

**SIXTH 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**

(Geneva, 20 November - 8 December 2006)

FINAL DOCUMENT

Geneva, 2006

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Part I. Organization and Work of the Conference

Introduction

1. The Final Report of the Fifth 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 (BWC/CONF.V/17), in the section on decisions and recommendations, contained the following decision:

"... the Conference decided that the Sixth Review Conference would be held in Geneva in 2006, and would be preceded by a Preparatory Committee".

2. By resolution 60/96, adopted without a vote on 8 December 2005, the General Assembly, *inter alia*, noted that, in accordance with the decision reached at the Fifth Review Conference, the Sixth Review Conference would be held in Geneva in 2006 and the dates would be formally agreed by the Preparatory Committee for that Conference, which would be open to all States Parties to the Convention and which would meet in Geneva during the week beginning 24 April 2006. The Meeting of States Parties to the Convention held in Geneva from 5 to 9 December 2005 decided that the Preparatory Committee would be held in Geneva from 26 to 28 April 2006.

3. The Preparatory Committee was held at Geneva from 26 to 28 April 2006. The following 78 States Parties to the Convention participated in the Preparatory Committee: Algeria, Argentina, Australia, Austria, Azerbaijan, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Holy See, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Malaysia, Malta, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Viet Nam and Yemen.

4. At its first meeting, on 26 April 2006, the Preparatory Committee elected by acclamation Ambassador Masood Khan (Pakistan) as Chairman of the Preparatory Committee. At the same meeting, it also unanimously elected Ambassador Doru Costea (Romania) and Mr. Knut Langeland (Norway) as Vice-Chairmen of the Preparatory Committee. The Preparatory Committee authorized the Bureau to handle technical and other matters in the period before the Review Conference was convened.

5. On behalf of the Secretary-General of the United Nations, Mr. Tim Caughley, Director of the Geneva Branch, Department for Disarmament Affairs, opened the Preparatory Committee. Mr. Richard Lennane, Political Affairs Officer, Geneva Branch, Department for Disarmament Affairs, served as Secretary of the Preparatory Committee. Mr. Piers Millett and Ms. Melissa Hersh served in the Secretariat.

6. The Preparatory Committee decided to take its decisions by consensus.
7. The Preparatory Committee decided to use Arabic, Chinese, English, French, Russian and Spanish as official languages.
8. The Preparatory Committee, taking note of their written requests, decided to invite the representatives of six signatories to the Convention, Egypt, Madagascar, Myanmar, Nepal, Syrian Arab Republic and United Arab Emirates, to participate in its discussions without the right to take part in the making of decisions.
9. The Preparatory Committee, taking note of a written request and in accordance with the draft rule 44, paragraph 2, decided to invite the representative of one state not party to the Convention, Israel, to participate as an Observer.
10. In the course of its session, the Preparatory Committee considered the following questions relating to the organization of the Review Conference:
 - (a) Date and duration;
 - (b) Provisional agenda;
 - (c) Draft rules of procedure;
 - (d) Background documentation;
 - (e) Publicity;
 - (f) Final document(s);
 - (g) Appointment of a provisional Secretary-General;
 - (h) Financial arrangements for the Preparatory Committee and the Review Conference.
11. At its last meeting, on 28 April 2006, the Preparatory Committee adopted its report, which was issued as a pre-session document of the Conference (BWC/CONF.VI/PC/2). The report contained, *inter alia*, the provisional agenda and the draft rules of procedure for the Conference (BWC/CONF.VI/PC/2, Annexes I and II, respectively).
12. Pursuant to the request of the Preparatory Committee, the following background documents were issued as pre-session documentation for the Conference:
 - (i) A background information document on the history and operation of the confidence-building measures agreed at the Second Review Conference and revised at the Third Review Conference. The document included data in summary tabular form on the participation of States Parties in the measures since the last Review Conference;

- (ii) A background information document on compliance by States Parties with all their obligations under the Convention. For the purpose of compiling this document, the Secretariat requested States Parties to provide information regarding compliance with all the provisions of the Convention;
- (iii) A background information document on new scientific and technological developments relevant to the Convention, compiled from information submitted by States Parties as well as from information provided by relevant international organizations;
- (iv) A background information document on developments since the last Review Conference in other international organizations which may be relevant to the Convention;
- (v) A background information document showing the additional understandings and agreements reached by previous Review Conferences relating to each article of the Convention, extracted from the respective Final Declarations of these conferences;
- (vi) A background information document on the status of universalization of the Convention.

