submitted to the Cabinet for endorsement. This legislation addresses penalties for involvement in such activities, and grants to Qatar National Committee for Prohibition of Weapons the authority to license establishments that need to work with controlled agents according to the Australia Group; this is in addition to the authority to inspect and seize any violations. It also addresses raising awareness and implementation of biosecurity and biosafety measures in laboratories.

D. Article V

356. Qatar is participating annually in the exchange of information through submitting the Confidence Building Measures (CBM) to the United Nations office in Geneva.

E. Dual-use items

357. Qatar is not an exporter of Dual-use items but will import items for peaceful civilian use. This could be diagnostic laboratory equipment used for diagnostic application or research in the field of screening and infectious disease diagnosis.

F. Awareness-raising

358. Qatar started an Awareness-raising program targeting high school students, Universities, Customs, and the private industry. Several sessions were conducted to educate them about BWC, dual-use items, and biosecurity and biosafety issues.

G. Biosafety and Biosecurity

359. The implementation of biosafety program is mandatory in all laboratories in Qatar. There are no containment level 4 laboratories. We have one containment level 3 laboratory in the new tertiary hospital, which deals primarily with Tuberculosis and Brucella infections.

Republic of Moldova

A. General

360. The Republic of Moldova has accepted all relevant arms control obligations of the former Soviet Union included those under the Biological Weapons Convention –signed on 10 April 1972. The Republic of Moldova acceded to the provisions of the Biological Weapons Convention on 05 December 2004 when the Parliament adopted the National Law No.360-XV which entered into force on 28 January 2005 with the following reservation: "Until the full re-establishment of the territorial integrity of the Republic of Moldova, the provisions of the Convention shall be applied only on the territory effectively controlled by the authorities of the Republic of Moldova".

B. Mandated activities

361. At the Sixth Review Conference in 2006, States Parties agreed to undertake a number of specific actions to strengthen the implementation of the Convention, including the establishing of contact points; submitting Confidence-Building Measures; detailing assistance provisions; and reporting information (on issues such as National measures to prohibit and prevent the development, production, stockpiling, transfer, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in the Convention; National biosafety and biosecurity measures; and National implementation of Article X).

362. In according with the Article II of the National Law No.360-XV of 05 December 2004, the Ministry of Defense is the responsible national authorities for coordinating the

national implementation of the Convention in the Republic of Moldova. A National Contact Point from the Ministry of Defense was nominated for communicating with other States Parties and relevant international organizations and for preparing the Confidence-Building Measures reports. Moldova submitted its CBM Returns on 2009, 2010, and 2011. For efficient coordination of the activities at the national level and implementation of the obligations and tenets of the BWC, the National Committee was established in July 2011, which brings together senior officials from the key ministries/agencies as follow Ministry of Defence, Ministry of Health, Ministry of Environment, Ministry of Agriculture and Food Industry, Ministry of Finance (Customs Service), Ministry of Economy, Ministry of Justice, Ministry of Internal Affairs (Service for Civil Protection and Emergency Situation), Ministry of Foreign Affairs and European Integration, Service for Security and Information, and Border Service.

C. National measures to prohibit and prevent the development, production, stockpiling, transfer, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in the Convention

363. The Republic of Moldova has a legislative framework in place to ensure the prohibitions and preventions as required by the Convention, implements an export control system, and institutes measures to ensure security and oversight of pathogens and toxins and to enhance the preventive and response capabilities for natural or deliberate epidemics in cooperation with international mechanisms.

364. The National Law No. 1163-XIV “On Control of Export, Re-export, Import and Transit of Strategic Goods” constitutes the legal foundation of Moldova’s export control system. Developed by the Ministry of Economy with the assistance of the US Department of Commerce, the Law was approved by Moldova's Parliament on 26 July 2000. This law outlines the scope of export controls, defines the purview of the Parliament and Government, identifies controlled goods and clearly articulates the main principles underlying export controls including the protection of national security interests, fulfillment of international commitments and agreements, and verification of end use of strategic goods. The also includes a "catch-all" provision.

365. On May 15, 2002, Government Decision No. 606 was passed to ensure the implementation of Law No. 1163-XIV by approving the following:

(a) The Statute of the Interdepartmental Commission (Annex I);

(b) The Statute on the Process for Controlling the Export, Re-export, Import, and Transit of Strategic Goods (Annex II);

(c) The National Control List of Strategic Goods (Annex III).

366. The National Control List was based on the list of dual-use items developed by the European Union as part of its dual-use export control system and the military list developed by the European Union to which the EU code of conduct is applied. The National Control List is composed of two parts: the first includes dual-use goods and technologies; the second lists weapons and munitions. Issuance of export licenses is handled by the Division of Dual-Use Goods Trade Control on the basis of decisions by the Interdepartmental Commission. The Statute on the Process for Controlling the Export, Re-export, Import, and Transit of Strategic Goods regulates licensing procedures. It defines the responsibilities of the Division of Dual-use Goods Trade Control; types of licenses (export authorization, import authorization, transit authorization); documentation necessary for obtaining a license; and licensing procedures for different kinds of strategic goods. Export control

documents issued by the Division of Dual-use Goods Trade Control under the Ministry of the Economy were standardized by Order No. 40 of August 6, 2002. The Division now uses standard forms for license applications, licensing of strategic goods for export/import/transit, international import certificates, delivery verification certificates, and end-user certificates.

367. The Interdepartmental Commission of control of export, re-export, import and transit of strategic goods represents the permanent Government body supervising the sphere of strategic goods circulation control and responsible for the applying of the Government policy in this area.

368. The Interdepartmental Commission includes responsible officials of the Ministry of Economy, Ministry of Defence, Ministry of Foreign Affairs, Ministry of Internal Affairs, Service of Information and Security, Customs and Governmental State Chancellery.

369. The Commission is headed by the Ministry of Economy. The Interdepartmental Commission has the following functions:

(a) Reviews proposals with regard to signing or adhering to inter-sate and inter-government bilateral and multilateral agreements on nonproliferation of weapons of mass destruction and other strategic goods;

(b) Implements control on fulfilling the obligations assumed pursuant to international and intergovernmental agreements on nonproliferation and the control of movements of weapons of mass destruction and other strategic goods;

(c) Deliberates and makes decisions with regard to issuing export, re-export, import and transit authorizations of strategic goods through the territory of the Republic of Moldova;

(d) Decides on suspending the authorizations of export, re-export, import and transit authorizations of strategic goods in those cases where the authorization holders violate the existing legal provisions in a specific area or infringe upon provisions, which derive from international agreements and from the national policy with regard to the control of movements of strategic goods.

(e) If necessary, the Commission establishes working groups, which include representatives from other ministries and agencies, in order to review and draft proposals for the solution of specific problems that might arise in the licensing process.

370. The authorized by the Government body, responsible for the control of export, re-export, import and transit of strategic goods, which issues authorizations and certificates in this area is the Division of dual-use goods circulation control within the Ministry of Economy. The Division also represents the specialized body which insures the activity of the Commission. In order to attain its main objectives, the Division has the following main functions (selective):

(a) Regulation: initiates normative act projects, works out regulations in common with other competent authorities, works out methodological norms, mechanism and procedures and instructions specifically for the export control in accordance with international demands; initiates in common with competent institutions bringing up to date of the National Control List in accordance with assumed international agreements by the Republic of Moldova.

(b) Authorization: verifies, in written or factual, by case, the relevant aspects regarding settlement, performing or ending strategic goods transactions, as well as respecting their destinations and end-user, involving, when it is necessary, the ministries, departments and interested organizations; evaluates and accepts, by case, the international import certificates and end-user certificates or equivalent documents or certificates released

by competent authorities from the importer partner's country with the view of releasing export authorizations for strategic goods; releases international import certificate, end-user certificate or equivalent documents, as well as delivery verification certificate of imported strategic goods; examines and approves demands for authorization regarding export, re-export or import of strategic goods; issues, on the base of Commission's decision, authorizations for export, re-export, import and transit of strategic goods.

(c) Control: verifies conformity and exactness of declarations of the persons who carry on transactions with strategic goods; disposes, in case of violation the provisions of the regulations with the help of competent organs; stopping or interdiction of performing operations of export, re-export, import, transit, reloading or other strategic goods transfer, as well as penalizing persons guilty of this violations.

(d) Representation: represents the Republic of Moldova within the framework of activities unfolded by responsible international organisms in the field of control the export, import of strategic goods; initiates, in cooperation with competent ministries and departments of the Republic of Moldova, actions of promoting interests of the Republic of Moldova in relationships with international organisms in this field.

(e) Informing and consultation: organizes, with the support of ministries, departments and organizations from the Republic of Moldova and abroad, programs of informing economic agents in connection with principles, objectives, norms and procedures regarding regime of export, re-export, import and transit control of strategic goods; grants, at the demand, specialized consultation to economic agents and to other persons interesting in performing operations of export, re-export, import, import or other operations with strategic goods that are under control regime regulates by national legislation; cooperates with similar authorities from other states for the purpose of mutual informing and consultation in case of demand to release authorizations for export, re-export, import and transit of strategic goods if solid indexes exist regarding possibility of utilization of this in other purposes that those declared; bringing up to bringing up to date and uniform application of regulations of this matter, inclusively of the National Control List; notification of violation of the control regime with the view of penalizing guilty persons by competent organs from every state.

371. In accordance with the Article IV of the Convention, the Moldovan legislation prohibits individuals and legal entities from engaging in activities in violation of article I of the BWC.