Organization of the Conference

13. In accordance with the decision of the Preparatory Committee, the Conference was convened at the Palais des Nations in Geneva from 20 November to 8 December 2006.
14. On behalf of the Secretary-General of the United Nations, Mr. Nobuaki Tanaka, Under-Secretary-General for Disarmament Affairs, opened the Conference.
15. At its first meeting, on 20 November, the Conference elected by acclamation Ambassador Masood Khan (Pakistan) as President.
16. At the same meeting, the Secretary-General of the United Nations, Mr. Kofi Annan, addressed the Conference.
17. The Conference adopted its agenda as recommended by the Preparatory Committee (BWC/CONF.VI/1). The agenda as adopted is attached as Annex I to this Final Document.
18. The Conference took note with appreciation of the report of the Preparatory Committee (BWC/CONF.VI/PC/2).
19. The Conference adopted its Rules of Procedure as recommended by the Preparatory Committee (BWC/CONF.VI/PC/2, Annex II). The Rules as adopted are attached as Annex II of this Final Document. The Rules of Procedure provided, *inter alia*, for:
 - (i) a General Committee, chaired by the President of the Conference, and composed of the President, the 20 Vice-Presidents, the Chairman and the two Vice-Chairmen of the Committee of the Whole, the Chairman and the two Vice-Chairmen of the

Drafting Committee, the Chairman and the Vice-Chairman of the Credentials Committee, the three Regional Group Coordinators and the Depositories (see paragraph 21 of the report of the Preparatory Committee);

- (ii) a Committee of the Whole;
- (iii) a Drafting Committee; and
- (iv) a Credentials Committee composed of a Chairman and Vice-Chairman elected by the Conference, and five other members appointed by the Conference on the proposal of the President.

20. The Conference elected by acclamation 20 Vice-Presidents from the following States Parties: Austria, Belarus, Chile, China, Finland, Germany, India, Iran (Islamic Republic of), Italy, Japan, Malaysia, Mali, Mexico, Nigeria, Peru, Russian Federation, Slovakia, South Africa, Turkey and Ukraine. It also elected by acclamation the Chairmen and Vice-Chairmen of the Committee of the Whole, the Drafting Committee and the Credentials Committee, as follows:

Committee of the Whole:	Chairman	Ambassador Doru Costea (Romania)
	Vice-Chairman	Ambassador Paul Meyer (Canada)
	Vice-Chairman	Ambassador Boometswe Mokgothu (Botswana)
Drafting Committee:	Chairman	Mr. Knut Langeland (Norway)
	Vice-Chairman	Mr. Vladimir Bundin (Russian Federation)
	Vice-Chairman	Mr. Pedro Luiz Dalcero (Brazil)
Credentials Committee:	Chairman	Ambassador Philip Richard Owade (Kenya)
	Vice-Chairman	Ambassador Jürg Streuli (Switzerland)

The Conference also appointed the following five States Parties as members of the Credentials Committee: Bulgaria, Mongolia, Netherlands, New Zealand and Tunisia.

21. The Conference confirmed the nomination of Mr. Tim Caughley, Director of the Geneva Branch, Department for Disarmament Affairs, as Secretary-General of the Conference. The nomination had been made by the Secretary-General of the United Nations following an invitation by the Preparatory Committee. Mr. Richard Lennane, Political Affairs Officer,

Department for Disarmament Affairs, served as Secretary of the Conference. Ms. Soo-Hyun Kim, Mr. Piers Millett and Ms. Melissa Hersh served in the Secretariat.