372. The Penal Code (Law No. 985-XV of 18 April 2002) specifies *inter alia*:

(a) Art.143. "… (2) using a mass destruction arm forbidden by the international treaties to which the Republic of Moldova is a party … shall be punished with jail sentence of between 16 and 25 years of detention to life";

(b) Art.136. "Deliberate mass destruction of flora and fauna, intoxication of atmosphere or water resources…. Shall be punished with a jail sentence of between 12 and 20 years of detention to life"

(c) Art.151. "Deliberate gross bodily harm to corporal integrity or health … shall be punished with jail sentence of between 5 and 10 years".

(d) Articles 21, 27, 42, 63,73,74, 152, 215,216, 223, 224, 225, 226, 248, 278, 279, also, criminalize certain acts or attempts, or acting as an accomplice in committing any of the prohibited activities. The Penal Code reflects the jurisdiction over offenses committed in the territory of the state or in any other place under its jurisdiction as recognized by international law (art.11) and legal cooperation and assistance with other law enforcement agencies in the event of an incident (art.13, 533, 534, 541, 546).

(e) Article 225 of the Penal Code of the Republic of Moldova No.985-XV of 18.04.2002 establishes financial sanctions and prison time up to 10 years for infractions leading to environmental damage and/or disease or death of humans and/or animals.

(f) Article 281 of the Penal Code establishes financial sanctions and up to 3 years incarceration for those providing false information on acts of terrorism.

(g) The Code of Penal Procedure (Law No. 122-XV of 14 March 2003) regulates the measures enabling surveillance of individuals suspected of misusing strategic goods.

(h) The Law No. 539-XV of 12 October 2001 on Combating of Terrorism, Law No. 633-XV of 15 November 2001 on Prevention and Combating Money Laundering and Terrorism Financing and Law No.45-XIII of 12 April 1994 on Operative Investigation Measures reflects the legal cooperation and assistance with other law enforcement authorities in the country or with similar organizations of other states to combat through prevention, detection, counteraction and investigations measures; it also includes *inter alia* measures against money laundering and financing of terrorism.

373. In accordance with the Article V of the Convention, Moldova continuously engages in consultations and cooperation with other States Parties in addressing any issues related to the implementation of the provisions of the Convention.

D. EU Joint Action assistance to improve Confidence Building Measures participation.

374. As the request of the Republic of Moldova of EU expert assistance to improve CBMs participation, the EU assistance visit to the Republic of Moldova on the implementation of the BWC took place during 20 -24 June, 2011 as follow:

(a) Dr. Volker Beck, Ministry of Foreign Affairs of Germany;

(b) Mr. Francisco Galamas, Ministrz of Defence of Portugal.

375. Experts had bilaterally discussion with the national stakeholders who are involved with data collection for CBMs as Ministry of Defence, Ministry of Health, Ministry of Agriculture and Food Industry, Ministry of Environment, Ministry of Justice, Ministry of Finance (Customs Service) and provided guidance on the process and on filling out the forms under BWC national obligations.

E. International workshops

376. In 2010 and 2011, Moldova hosted two international workshops on implementation of BWC and UN Security Council Resolution 5140, as follows:

(a) The Trilateral (US-Romania-Moldova) Civilian-Military Forum on Outbreak Response and Bioterrorism Investigation (ORBIT Forum) was organized by the US Department of Health and Human Services (Office of the Assistant Secretary for Preparedness and Response) and the US Department of Defense (US European Command, Armed Forces Health Surveillance Center, Center for Disaster and Humanitarian Assistance Medicine, and the US Public Health Command – Europe). The ORBIT Forum included awareness training and a tabletop exercise designed to evaluate policies and plans for prevention, deterrence, and response to bioterrorism incidents borne out of the convergence of criminal and terrorist networks.

The ORBIT Forum was attended by about 100 participants from US, Romania, and Moldova including civilian and military public health personnel (laboratory and preventive

medicine staff, epidemiologists, emergency response planners, administrators), law enforcement, intelligence, military, and affiliated professionals (other first responders, public communication officers, foreign affairs officers), and representatives of non-governmental organizations (VERTIC, Emergent Bio Solutions Inc, Frontline Healthcare Workers Safety Foundation Ltd, State Medical and Pharmaceutical University "Nicolae Testemitanu").

The goals of this event were to:

(i) promote interagency (in particular public health-law enforcement but also civilian-military) cooperation, coordination and synchronization for preparing, detecting, and responding to infectious disease outbreaks, whether natural, accidental, or deliberate in nature;

(ii) establish sustainable laboratory partnerships to enhance training and medical surveillance initiatives among the three countries; and

(iii) strengthen the core capacities required by the WHO International Health Regulations and existing national measures consistent with obligations under the Biological Weapons Convention and the UN Security Council Resolution 1540 to deter, prevent, and respond to biological incidents or threats.

Information about the workshop, lessons learned, and follow-up actions could be found at: http://www.phe.gov/Preparedness/international/Pages/orbitforum.aspx

(b) The Regional Workshop on National Implementation of the Biological Weapons Convention for States Parties of the Eastern Partnership Countries was on 22 – 24 June 2011, in Chisinau, Republic of Moldova, in a joint effort of the United Nation Office for Disarmament Affairs (UNODA) with support from the European Union Joint Action on the BWC and the Government of the Republic of Moldova.

The objectives of the workshop were to:

(i) Bring together officials and experts from the region involved in the BWC implementation;

(ii) Promote cooperation, coordination and synchronization of cross-sectoral prevention, preparedness, detection and response to outbreaks of infectious diseases, whether natural, accidental or deliberate in nature;

(iii) Exchange of good practices in risk management between members of biological health, safety, science, defense, law enforcement, policy-makers to establish regional partnerships in order to boost disease surveillance and counter;

(iv) Strengthening national capacities in accordance with the obligations arising from the Biological Weapons Convention (BWC) and Security Council Resolution 1540 (UNSCR 1540) to deter, prevent, and respond to biological incidents or threats by exchanging experiences implementing BWC in the Eastern Partnership countries,

(v) Exchange information and establishing a regional network of cooperation. The workshop attended by over 40 experts from Armenia, Belarus, Georgia, Moldova, Ukraine, Germany, Portugal, U.S. (United States Embassy in Chisinau, the Federal Bureau of Investigation, Department of Health and Human Services) and representatives of international organizations (European Union Delegation to Chisinau, the World Health Organization, United Nations Office for Disarmament Affairs, United Nations Interregional Crime and Justice Research Institute, UN Security Council Resolution 1540, Verification Research, Training and Information Centre, University of Bradford). Azerbaijani authorities refused to attend this event.

From Republic of Moldova participated the experts of the Ministry of Defence, Ministry of Foreign Affairs and European Integration (Permanent Mission of the Republic of Moldova in Geneva), Ministry of Justice, Ministry of Health, Ministry of Economy, Ministry of Agriculture, Ministry of Finance (Customs), Ministry of Internal Affairs (Emergency and Civil Protection Service), Ministry of Economy, Service for Security and Information, Border Guard Service.

(vi) The discussions also reflected the forthcoming Seventh Review Conference of the Convention. In special was mentioned three sets of global policies, which could reduce dangers of intentionally inflicted disease and promote bioscience's advance while elevating global attention to public health: (1) worldwide implementation of harmonized measures to secure and account for especially dangerous pathogens and to enable interruption of intentional biothreats; (2) strengthened national reporting obligations and international investigations of suspicious behavior in order to build mutual confidence about national biodefense programs; and (3) implementation of harmonized measures to improve disease surveillance, strengthen resilience to bio-attacks and stanch an attack's transnational spread.

377. For additional information: http://www.army.md/

F. National biosafety and biosecurity measures

378. Moldova implements biosafety and biosecurity measures in accordance with the World Health Organization (WHO) International Health Regulations (IHRs) Laboratory core requirements. Initial and referesher training is provided to laboratory personnel.

379. There are national legal framework and institutions (licensing, accreditation) which are involved to ensure and periodic verify the quality of laboratory diagnostic capacities. National Public Health laboratories have international accreditation (Polio, measles, etc), as well some laboratories annually participate at the external quality control (influenza, Rota, etc) provided by international organizations (WHO).

380. Starting with 2011 year public health laboratory network implement and are guided by the WHOs Guidance on Laboratory Biosafety and Guidance on Regulations for the Transport of Infectious Substances, translated version was approved by MoH Experts Commission. The guidance was sent to all laboratories (public health, veterinary, Academy of sciences, ect) and it is free on Internet (http://cnsp.md/down/info1310369463ro.pdf and http://cnsp.md/down/info1310369288ro.pdf).

381. In April, 2011 Department of Civil Protection and Emergency situation and National Center of Public Health organized training for National Laboratory Network for Observation and Control in laboratory biosafety and cooperation in emergency situation. Requirements of biosafety and biosecurity are part of Standard Operational Procedure.

Relevant laws and regulations:

382. The Law No.755-XV of 21 December 2001 on biological safety regulates related activities for obtaining, testing, production, testing, use, marketing, and deliberate operations of import/export, involuntary transport across the border; storage, burial, annihilation of genetically modified organisms and/or products of such organisms, use of wastes result from usage of modern biotechnology techniques. The special regime of regulating, authorization and administration of these activities is intended to ensure their development in bio-safety conditions in which can be prevented, eliminated pr reduced the risks of producing negative effects on human health, biological diversity, ecological balance and environmental quality arising from genetically modified organisms. The

Republic of Moldova is party to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, ratified by Law No. 1381-XV of 11 October 2002. The objective of this protocol is to contribute to ensuring an adequate level of protection for the safety of the transfer, handling and use of genetically modified organisms resulting from modern biotechnology that may have adverse effects on the conversation and sustainable use of biological diversity, taking in consideration as well the risks for human health and focusing in particular on their boundary movement. By Government Decision No.197 of 25 February 2003 the Ministry of Environment is designated as the national authority responsible for liaison with the Secretariat of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity.

383. The Law No. 271-XIII of 09 November 1994 on civil protection reflected the measures and actions taken in peace or war time on the entire state, in order to protect the population, property in case of natural and environmental disasters, damages and catastrophes, epizootic diseases, and in case of use of modern means of annihilation.

384. The Government Decision No. 961 of 21 August 2006 on national network of laboratory supervision and control on contamination (pollution) of the environment with radioactive, poisonous, strongly toxin substances and biological agents stipulated that observation and control of prohibition of toxin substances and biological agents are performed by national network of laboratory supervision and control on contamination (pollution) of the environment (further-national network), based on centers of preventive medicine of the Ministry of Health, the Republican Center of Applied Pedology, the Republican Center of Veterinary Diagnostic, specialized veterinary and agrochemistry laboratories, dedicated centers and laboratories of the Ministry of Agriculture and Food Industry, the State Hydrometeorology Service and the State ecological Inspectorate of Ecology and Natural Resources, the radiometric-chemical laboratory of the Civil Protection and Emergency Situations Service of the Ministry of Internal Affairs, the National Standardization and Metrology Service, and the laboratories of the Agroindustrial Agency "Moldova-Vin".

385. The Government Decision No. 45 of 24 January 1994 approved and implemented the Regulations on transportation of dangerous cargoes on the territory of the Republic of Moldova and liquidation of consequences of any accidents, as well as the List of dangerous cargoes, by which transportation of dangerous cargoes is prohibited on the territory of the Republic of Moldova (covers all types of transportation) without special permission of the Government of the Republic of Moldova:

G. National measures to enhance the preventive and response capabilities for natural or deliberate epidemics in cooperation with international mechanisms

386. The disease surveillance and response system in Moldova, the biological threat list, and the legislative framework for preparedness and response to public health emergencies are grounded in the Public Law no. 10-XVI/2009 on the State oversight of public health and the Governmental Decision no. 475 **"**On approval of the Plan of Action for the implementation of IHRs in the Republic of Moldova"- establishing a formal national framework for planning and conducting concerted inter-sectoral activities in 2008–2012; Governmental Decision no. 820/2009 establishing the National Extraordinary Public Health Commission for the integrated and coordinated prevention and management of the threats and hazards to public health and the multi-sectoral mobilization of response assets; Governmental Decision no. 961 of 21 August 2006, which establishes a national laboratory network for the surveillance and control of radioactive, poisonous and highly toxic substances, and biologic agents in the environment; Ministry of Health Decision 268 of 06

August 2009 nominating the National Center for Public Health as the National Focal Point (NFP) for the WHO International Health Regulations (IHRs).

387. The National Center for Public Health of the Moldovan Ministry of Health has been a strong driving force, not only in initiating the IHR implementation process, but also in ensuring the involvement of all key stakeholders in the development of the draft national plan of action (including the establishment of an inter-agency, multisectoral committee as a platform for planning and consensus building) which was presented to the Government for approval at the time of the mission in February 2008. Thus, the Republic of Moldova was one of the few countries that, at the time, had come so far in the implementation process.

388. Every 2 (two) years Ministry of Health organized the intersectorial workshops and inform and sensitize public health authorities and stakeholders on the requirements of IHRs 2005 and discuss the problem which can interfere the implementation IHR process.

389. The National Center for Public Health of the Republic of Moldova has an avant-garde electronic disease surveillance system which allows the real time monitoring, analysis and assessment of public health indicators and events in the country (integrating demographic clinical, epidemiologic and laboratory data).

390. Electronic surveillance system implement decision instrument for assessing and notifying public health events of international importance and each event is assessed using this instrument from intermediate public health level. The electronic disease surveillance system routinely collects data about occurrence of diseases and it is complemented by an event monitoring component where information on potential threats is routinely searched for and assessed with the system generating emergency alerts (based on the time occurrence and regional clustering).

391. The system can also be used to generate user-defined alerts on:

(a) CBRN incidents;

(b) Novel or unknown disease causes;

(c) Communicable diseases via human-to-human transmission, vectors, or trade goods (including food) and environmental release;

(d) Public health emergency requiring immediate mitigation;

(e) Unusual events (not characteristic for the time, space, or population surveilled).

392. The electronic disease surveillance system in the Republic of Moldova integrates human and veterinary disease surveillance and allows statistics and GIS analysis as well as the generation of specific or general reports.

393. During pandemic of influenza AH1N1 was training the competent authorities at PoE (Border Police Service and Customs Service) in order to strengthening national capacities for surveillance and response.

394. Professional training of key responsible from ministries/agencies have been taken on:

(a) Public health and emergency management (PHEM-EURO II)" 14–26 June 2009, WHO Regional Office for Europe, the Israeli Ministry of Health and Tel Aviv University, Tel Aviv, Israel.

(b) 1st IHR implementation course (22 March - 30 July 2010), WHO, Les Pensières -Annecy, France.

(c) Joint Train-the-Trainer Session for Law Enforcement, Customs and Public Health Officials for the Prevention of Bioterrorism Eastern European/Central Asian region, Antalya, Turkey, 21-25 February 2011.

(d) International Health Regulations (IHR) Workshop on IHR implementation in Central Asian Republics and Kazakhstan (CARK) Tashkent, Uzbekistan, 12-15 April 2011.

Relevant laws and regulations:

395. The Law No 10-XVI of 03 February 2009 on the State Oversight of the Public Health regulates the prevention of national and international spreading of infectious diseases and public health events, including restrictive measures (isolation and quarantine) in according with IHR (2005). Measures and actions for prevention and management public health emergence situation, including bioterrorism are stipulated, too. The National Extraordinary Commission of Public Health obligations are reflected by Governmental Decision No.820 of 2009. The new electronic reporting system for communicable diseases surveillance is implemented into Minister of health Decision No.477 of 2009 in according with International Health Regulation 2005. The biosafety measures in the laboratories are in accordance with National Guide of Biosafety in the Laboratories (Laboratory Biosafety Manual, WHO, 2004 and Directive 2000/54/EC), http://cnsp.md/down/info1310369288ro.pdf and into force since March, 2011.

396. The Law No. 221-XVI of 19 October 2007 on sanitary veterinary activity, Law No 78-XV of 18 March 2004 regarding food, Government Decision No.221 of 16 March 2009 regarding approval of the rules on microbiological criteria's for food, Harmonization of the legislation to Regulation CE No.2073/2005 of 15 November 2005, No.1441/2007 of 5 December 2007 (Hazard Analysis & Critical Control Point) establish the main sanitary-veterinary rules and requirements in the Republic of Moldova, the rights and obligations of the state, individuals and public bodies in production, processing, storage, transport and selling of live animals and animal products in order to ensure the animal health, to prevent the transmission of disease from animals to humans, ensure the safety of animal products intended for human consumption, sanitation and quality of animal feeds, testing and authorization of the veterinary medicinal products and the substances used in veterinary diagnostic, protection of the state territory against infectious diseases by the sanitary-veterinary activities.

H. Education and awareness raising

1. Military education – basic knowledge

397. In according with art.41 of the Law 1245-XV of 18 July 2002 “On Training Citizens to defend their Homeland”, Governmental Decision No 1263 of 24 December 1998 on Concept of military patriotic education of youth” and Government Decision No. 587 of 20 May 2003 “On Regulation of the military educational departments within institutions of higher education state university”, during 2009-2011 – 18066 students from 12 high education institutes (Military Academy of the Armed Forces of the Republic of Moldova, Moldovan State University, State Pedagogical University, State Medical and Pharmaceutical University, Technical University of Moldova, State University of Physical Education and Sports, State University “Aleco Russo”, State University “Bogdan Petricescu Hasdeu”, Academy of the Ministry of Internal Affairs “Stefan cel Mare”, State University from Comrat, Academy of Economic Studies of Moldova, and State Agriculture University of Moldova) were trained on basic countering the proliferation of weapons of mass destruction.

398. In according with Constitution of the Republic of Moldova, art.27 of the Law 1245-XV of 18 July 2002 “On Training Citizens to defend their Homeland”, training of Moldovan citizens which joined compulsory military services in the National Army of the Republic of Moldova (18 – 27 years old) is carried out on military bases as special training program for one year. During 2009 – 2011 – 7480 NCO completed a course on countering the proliferation of weapons of mass destruction.

399. The training programs and curriculum for CBRN forces of the National Army (at company, platoon, group levels), one curriculum for all task forces at individual & collective levels, one for students of Military Institute of Armed Forces of Republic of Moldova and one for units/subunits declaring available for NATO-led PfP operations into according with Individual Partnership Action Plan RM-NATO to increase professional knowledge and skills (defined training goals and objectives, reviewed training agenda and objectives, prioritized training topics, incorporated training topics into schedule, determined what training exercises or method to use, prepared lesson plans for each hour or topic). There are published and put into force 12 NATO STANAGs NBC.

2. Civil protection aware-raising – professional skills

400. Annually, demonstration exercises simulating an animal outbreak of Avian Influenza Virus at the regional level were organized by processing the basis of bird flu outbreak quarantine at private poultry farms with involving representatives of local government level I and II, state veterinary services, emergency, public health center, the service of maintaining public order etc.

401. According to National Contingency Plan for Avian Influenza Virus elaborated by the Ministry of Agriculture have formed five groups of experts:

(a) Epizootic group.

(b) Screening group.

(c) Traceability group.

(d) Stamping-out and evaluation group.

(e) Information and training group.