Participation at the Conference

22. One hundred and three States Parties to the Convention participated in the Conference as follows: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Malaysia, Mali, Malta, Mexico, Moldova, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe.

23. In addition, ten states that had signed the Convention but had not yet ratified it participated in the Conference without taking part in the making of decisions, as provided for in rule 44, paragraph 1 of the Rules of Procedure: Burundi, Côte d'Ivoire, Egypt, Haiti, Madagascar, Myanmar, Nepal, Syrian Arab Republic, United Arab Emirates and United Republic of Tanzania.

24. One state, Israel, neither party nor signatory to the Convention, was granted Observer status in accordance with rule 44, paragraph 2 (a).

25. The United Nations, including the Department for Disarmament Affairs (UN-DDA), the United Nations Institute for Disarmament Research (UNIDIR), and the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), attended the Conference in accordance with rule 44, paragraph 3.

26. The Food and Agriculture Organization (FAO), the International Committee of the Red Cross (ICRC), the International Criminal Police Organization (INTERPOL), the League of Arab States, the Organization for the Prohibition of Chemical Weapons (OPCW), the World Health Organization (WHO), and the World Organisation for Animal Health (OIE) were granted Observer Agency status in accordance with rule 44, paragraph 4.

27. Thirty-three non-governmental organizations and research institutes attended the Conference under rule 44, paragraph 5.

Work of the Conference

28. The Conference held eight plenary meetings between 20 November and 8 December 2006.

29. At its first plenary meeting, on 20 November, the Conference adopted its indicative programme of work, as set out in BWC/CONF.VI/2.

30. The general debate, in which 40 States Parties, two signatories, the FAO, the ICRC, INTERPOL, the OPCW, the WHO and the OIE made statements, took place from the first to the third plenary meetings, on 20 and 21 November 2006.

31. The Committee of the Whole held eleven meetings between 21 November and 30 November, during which it reviewed the provisions of the Convention, article by article. The Committee also examined agenda items 11 and 12. The Committee submitted its report (BWC/CONF.VI/3) to the Conference at the seventh plenary meeting, on 30 November. The Conference took note of the report.

32. Following the conclusion of the Committee of the Whole, the President conducted a series of informal consultations, and was assisted in his work by Facilitators in the following areas:

Solemn Declaration: Ambassador Paul Meyer (Canada)

Articles I-IV and XII: Ambassador Doru Costea (Romania)

Articles V-VII and XI: Mr. Knut Langeland (Norway)

Articles VIII-IX: Mr. Muhammad Shahrul Ikram Yaakob (Malaysia)

Article X: Mr. Ben Steyn (South Africa)

Implementation Support Unit (ISU): Mr. Marcelo Valle Fonrouge (Argentina)

Work of the 2003-2005 Meetings: Mr. Knut Langeland (Norway)

Universalization: Mr. Enrique Ochoa (Mexico)

National Implementation: Mr. Craig Maclachlan (Australia)

2007-2010 Intersessional Topics: Ambassador Jayant Prasad (India)

Confidence-building Measures (CBMs): Ambassador Jean-François Dobelle (France)

Cross-cutting Issues: Ambassador John Duncan (United Kingdom)

33. The Drafting Committee held no formal meetings. The Chairman and Vice-Chairmen of the Committee met, and decided to assist the President with his informal consultations.

34. The Credentials Committee held three meetings. At its third and final meeting on 7 December, the Credentials Committee adopted its report (BWC/CONF.VI/5). The Conference took note of the report.

Documentation

35. A list of documents of the Conference is contained in Annex III of this Final Document. All documents are available on the United Nations Official Document System (ODS), accessible on the Internet at <http://documents.un.org>.