402. Annually, the simulation exercises are conducted in Moldova Avian Influenza Control and readiness and human pandemic response activities, the component "Animal Health". Simulation exercises in all state structures were involved with duties to eradicate any outbreaks of avian influenza in the country.

403. The main objective of the simulation exercise is to show participants a bird flu situation, which involves:

(a) An analysis of a rapid change of disease.

(b) A decision on practical issues related to disease eradication measures such as depopulation of infected herds, destruction of infected carcasses, cleaning and disinfection procedures and the strengthening of restrictions on movement.

(c) Action center of disease control and coordination of eradication, control and prevention of disease together with other official institutions and private organizations.

404. All 5 groups were active in the outbreak for establishing the origin of infection, risk of infection and spread of disease.

405. Such exercises are held in each district once in five years. During 2010, such exercises have taken place in Telenesti – 23 April 2010, Soldanesti – 07 May 2010, Rezina – 21 May 2010, .Donduşeni – 25 June 2010, Basarabeasca – 08 October 2010, Cimislia –

22 October 2010, Briceni – 28 October 2010. During January – June 2011, such exercises have taken place in mun. Chisinau – 25 March 2010, Singerei –15 April 2011, Balti – 08 April 2011, Riscani – 06 May 2011.

406. Besides, in September 2010, demonstration exercises simulating an animal outbreak of Avian Influenza Virus were organized at republican level. More than 200 participants were involved.

407. National Point of Contact for BWC of the Republic of Moldova: LTC Mariana GRAMA.

Russian Federation

408. The Russian Federation hereby reaffirms its commitment to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (the Convention). It fully and unwaveringly carries out its obligations under the Convention. The observance of its obligations relating to the prohibition and non-proliferation of biological and toxin weapons is one of the priorities of State policy.

409. The Russian Federation considers that the Convention and the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed in Geneva on 17 June 1925, are complementary international instruments prohibiting biological and toxin weapons. The significance of these treaties, which are of the utmost importance to international security, only increases with the passage of time.

410. The Russian Federation carries out no activities incompatible with the aims and provisions of articles I and II of the Convention. The necessary national measures have been adopted in accordance with constitutional procedures.

411. The Russian Federation does not develop, produce, stockpile, acquire or retain:

(a) Microbiological or other biological agents or toxins, regardless of their origin and method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;

(b) Weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

412. The Russian Federation has never transferred such material to anyone, directly or indirectly, nor has it in any way assisted, instigated or encouraged any State, group of States, international organization or non-State entity to produce or acquire by any other means any agents, toxins, weapons, equipment or means of delivery referred to in article I of the Convention.

413. A system of export controls fully complying with international standards and regulations has been established and is now in operation in the Russian Federation. This system is constantly perfected to take into account the new challenges and threats facing humanity. The country's export control laws and standards ensure full compliance with article III of the Convention.

414. The list of controlled goods, including biological agents and toxins and equipment and technology, is approved by an order issued by the President. In order to defend national interests and ensure compliance with the obligations stemming from the Convention, export and import controls on products for biological use are governed by federal laws, Government decisions and other legal enactments.

415. The non-observance of the legal requirements relating to foreign trade (illegal export or transfer, a failure to make a customs declaration or the submission of an invalid declaration, or the illegal provision of services relating to raw materials, other materials, equipment or technologies, or of scientific or technical information) is a criminal and administrative offence. A specially empowered federal agency in the executive branch is responsible for implementing State policy and regulating and organizing interdepartmental relations in the field of export controls. Foreign trade involving controlled goods and technologies (including intangibles) is subject to licensing.

416. The Russian Federation is prepared to provide technical assistance to States requesting it, with the aim of ensuring that foreign trade is conducted with the use of lists of controlled micro-organisms, toxins, equipment and technologies.

417. In accordance with constitutional procedures, the Russian Federation has adopted the necessary national measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery mentioned in article I of the Convention.

418. A legal and regulatory foundation has been established to ensure compliance with the obligation to prohibit biological and toxin weapons. A national agency for implementation of the Convention is in operation.

419. The licensing of activities related to the use of infectious disease pathogens is governed by a federal law and by Government decisions, and a State registry has been established for genetic engineering activities.

420. The Criminal Code sets out penalties for the violation of obligations under the Convention and also for the violation of established rules of work with pathogenic micro-organisms and toxins.

421. Federal laws, Government decisions and other enactments establish the safety measures to be used with the various biological agents and toxins and regulate the procedure for issuing authorizations to work with micro-organisms and toxins, for accounting for them and for their storage, transport and transfer. In 2008 a special-purpose federal programme was adopted under the title “National chemical and biological safety system”. It is aimed in particular at controlling the risk of biological factors affecting the population and the environment and at increasing biological safety by improving measures covering organizational, health and epidemiological, veterinary, phytosanitary and technical and engineering aspects.

422. The Russian legal and regulatory basis is being brought into line with international instruments through the adoption of appropriate amendments aimed at improving State control mechanisms.

423. Measures to prevent the use of biological agents and toxins for terrorism or for other criminal purposes have been adopted and are being improved.

424. The executive agencies of the federal Government and of the constituent entities of the Russian Federation, and also physical and legal persons, irrespective of the departments to which they report, their legal and organizational basis and form of ownership, receive information when they are involved in the organization of activities or in research, production or other activities related to the use of micro-organisms or other biological agents or toxins, equipment or technology hazardous to humans, animals or plants. This support is provided by disseminating reference and informational materials on the country’s compliance with its obligation to prohibit and prevent the proliferation of biological and toxin weapons. The prohibition of biological and toxin weapons is covered in curricula and textbooks.

425. The Russian Federation is open to the idea of holding consultations and cooperating with other States parties to the Convention to resolve any issues that may arise in respect of the Convention's aims and the implementation of its provisions. Between 2007 and 2011, the Russian Federation, as a depositary for the Convention, received no communications from any States parties expressing concern about compliance with the obligations of the Convention. Such communications would have had to be submitted in accordance with the procedures agreed upon by the Second and Third Review Conferences.

426. As part of confidence-building measures, pursuant to the decisions taken at the Second and Third Review Conferences, by 15 April of every year between 2007 and 2011 the Russian Federation presented the United Nations with information on facilities and biological activities, in accordance with the established format. The presentation of such information by all States parties to the Convention is one of the main factors in strengthening this instrument.

427. As in the past, the Russian Federation remains committed to developing and adopting an international legally binding mechanism to monitor compliance with this Convention.

428. The Russian Federation is in full compliance with the requirements of United Nations Security Council resolution 1540 (2004) of 28 April 2004. The committee established pursuant to that resolution, the 1540 Committee, is provided with information on the implementation of the measures called for in the resolution. The Russian Federation plays an active role in the consultations, working sessions and meetings related to the implementation of this resolution, including in respect of compliance with the Convention.

429. The Russian Federation expresses its support for the appeal issued by United Nations Secretary-General Ban Ki-moon for the simplification of existing effective mechanisms and the establishment of new ones to prevent the proliferation of weapons of mass destruction, to strengthen the Convention and to combat terrorism.

430. The Russian Federation is prepared to cooperate in investigations undertaken by the United Nations Security Council under article VI of the Convention, on the basis of convincing evidence that any State party to the Convention or the Geneva Protocol of 1925 has been in breach of its obligations. It is prepared to participate in the provision of assistance to any State party if the Security Council adopts a decision stating that such a party has been exposed to danger as a result of a violation of the Convention.

431. The Russian Federation, as a party to the Geneva Protocol of 1925, maintains no reservations in respect of that instrument and fully meets its requirements. It calls on all States to withdraw all reservations filed during ratification of that international instrument.

432. The Russian Federation considers the implementation of article X to be an important factor in mutual relations among States parties in carrying out measures aimed at combating dangerous infectious diseases, regardless of whether they result from natural phenomena or from deliberate use.

433. The Russian Federation has the ways and means available to combat infectious diseases of people, animals and plants. It actively cooperates with many States and international organizations in addressing problems in this field.

434. The scientific and technical activities of the Russian Federation are carried out in cooperation with the scientific establishments of other States in a manner that is as open as possible to the international community. Evidence of this can be seen in jointly developed scientific programmes, in their close relations in the field of science, in the openness of scientific laboratories to foreign specialists and in the publication of research findings both in domestic and international sources.

435. The problem of combating infectious diseases remains one of the priorities for Russian cooperation in developing international forums and organizations, including the World Health Organization (WHO), the World Organisation for Animal Health (OIE), the Food and Agriculture Organization of the United Nations (FAO), the Commonwealth of Independent States (CIS), the Shanghai Cooperation Organization (SCO) and others.

436. To provide for scientific exchange, the Russian Federation held international seminars between 2007 and 2011 (including seminars on new technologies, modern equipment and disease prevention) and also conferences on various aspects of biotechnologies. Specialists receive skill enhancement training in epidemiology, diagnostics, disease prevention and means of combating dangerous diseases. Infectious disease pathogen strains are exchanged, taking into consideration the requirements of article III of the Convention and the national procedures applicable to foreign trade operations.

437. The Russian Federation advocates a strengthening of international cooperation, and is prepared to provide assistance to other States as they combat dangerous infectious diseases, including through bilateral agreements, within the framework of existing standards of international law.

438. The Russian Federation believes that there is currently no reason to introduce amendments to the text of the Convention.

439. The Russian Federation considers the Convention's review conferences to be important international events for the strengthening of the instrument; they make it possible to assess the status of compliance and to identify future steps to strengthen the Convention and implementation of its provisions. The next review conference should be scheduled for 2016.

440. The Russian Federation, as a depositary of the Convention, hereby expresses its satisfaction that there has not been a single State that has declared its intention to withdraw from the Convention under any circumstances, and expresses the hope that this will remain the case in the future.

441. The Russian Federation advocates the universality of the Convention and calls upon the States that have not yet become parties to do so as soon as possible.

442. The Russian Federation fully carries out its obligations as a depositary, in accordance with the procedure established in the Convention and the standards of international law.

South Africa

443. South Africa follows a holistic approach and has implemented policy, legislation and control mechanisms in the Non-Proliferation of Weapons of Mass Destruction and dual use goods. South Africa's policy on Non-Proliferation of Weapons of Mass Destruction is reflected in legislation and is regularly reviewed in accordance with national and international developments. The control of Weapons of Mass Destruction is achieved through international agreements relating to nuclear, chemical, and biological weapons. South Africa participates in most of these agreements. South Africa has legislation on Non-Proliferation of Weapons of Mass Destruction. The Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) was promulgated "To provide for control over weapons of mass destruction; and the establishment of a Council to control and manage matters relating to the proliferation of such weapons in the Republic; to determine its objects and functions; to prescribe the manner in which it is to be managed and controlled; and to provide for matters connected therewith". The South African Council for Non-

Proliferation of Weapons of Mass Destruction (The Council) was established for the control and management of matters relating to the proliferation of weapons of mass destruction in the Republic of South Africa. The Council is supported by the Ministry of Trade and Industry, where the Secretariat for the Council operates. The Secretariat provides the Council and its Committees with administrative and secretarial services.

444. The Non-Proliferation Council has established a number of committees in terms of the Act and these committees assist with specific technical issues. The committees include the following: the Control Committee, Chemical Weapons Working Committee, Biological Weapons Working Committee (BWWC), and the Nuclear and Missile Dual-Use Committee. The BWWC advises the Council on issues related to Biological and Toxin Weapons Convention (BTWC) and implementation of biological controls. The implementation of the act is supported through promulgation of lists of controlled goods, published in the Government Notice. The movement of controlled goods i.e. import, export, transit is controlled under section 13(2)(a) and (e) of the Act. South Africa formulated a list of bio-pathogens, equipment and technology. Biological goods and technology are declared as controlled goods along with control measures applicable to such controlled goods under Government Notice No.19 of 03 February 2010. The South African Council for Non-Proliferation of Weapons of Mass Destruction only controls the export of biological goods and technology.

445. In terms of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (Biological Weapons Convention), the South African Council for the Non-Proliferation of Weapons of Mass Destruction submits South Africa's Declaration on Confidence Building Measures annually. These confidence-building measures (CBMs) consist of annual exchanges of data and information, as well as declarations of past and present activities of relevance to the Convention.

Sweden

A. Article I

446. Sweden is in full compliance with its obligations under Article I and has not developed, produced, stockpiled, or otherwise acquired or retained microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes.

B. Article II

447. Sweden is in full compliance with its obligations under Article II.

C. Article III

448. Sweden complies fully with the undertaking not to transfer to any recipient whatsoever, directly or indirectly, and in any way to assist, encourage, or induce any state, group of states or international organisations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

449. Sweden continues to fulfil its obligations through national legislation and administrative arrangements and guidelines. The following legislation is the principal means of implementation:

(a) Penal Code of Sweden

(b) Customs Act

(c) Act on Penalties for Smuggling

(d) Act on Control of Dual-use Items and Technical Assistance

(e) Act on Criminal Responsibility for Terrorist Offences

(f) Act on Transport of Dangerous Goods

450. Relevant EU-legislation is also important in the implementation of the convention.

D. Article IV

451. In accordance with Article I, Sweden has taken the necessary measures to prohibit and prevent activities forbidden under this article. Such measures apply to the territory of Sweden and the territory under the jurisdiction or control of Sweden. Relevant legislation includes the Penal Code of Sweden which makes activities prohibited under the Convention into offences under domestic criminal legislation. The legislation also specifies penalties for the offences. In addition the Act on Criminal Responsibility for Terrorist Offences provides for penalties for an act of terrorism which uses dangerous pathogens or toxins, which could endanger life or cause serious harm. Other important means of legislation are the Communicable Diseases Act and Microbiological Work Environment Risks – Infection, Toxigenic Effect, Hypersensitivity.

452. The effectiveness of the necessary measures to prohibit and prevent the proscribed activities under the Convention is regularly reviewed.

453. In accordance with paragraph 18 of the Final declaration of the Sixth Review Conference, Sweden has designated a national focal point for coordinating national implementation of the Convention.

E. Article V

454. Sweden supports fully the decisions of States Parties recorded in the final declaration of previous Review Conferences with regard to consultation and cooperation mechanisms. Sweden has not requested a formal Consultative Meeting of State Parties under the provisions of Article V between 2007 and 2011.

455. In accordance with the relevant decisions of States Parties at the Second, Third and Sixth Review Conferences of the Convention Sweden has submitted confidence-building measures (CBM) to States Parties, via the Implementation Support Unit (ISU) within the UN Office for Disarmament Affairs each year 2007-2011.

F. Article VI

456. Sweden has not lodged any complaints with the Security Council concerning any other State Party acting in breach of obligations under Article I or II.

Sweden in 2009 organized a training course for nominated experts under the UNSG's mechanism for the investigation of alleged use of chemical and biological weapons and continues to nominate experts and laboratories available to the UNSG.

G. Article VII

457. No State Party has requested assistance from Sweden under Article VII.

H. Article VIII

458. Sweden ratified the 1925 Geneva Protocol in 1930.

I. Article IX

459. Sweden ratified the Chemical Weapons Convention on 17 June 1993. The Swedish Agency for Non-proliferation and Export Controls is the national authority responsible for the implementation of the CWC in Sweden. Every year the agency provides the Government with a report on the implementation of CWC. Information on the implementation of the CWC in Sweden can also be found from the Agency's website.

J. Other activities which support compliance with the BTWC

460. Sweden undertakes a wide range of activities to fulfil its obligation under the Convention. Examples include:

(a) support for UN Security Council Resolution 1540, including the submission of reports as required;

(b) support for the Proliferation Security Initiative;

(c) active participation in the Australia group.

461. Sweden has supported the EU Joint Actions on support for the Convention, including through practical support.

Switzerland

462. In line with the requested background information for the Seventh Review Conference of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, in particular the request for background information on compliance by all States Parties with all their obligations under the Convention as contained in document BWC/CONF.VII/PC/2, Switzerland submits the following report to States Parties. Switzerland is in full compliance with its obligations under the Convention, and offers the following information.

A. Articles I and II

463. Switzerland has never developed, produced, stockpiled or otherwise acquired or retained:

(a) microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes ;

(b) weapons, equipment or means of delivery.

B. Article III

464. Switzerland's national reports to the UNSC 1540 Committee (http://www.un.org/sc/1540/nationalreports.shtml) contains information on the Swiss efforts to prevent transfers of prohibited agents and equipment.

C. Article IV

465. In accordance with Article IV, Switzerland has taken the necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of the agents, toxins, weapons, equipment, and means of delivery specified in Article I of the Convention. A compilation of all relevant national legislation that is regularly updated is available online (http://www.vertic.org/pages/homepage/databases/bwc-legislation-database/s.php).

466. Switzerland's legislation on surveillance of the research, diagnostics and production activities with pathogenic and genetically modified organisms in Switzerland have been presented in detail to States Parties in a previous compliance report (BWC/CONF.VI/INF.6) and in a working paper submitted to the 2007 Meeting of Experts (BWC/MSP/2007/MX/WP.9).

467. Further to the discussions held during the 2007-2010 Intersessional Process, Switzerland started to work on additional measures to promote education and awareness-raising among life scientists as outlined in a background documentation paper submitted to the Preparatory Committee of the Seventh Review Conference (BWC/CONF.VII/PC/INF.4).

D. Article V

468. Switzerland supports fully the decisions of States Parties recorded in the final declarations of previous Review Conferences with regard to consultation and co-operation mechanisms.

469. Switzerland has participated annually in the information exchange through the Confidence Building Measures (CBM). Since 2007 Switzerland has made its returns also available on the public section of this Internet site of the United Nations Office at Geneva.

470. Switzerland remains committed to a strengthening and efficient use of the CBMs.

471. With a view to enhance the confidence building through active transparency, Switzerland in June 2010 invited the Geneva disarmament community to visit the high containment facility of the Spiez Laboratory.

E. Article VI

472. Switzerland has not lodged any complaints with the Security Council regarding any other States Parties acting in breach of obligations under the provisions of the Convention.

F. Article VII

473. No State Party has requested assistance from Switzerland under Article VII, nor has Switzerland invoked the provision of Article VII to receive assistance.

474. Switzerland is ready to provide assistance under Article VII, provided that its general reservation relating to its status as a perpetual neutral State is observed, i.e. its collaboration within the framework of this Convention cannot go beyond the terms prescribed by that status. Switzerland has expertise and infrastructure that could provide capacities in case of request. To this end, Switzerland refers to the roster of experts and laboratories of the Secretary-General's Mechanism for investigation of alleged use of chemical and biological weapons, in which the pertinent information is contained.

G. Article VIII

475. Switzerland ratified the 1925 Geneva Protocol on 12 July 1932 without any reservations (http://www.admin.ch/ch/f/rs/i5/0.515.105.fr.pdf).

H. Article IX

476. Switzerland ratified the Chemical Weapons Convention (CWC) on 10 March 1995 (http://www.admin.ch/ch/f/rs/i5/0.515.08.fr.pdf). A National Authority has been established under the lead of the Federal Department of Foreign Affairs. Further information on the national implementation of the CWC in Switzerland is available online (http://www.labor-spiez.ch/en/the/cw/index.htm).