Conclusion of the Conference

36. At its eighth and final plenary meeting, the Conference approved the cost estimates for the meetings of experts and meetings of States Parties to be held from 2007 to 2010, including provision for an Implementation Support Unit (ISU)¹, as contained in BWC/CONF.VI/4. The Conference decided that the 2007 Meeting of Experts would be held in Geneva from 20-24 August 2007 and that the 2007 Meeting of States Parties would be held in Geneva from 10-14 December 2007. The Conference approved the nomination by the Group of the Non-Aligned Movement and Other States of Ambassador Masood Khan (Pakistan) as Chairman of the 2007 meetings.

37. At the same meeting the Conference adopted by consensus its Final Document, as contained in document BWC/CONF.VI/CRP.4, as orally amended, comprising three parts and three annexes, as follows:

- Part I: Organization and Work of the Conference;
- Part II: Final Declaration;
- Part III: Decisions and Recommendations;

- Annex I: Agenda of the Conference, as adopted;
- Annex II: Rules of Procedure of the Conference, as adopted;
- Annex III: List of Documents of the Conference.

¹ See Part III: Decisions and Recommendations

Part II. Final Declaration

THE STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION, WHICH MET IN GENEVA FROM 20 NOVEMBER TO 8 DECEMBER 2006 TO REVIEW THE OPERATION OF THE CONVENTION, SOLEMNLY DECLARE:

- (i) Their conviction that the Convention is essential for international peace and security;
- (ii) Their determination also to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control including the prohibition and elimination of all weapons of mass destruction and their conviction that the prohibition of the development, production and stockpiling of bacteriological (biological) weapons and their elimination, will facilitate the achievement of this goal;
- (iii) Their reaffirmation of their firm commitment to the purposes of the Preamble and all the provisions of the Convention;
- (iv) Their determination to comply with all their obligations undertaken pursuant to the Convention and their recognition that States Parties not in compliance with their Convention obligations pose fundamental challenges to the Convention's viability, as would use of bacteriological (biological) weapons by anyone at any time;
- (v) Their continued determination, for the sake of humankind, to exclude completely the possibility of the use of bacteriological (biological) weapons, and their conviction that such use would be repugnant to the conscience of humankind;
- (vi) Their reaffirmation that under any circumstances the use, development, production and stockpiling of bacteriological (biological) and toxin weapons is effectively prohibited under Article I of the Convention;
- (vii) Their conviction that terrorism in all its forms and manifestations and whatever its motivation, is abhorrent and unacceptable to the international community, and that terrorists must be prevented from developing, producing, stockpiling, or otherwise acquiring or retaining, and using under any circumstances, biological agents and toxins, equipment, or means of delivery of agents or toxins, for non-peaceful purposes, and their recognition of the contribution of full and effective implementation of United Nations Security Council Resolution 1540 by all states to assist in achieving the objectives of this Convention;
- (viii) Their conviction that the full implementation of all the provisions of the Convention should facilitate economic and technological development and international cooperation in the field of peaceful biological activities;

- (ix) Their reiteration that the effective contribution of the Convention to international peace and security will be enhanced through universal adherence to the Convention, and their call on signatories to ratify and other states not party to accede to the Convention without delay;
- (x) Their recognition that achieving the objectives of the Convention will be more effectively realized through greater public awareness of its contribution, and through collaboration with relevant regional and international organizations, in keeping within their respective mandates, and their commitment to promote this;
- (xi) Their recognition of their consideration of the issues identified in reviewing the operation of the Convention as provided for in Article XII, as well as their consensus on the follow-up actions contained herein.