I. Article XII

477. Switzerland is fully committed to continue to strengthen the implementation of the Convention.

Ukraine

A. Article I

478. Ukraine signed the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction on 10 April 1972 and ratified it on 21 February 1975. Ukraine wholeheartedly supports the principles and purposes of the Convention. Ukraine has never developed, produced, stockpiled or otherwise acquired, nor has it retained:

(a) Microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes;

(b) Weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

B. Article II

479. This article does not apply to Ukraine, as it does not possess any of the agents, toxins, weapons, equipment or means of delivery specified in article I.

C. Article III

480. Ukraine fully subscribes to article III of the Convention, and, consequently, it has never transferred to any recipient whatsoever, directly or indirectly, nor has it in any way assisted, encouraged or induced 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.

481. On 21 April 2005, Ukraine became a member of the Australia Group international export control regime, the purpose of which is to exercise controls over the export of dual-use materials, equipment and technologies that can be used in manufacturing chemical or biological weapons.

482. The legal framework for State export control consists of the Constitution and laws of Ukraine, the decrees of the President and decisions of the Cabinet of Ministers of Ukraine, other legal and regulatory acts, and the international instruments by which Ukraine — through its parliament, the Verkhovna Rada — has consented to be bound.

483. The legislation on export control includes the following laws and regulations:

(a) Act No. 549-IV of 20 February 2003 on State control over international transfers of military and dual-use goods;

(b) Act No. 959-XII of 16 April 1991 on foreign trade activities;

(c) The Criminal Code;

(d) The Code of Administrative Offences;

(e) Presidential Decree No. 1265 of 27 December 2001 on the State Export Control Service;

(f) Presidential Decree No. 448 of 8 April 2011 on the State Export Control Service;

(g) Presidential Decree No. 861 of 15 July 1999 on the procedure for establishing (withdrawing) restrictions on the export of goods in accordance with Ukraine's international obligations;

(h) Cabinet of Ministers Decision No. 767 of 15 July 1997 approving the Regulations governing the procedure for conducting expert analyses in the sphere of export control;

(i) Cabinet of Ministers Decision No. 125 of 4 February 1998 approving the Regulations governing the procedure for State monitoring of negotiations to conclude foreign trade agreements (contracts) for international transfers of military and dual-use goods;

(j) Cabinet of Ministers Decision No. 1807 of 20 November 2003 approving the Procedure for State control of international transfers of military goods;

(k) Cabinet of Ministers Decision No. 86 of 28 January 2004 approving the Procedure for State control of international transfers of dual-use goods;

(l) Cabinet of Ministers Decision No. 838 of 8 June 1998 approving the Regulations governing the procedure for granting entities engaged in foreign trade the right to export and import military goods and goods containing information that constitutes a State secret;

(m) Cabinet of Ministers Decision No. 920 of 27 May 1999 approving the Regulations governing the procedure for the provision of safeguards and State monitoring of obligations regarding the use, for declared purposes, of goods subject to State export control.

484. In the interests of Ukraine's national security and compliance with its international obligations regarding non-proliferation of weapons of mass destruction and their means of delivery and restriction of transfers of conventional weapons, and in connection with the ongoing Government reorganization, the regulations on the State Export Control Service were approved by Presidential Decree No. 448 of 8 April 2011. In accordance with the regulations, the main tasks of the State Export Control Service are as follows:

(a) Implementing State policy on control of international transfers of military and dual-use goods and of other goods that do not appear on the lists of goods subject to State export control but in respect of which State export control procedures may be applied, as stipulated by law, and submitting proposals for the development of this policy

(b) Protecting the national interests and strengthening the international authority of Ukraine in carrying out State control of international transfers of goods by ensuring compliance with Ukraine's international obligations regarding non-proliferation of weapons of mass destruction and their means of delivery and restriction of transfers of conventional weapons with a view to preventing their use for terrorist or other illegal purposes

(c) Furthering the development of international cooperation and coordinating with appropriate authorities of foreign States and with international organizations on non-proliferation of weapons of mass destruction and export control

485. Among the principles of State export control policy referred to in the Act on State control over international transfers of military and dual-use goods is the binding force of the obligation to fulfil Ukraine's international commitments regarding non-proliferation of weapons of mass destruction and their means of delivery, to establish State control of international transfers of military and dual-use goods and to implement measures to prevent such goods from being used for terrorist or other illegal purposes.

486. The preamble specifies that the Act regulates State control of international transfers of military and dual-use goods in order to protect Ukraine's national interests and ensure that it complies with its international obligations regarding non-proliferation of weapons of mass destruction and their means of delivery.

487. Article 4 indicates that one of the principles of State export control policy is the binding force of the obligation to fulfil Ukraine's international commitments regarding non-proliferation of weapons of mass destruction and their means of delivery, to implement measures to prevent such goods from being used for terrorist or other illegal purposes and to cooperate with international organizations and foreign States in the sphere of State export control with the aim of strengthening international security and stability, including preventing the proliferation of weapons of mass destruction and their means of delivery.

488. Article 10 sets forth State export control procedures designed to prevent the proliferation of weapons of mass destruction and their means of delivery. According to this article, export control procedures may in some cases be applied even to goods that do not appear on the export control lists (the so-called "catch-all" principle). As an example, if the central authorities responsible for export control receive information that there is an intention or likelihood that goods of any kind not appearing on the control lists will be

used, in their country of end use, in developing, manufacturing, stockpiling, testing, repairing, servicing, modifying, modernizing, operating, managing, storing, detecting or identifying weapons of mass destruction and their means of delivery, or in their proliferation, those authorities have to notify the State Export Control Service, which may apply State export control procedures to the goods in question.

489. State export control also applies to the export or temporary export of goods not appearing on the control lists if the goods are being exported or temporarily exported from Ukraine to a State against which a full or partial embargo on the supply of such goods has been imposed by a United Nations Security Council resolution, by another international organization or by national legislation, as well as to the import of such goods if, at the request of the exporting State, they are being brought into Ukraine on condition of the granting of an international import certificate.

490. As the authority responsible for State export control, the State Export Control Service is required by article 6 of the Act to assist with activities connected with international transfers of goods or to limit or ban such activities where there are grounds to believe that the goods are connected with weapons of mass destruction or are intended for the production of such weapons or their means of delivery, or where there are no adequate safeguards (obligations) regarding the end use of the goods.

491. By Cabinet of Ministers Decision No. 86 of 28 January 2004, the Procedure for State control of international transfers of dual-use goods was adopted. This document defines the procedures for the exercise of State control over international transfers of dual-use goods, specifically goods that can be used to produce biological or toxin weapons, regardless of the circumstances of supply, the nature of the contracts, the customs regime or other aspects of the transfer.

(a) The Procedure applies to all entrepreneurs in Ukraine registered with the State Export Control Service as entities undertaking international transfers of goods and engaged in the export, import or temporary export or import of dual-use goods, including in connection with manufacturing and science and technology, as well as to entrepreneurs engaged in the transit of such goods across the territory of Ukraine.

(b) The Procedure therefore excludes the possibility of international transfers of dual-use goods that could be used by non-State actors to produce weapons of mass destruction or their means of delivery.

492. In accordance with the provisions of this Procedure, and also of the Procedure for State control of international transfers of military goods approved by Cabinet of Ministers Decision No. 1807 of 20 November 2003, the following rules apply: it is prohibited to export individual goods to countries against which the United Nations Security Council has imposed an embargo on the export of such goods, and also in the event that expert analyses in the area of State export control indicate that there are grounds to believe that they are intended for:

(a) The production of weapons of mass destruction or their means of delivery;

(b) Use for terrorist or other illegal purposes;

(c) Use in activities connected with the production of nuclear explosive devices or in activities connected with the nuclear fuel cycle that are not under International Atomic Energy Agency (IAEA) safeguards;

(d) Use in activities connected with the acquisition, production, stockpiling or use of pathogenic agents (pathogens) and toxins as biological and toxin weapons or their components.

Lists of dual-use goods

493. Lists of dual-use goods that may be used to produce a biological weapon are set forth in annex 5 of the Procedure for State control of international transfers of dual-use goods.

494. Goods included in the lists that are transported across the customs borders of Ukraine are subject to mandatory customs clearance in accordance with the procedure established under the legislation of Ukraine.

D. Article IV

495. Ukrainian legislation prohibits individuals and legal entities from engaging in activities in violation of article I of the Convention.

1. Liability for the proliferation of weapons of mass destruction

496. Liability for violation of the laws concerning State control of the non-proliferation of weapons of mass destruction is governed by the Act on State control over international transfers of military and dual-use goods (sect. IV. Prevention of violations and liability in the area of State export control), the Criminal Code (art. 333) and the Code of Administrative Offences (arts. 188-17 and 212-4).

497. In accordance with article 24 of the Act on State control over international transfers of military and dual-use goods, offences in the area of State export control include:

(a) Conduct of international transfers of goods without obtaining a licence, safeguards conclusion or document under the established procedure or on the basis of licences, safeguards conclusions or documents obtained by submitting counterfeit documents or documents containing inaccurate information;

(b) Conclusion of foreign trade agreements (contracts) concerning international transfers of any goods or participation in their implementation in any way other than as specified by the Act on State control over international transfers of military and dual-use goods if the exporter becomes aware that such goods may be used by a foreign State or foreign business for the purpose of producing weapons of mass destruction or their means of delivery;

(c) Conduct of international transfers of goods even though the exporter has become aware that the goods will be used for other purposes or by other end-users than those specified in the foreign trade agreement (contract) or related documents on the basis of which the licence, safeguards conclusion or international import certificate was obtained;

(d) Deliberate concealment of information relevant to the decision on whether to grant licences, safeguards conclusions or international import certificates;

(e) Conduct of international transfers of goods in violation of the conditions specified in the licences, safeguards conclusions or international import certificates, including after making changes to the foreign trade agreement (contract), without the consent of the designated export control authority, concerning the names and identifying information of exporters, importers, brokers and end-users and also the descriptions of goods, end-use requirements and submission of the relevant safeguards documents;

(f) Conduct of negotiations concerning the conclusion of foreign trade agreements (contracts) on the export of goods in respect of the supply of which a partial embargo has been imposed on the foreign State concerned, without obtaining authorization from the designated export control authority;

(g) Failure to submit or late submission of reports and relevant documents to the designated export control authority concerning the outcome of the negotiations specified above, and also concerning the export or import of goods actually carried out on the basis of licences, safeguards conclusions or international import certificates obtained, and also concerning the use of such goods for their declared purposes;

(h) Obstruction of the performance of the official duties of staff of the designated export control authority and other State bodies involved in State export control during the performance of their official duties, or failure to comply with legitimate requests by such persons;

(i) Unwarranted refusal to provide information and documents requested by the designated export control authority or other competent State bodies involved in State export control or the deliberate falsification or concealment of such information and documents;

(j) Deliberate destruction of documents relating to the conclusion or execution of foreign trade agreements (contracts) on the conduct of international transfers of goods on the basis of which licences, safeguards conclusions or international import certificates were received before the end of the period during which they are required to be retained.

498. Article 25 of the Act establishes the liability of legal entities involved in international transfers of goods for violation of the requirements of the law in the area of export control specified in article 24 (paras. (i)–(x)).

499. The designated export control authority imposes fines for violations by legal entities involved in international transfers of goods, as follows:

(a) Under paragraphs (i) and (ii): 150 per cent of the value of the goods that were involved in the relevant international transfer if the competent central authorities and other State bodies find that the interests of Ukraine (political, economic or military) have been harmed or its international obligations violated, or 100 per cent of the value of the goods that were involved in the relevant international transfer if the competent central authorities and other State bodies find that there has been no harm to the interests of Ukraine (political, economic or military) or violation of its international obligations;

(b) Under paragraphs (iii), (iv) and (v), 100 per cent of the value of the goods that were involved in the relevant international transfer;

(c) Under paragraphs (vi) and (x), 1,000 times the individual income tax exemption limit;

(d) Under paragraph (vii), 500 times the individual income tax exemption limit;

(e) Under paragraphs (viii), (ix) and (x), 100 times the individual income tax exemption limit.

500. This article also provides that the designated export control authority, besides imposing the aforementioned fines, may revoke or suspend the licence, safeguards conclusion or international import certificate that it granted to such entrepreneur or revoke its registration with the authority as an entity authorized to conduct international transfers of goods, which has the effect of suspending any permit or safeguards document granted to such entity and valid at the time the registration is revoked.

2. Criminal liability for the proliferation of weapons of mass destruction

501. Any development, production, stockpiling or use of weapons of mass destruction stems from the decisions and actions of individuals, whether they are officials, private business persons, weapons experts or terrorists. However, the international conventions prohibiting such weapons have almost no provisions on individual liability. States are

therefore faced with the need to introduce appropriate provisions in their legislation to establish criminal liability for activities linked with the proliferation of weapons of mass destruction.

502. Thus, the Criminal Code of Ukraine contains eight articles that in one way or another are concerned with criminal liability for activities involving the potential proliferation of weapons of mass destruction: article 258 (Terrorist acts); article 261 (Attacks on facilities that contain objects posing an increased risk to the environment); article 321 (Illegal production, manufacture, acquisition, transport, transfer or stockpiling for sales purposes, or sale, of toxic or potent substances and of toxic or potent medicines); article 326 (Infringement of the rules on handling microbiological or other biological agents or toxins); article 333 (Infringement of the procedure for conducting international transfers of goods subject to State export control); article 439 (Use of weapons of mass destruction); article 440 (Development, production, acquisition, stockpiling, sale and transport of weapons of mass destruction); and article 441 (Ecocide).

3. Article 258: Terrorist acts

503. A terrorist act, that is the use of a weapon, the causing of an explosion, arson or other acts endangering the life or health of people or causing substantial damage to property or other serious consequences if such actions were committed for the purpose of impairing public safety, intimidating the population, provoking a military conflict or international complications, or for the purpose of influencing the taking of decisions, of exerting influence over whether action is taken or not taken by State or local government bodies, by officials of those bodies, by citizens' associations or by legal entities, or of drawing the attention of the public to certain political, religious or other views of the perpetrator (terrorist), and the threat to commit such actions for the same purpose, is punishable by a term of imprisonment of between 5 and 10 years.

504. When the same actions are committed more than once or by prior conspiracy among a group of persons, or result in substantial damage to property or other serious consequences, they are punishable by a term of imprisonment of between 7 and 12 years.

505. If the actions referred to in paragraphs 1 and 2 of article 258 result in the loss of human life, they are punishable by a term of imprisonment of between 10 and 15 years, or life imprisonment.

4. Article 261. Attacks on facilities that contain objects posing an increased risk to [the environment]

506. Attacks on facilities at which radioactive, chemical, biological or explosive materials, substances or items are produced, stored or used or in which they are transported, carried out with the aim of seizing, damaging or destroying such facilities, are punishable by a term of imprisonment of between 5 and 12 years.

5. Article 321: Illegal production, manufacture, acquisition, transport, transfer or stockpiling for sales purposes, or sale, of toxic or potent substances and of toxic or potent medicines

507. The illegal production, manufacture, acquisition, transport, transfer or stockpiling for sales purposes, or the sale, of toxic or potent substances other than narcotics, psychotropic substances or their analogues, or of toxic or potent medicines, and also the illegal production, manufacture, acquisition, transport, transfer or stockpiling for sales purposes, or the sale, of equipment intended for the production or manufacture of toxic or potent substances, or of toxic or potent medicines, where these actions have not been

specially authorized, is punishable by a fine of from 50 to 100 times the individual income tax exemption limit, or a term of imprisonment of up to 3 years

508. Violation of the rules governing the production, acquisition, storage, release, recording, transport or transfer of toxic or potent substances other than narcotics, psychotropic substances or their analogues, or of toxic or potent medicines, is punishable by a fine of up to 100 times the individual income tax exemption limit, or a term of imprisonment of up to 3 years.

6. Article 326: Infringement of the rules on handling microbiological or other biological agents or toxins

509. Infringement of the rules governing the storage, use, recording or transport of microbiological or other biological agents or toxins, and any other rules related to their handling, where it has presented a risk to human life or a risk of other grave consequences, or caused harm to the health of a victim, is punishable by a fine up to 50 times the individual income tax exemption limit, or punitive deduction of earnings for up to 2 years, or restriction of freedom for up to 3 years, with or without deprivation of the right to occupy certain positions or engage in certain activities for up to 3 years.

510. Where such actions have caused the loss of human life or other grave consequences, they are punishable by restriction of freedom for up to 5 years, or imprisonment for the same period, with deprivation of the right to occupy certain positions or engage in certain activities for up to 3 years.

7. Article 333: Infringement of the procedure for conducting international transfers of goods subject to State export control

511. Infringement of the procedure for conducting international transfers of goods subject to State export control is punishable by a fine from 100 to 200 times the individual income tax exemption limit, or restriction of freedom for up to 3 years, or imprisonment for the same period, with or without deprivation of the right to occupy certain positions or engage in certain activities for up to 3 years.

512. When the same actions are committed more than once or by an organized group, they are punishable by restriction of freedom for up to 5 years, or imprisonment for the same period, with deprivation of the right to occupy certain positions or engage in certain activities for up to 3 years.

8. Article 439: Use of weapons of mass destruction

513. The use of weapons of mass destruction that are prohibited by international treaties by which Ukraine — through its parliament — has consented to be bound is punishable by a term of imprisonment of between 8 and 12 years.

514. When the same action has caused loss of human life or other grave consequences, it is punishable by a term of imprisonment of between 8 and 15 years, or life imprisonment.

9. Article 440: Development, production, acquisition, stockpiling, sale or transport of weapons of mass destruction

515. The development, production, acquisition, stockpiling, sale or transport of weapons of mass destruction that are prohibited by international treaties by which Ukraine — through its parliament — has consented to be bound is punishable by a term of imprisonment of between 3 and 10 years.

10. Article 441: Ecocide

516. The large-scale destruction of plant or animal life, the poisoning of the atmosphere or water resources and any other actions that may cause an environmental disaster are punishable by a term of imprisonment of between 8 and 15 years.

11. Code of Administrative Offences

517. Article 188-17 of the Code of Administrative Offences establishes administrative responsibility of individuals and legal entities for non-compliance with legitimate requests by staff of the designated export control authority. Such violations are punishable by a fine of from 15 to 20 times the individual income tax exemption limit for citizens and of from 20 to 50 times the individual income tax exemption limit for officials.

518. Moreover, in accordance with article 212-14, violations of the legislation on State export control are punishable by a fine of from 15 to 20 times the individual income tax exemption limit for citizens and 20 to 50 times the individual income tax exemption limit for officials in the event of:

(a) Conduct of negotiations concerning the conclusion of foreign trade agreements (contracts) on the export of military goods, as well as dual-use goods, in respect of the supply of which a partial embargo has been imposed on the foreign State concerned, without obtaining authorization from the designated export control authority;

(b) Failure to submit or late submission of reports and relevant documents to the designated export control authority concerning the outcome of the negotiations specified in paragraph 1 of the article, and also concerning international transfers of military and dual-use goods actually carried out on the basis of licences or safeguards conclusions obtained, and also concerning the use of such goods for their declared purposes;

(c) Deliberate destruction of documents relating to the conclusion or execution of foreign trade agreements (contracts) on the conduct of international transfers of military and dual-use goods on the basis of which licences, safeguards conclusions or international import certificates were received before the end of the period during which they are required by law to be retained.

E. Article V

519. Ukraine continuously engages in consultations and cooperation with other States parties in addressing any issues related to the implementation of the provisions of the Convention.

520. Ukraine submits to the United Nations Secretariat each year the requisite statements regarding implementation of the Convention in the context of the confidence-building measures approved by the Second and Third Review Conferences.

521. Ukraine favours the further development and upgrading of machinery for cooperation among States parties under the Convention, and specifically the strengthening of cooperation in such areas as enforcement and information exchange, and also cooperation between national export control authorities.

F. Article VI

522. Ukraine has not invoked the provisions of article VI, nor has any other State party invoked its provisions against Ukraine.

G. Article VII

523. Ukraine has not received any requests for assistance under article VII.

H. Article IX

524. Ukraine ratified the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction on 16 October 1998. Ukraine affirms its commitment to the effective implementation of the Chemical Weapons Convention.

United Kingdom of Great Britain and Northern Ireland

A. Article I

525. Since its ratification of the Convention the UK has not developed, produced, stockpiled, or otherwise acquired or retained microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective, or other peaceful purposes. The UK holds biological or toxin agents of types and in quantities justified for prophylactic, protective or other peaceful purposes under appropriate supervision or control in accordance with UK national implementation measures under Article IV of the Convention.

526. Since its ratification of the Convention the UK has not possessed or developed, produced, stockpiled or otherwise acquired or retained any weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

B. Article II

527. The provisions of Article II impose obligations only upon those States Parties which possess or have under their jurisdiction or control, microbial or other biological agents, or toxins, weapons, equipment, or means of delivery specified in Article I.

528. In its 1992 Form F submission under the annual information exchange (CBMs), the UK reported to States Parties the destruction of its only stockpile of biological weapons prior to entry into force of the Convention in 1975.

C. Article III

529. The UK complies fully with the undertaking 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 organisations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

530. The UK continues to fulfil its obligations under Article III through legislation and a number of administrative arrangements and guidelines: the following legislation is the principal means of implementation within the UK.

(a) The Biological Weapons Act 1974;

(b) The Chemical Weapons Act 1996 implements the provisions of the Chemical Weapons Convention. The Act prohibits the transfer of chemical weapons including those based on toxins;

(c) Council Regulation (EC) 1334/2000 setting up a European Community regime for the control of exports of dual-use items and technology, including biological-related dual-use items and technology. The regulation was adopted in June 2000 and amendments are generally made on an annual basis:

(d) The Anti-Terrorism, Crime and Security Act 2001;

(e) The Export Control Act 2002;

(f) The Export of Goods Transfer of Technology and Provision of Technical Assistance (Control) Order 2003.

531. UK legislation is periodically reviewed to ensure that it is relevant and fit for purpose in view of changes in technology and new and emerging threats.

D. Article IV

532. Information on national implementation by the UK was supplied to States Parties in previous compliance reports and in working papers to the intersessional meetings, including 'Implementation of the BTWC in EU Member States' (BWC/MSP/2007/MX/MISC.2).

533. In accordance with Article IV, the UK has taken the necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of the agents, toxins, weapons, equipment, and means of delivery specified in Article I of the Convention. Such measures apply to the territory of the UK and territory under the jurisdiction or control of the UK. The legislation includes the Biological Weapons Act 1974 which make the prohibitions under the Convention into offences under domestic criminal legislation. The legislation also specifies penalties for the offences. In addition, Part 7 of the Anti-Terrorism, Crime and Security Act 2001 provides for the security and control of specified, dangerous pathogens and toxins, which could be used in an act of terrorism to endanger life or cause serious harm.

534. The effectiveness of the necessary measures to prohibit and prevent the proscribed activities under the Convention is regularly reviewed. Legislation and Regulations are amended as appropriate, and amendments are reported annually in Form E of the UK's Confidence Building Measures (CBM) submission, which is publicly accessible on the official BTWC website.

535. The UK also takes non-legislative measures that contribute to ensuring national implementation of the Convention:

(a) The UK Ministry of Defence has guidelines to ensure that its biological defence research and development programmes are in compliance with the BTWC. These guidelines codify existing approaches and practices and set out the procedures and responsibilities within the oversight mechanism to ensure that research is consistent with the obligations under the Convention and with relevant domestic law.

(b) The Academic Technology Approval Scheme (ATAS) was introduced on 1 November 2007 and is an essential part of the UK's commitment to Counter Proliferation. The ATAS is specifically designed to ensure that those applying for postgraduate study in certain sensitive subjects at UK higher education establishments do not acquire knowledge that could potentially be used in WMD programmes.

(c) The UK has held several seminars addressing codes of conduct, oversight, education and awareness-raising related to the BTWC. These were attended by representatives from academia, research councils, professional and trade associations and the pharmaceutical and biotechnology industries, and have been reported in Working Papers to BTWC meetings (e.g. BWC/MSP/2008/MX/WP.10). Such events have helped to raise the levels of awareness in the academic and research communities of the risks inherent in dual use biological science, and the responsibility of individuals to prevent misuse; highlight the nature of the Convention's legal prohibitions; and promote the need to address issues such as technology governance on a continuing basis.

536. In accordance with paragraph 18 of the Final Declaration of the Sixth Review Conference, the UK has designated a national focal point for coordinating national implementation of the Convention; contact details are posted on the secure area of the official BTWC website.

E. Article V

537. The UK supports fully the decisions of States Parties recorded in the final declarations of previous Review Conferences with regard to consultation and co-operation mechanisms. The UK has not requested a formal Consultative Meeting of States Parties under the provisions of Article V between 2007 and 2011.

538. In accordance with the relevant decisions of States Parties at the Second, Third and Sixth Review Conferences of the Convention the UK has submitted confidence-building measures to States Parties, via the Implementation Support Unit (ISU) within the UN Office for Disarmament Affairs. The information submitted by the UK in 2007, 2008, 2009, 2010 and 2011 is available online at:

http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C1257578005 5D9E8?OpenDocument

539. A revision was made to the UK's CBM submission of 31 March 2011 reporting on some newly released files which revealed some experimental work on anti-livestock BW agents during World War II between 1940 and 1942.

F. Article VI

540. The UK has not lodged any complaints with the Security Council concerning any other State Party acting in breach of its Article I or II obligations.

541. The UK contributed technical advice to the UNSG in 2007 on revision of the guidelines and procedures for the UNSG's mechanism for the investigation of alleged use of chemical and biological weapons, in line with General Assembly Resolution A/RES/60/288 (20 September 2006) . The UK continues to nominate experts and laboratories for the rosters available to the UNSG for the timely and efficient investigation of alleged use under these procedures, and supports further strengthening of the mechanism.

G. Article VII

542. No State Party has requested assistance from the UK under Article VII.

H. Article VIII

543. The UK ratified the 1925 Geneva Protocol on 9 April 1930. At the Third Review Conference of the BTWC in 1991, the UK informed States Parties of the withdrawal of the part of its reservation to that Protocol covering biological and toxin weapons and formally notified the Government of France, as Depositary, in writing on 8 November 1991. On 20 December 2002 the UK formally notified the Depositary that the UK had lifted its remaining reservations to that Protocol with respect to chemical weapons.

I. Article IX

544. As outlined in its compliance report in 2001 the UK ratified the Chemical Weapons Convention (CWC) on 13 May 1996. The National Authority to implement the CWC in the UK currently resides in the Department of Energy and Climate Change. Further information on the implementation of the CWC in the UK is available from the DECC website:

http://www.decc.gov.uk/en/content/cms/meeting_energy/en_security/nonprolif/chemical_bio/cwc_uk_auth/cwc_uk_auth.aspx.

545. Copies of the Annual Reports to Parliament on the implementation of the Chemical Weapons Act can be found at this site.

J. Article XII

546. The UK has provided a report on compliance at each Review Conference of the Convention along with papers on scientific and technological development. The UK fully supports periodic reviews of the operation of the Convention, and will make a specific proposal on how scientific and technological developments might be more effectively addressed in the context of the Convention.

K. Article XIV

547. The UK acts as one of three Depositaries to the Convention and continues to fulfil its obligations as a Depositary Government.

L. Other Activities which support compliance with the BTWC

548. The UK co-operates with other States Parties to the BTWC and other states, intergovernmental organisations, and non-governmental organisations to fulfil its obligations under the Convention. Examples of the co-operation and activities undertaken include:

(a) a significant expansion in the UK's contribution to the Global Partnership in the biological area – further details in the UK paper submitted pursuant to paragraph 54 of the Sixth Review Conference Final Declaration;

(b) activity to support the effectiveness of UK export licensing and export control procedures via participation in the Australia Group;

(c) support for UN Security Council Resolution 1540 (2004), including the submission of reports to the Committee as required; and,

(d) activity to deter and prevent the acquisition of materials and equipment related to offensive biological weapons programmes via support for the activities of the Proliferation Security Initiative.

549. The UK has supported the EU Joint Actions on support for the Convention, including practical support:

(a) for work on national implementation and CBMs, which has included UK expert involvement in assistance visits and awareness-raising workshops; and,

(b) for events promoting a focused discussion at the regional level among representatives of governments, the EU institutions and international organisations on BTWC intersessional topics.