Article I

1. The Conference reaffirms the importance of Article I, as it defines the scope of the Convention. The Conference declares that the Convention is comprehensive in its scope and that all naturally or artificially created or altered microbial and other biological agents and toxins, as well as their components, regardless of their origin and method of production and whether they affect humans, animals or plants, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes, are unequivocally covered by Article I.
2. The Conference reaffirms that Article I applies to all scientific and technological developments in the life sciences and in other fields of science relevant to the Convention.
3. The Conference reaffirms that the use by the States Parties, in any way and under any circumstances, of microbial or other biological agents or toxins, that is not consistent with prophylactic, protective or other peaceful purposes, is effectively a violation of Article I. The Conference reaffirms the undertaking in Article I never in any circumstances to develop, produce, stockpile or otherwise acquire or retain weapons, equipment, or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict in order to exclude completely and forever the possibility of their use. The Conference affirms the determination of States Parties to condemn any use of biological agents or toxins for other than peaceful purposes, by anyone at any time.
4. The Conference notes that experimentation involving open-air release of pathogens or toxins harmful to humans, animals and plants that have no justification for prophylactic, protective or other peaceful purposes is inconsistent with the undertakings contained in Article I.

Article II

5. The Conference reaffirms for any state ratifying or acceding to the Convention, the destruction or diversion to peaceful purposes specified in Article II would be completed upon accession to, or upon ratification of, the Convention.
6. The Conference emphasises that states must take all necessary safety and security provisions to protect populations and the environment when carrying out such destruction and/or

diversion. The Conference also stresses that these States Parties should provide appropriate information to all States Parties via the exchange of information (confidence-building measures form F).

7. The Conference welcomes statements made by States Parties, and newly acceding and ratifying States Parties, that they do not possess agents, toxins, weapons, equipment or means of delivery as prohibited by Article I of the Convention.

Article III

8. The Conference reaffirms that Article III is sufficiently comprehensive to cover any recipient whatsoever at the international, national or sub-national levels. The Conference calls for appropriate measures, including effective national export controls, by all States Parties to implement this Article, in order to ensure that direct and indirect transfers relevant to the Convention, to any recipient whatsoever, are authorized only when the intended use is for purposes not prohibited under the Convention.

9. The Conference calls for appropriate measures by all States Parties to ensure that biological agents and toxins relevant to the Convention are protected and safeguarded, including through measures to control access to and handling of such agents and toxins;

10. The Conference reiterates that States Parties should not use the provisions of this Article to impose restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials under Article X.

Article IV

11. The Conference reaffirms the commitment of States Parties to take the necessary national measures under this Article. The Conference also reaffirms that the enactment and implementation of necessary national measures under this Article would strengthen the effectiveness of the Convention. In this context, the Conference calls upon States Parties to adopt, in accordance with their constitutional processes, legislative, administrative, judicial and other measures, including penal legislation, designed to:

- (i) enhance domestic implementation of the Convention and ensure the prohibition and prevention of the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipments and means of delivery as specified in Article I of the Convention;
- (ii) apply within their territory, under their jurisdiction or under their control anywhere and apply, if constitutionally possible and in conformity with international law, to actions taken anywhere by natural or legal persons possessing their nationality;
- (iii) 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.

12. The Conference welcomes those measures taken by States Parties in this regard, and reiterates its call to any State Party that has not yet taken any necessary measures to do so without delay. The Conference encourages States Parties to provide appropriate information on any such measures they have taken, as well as any other useful information on their implementation, to the United Nations Department for Disarmament Affairs.

13. The Conference reaffirms the commitment of States Parties to take the necessary national measures to strengthen methods and capacities for surveillance and detection of outbreaks of disease at the national, regional and international levels.

14. The Conference urges the inclusion in medical, scientific and military educational materials and programmes of information on the Convention and the 1925 Geneva Protocol. The Conference urges States Parties to promote the development of training and education programmes for those granted access to biological agents and toxins relevant to the Convention and for those with the knowledge or capacity to modify such agents and toxins, in order to raise awareness of the risks, as well as of the obligations of States Parties under the Convention.

15. The Conference encourages States Parties to take necessary measures to promote awareness amongst relevant professionals of the need to report activities conducted within their territory or under their jurisdiction or under their control that could constitute a violation of the Convention or related national criminal law. In this context, the Conference recognises the importance of codes of conduct and self-regulatory mechanisms in raising awareness, and calls upon States Parties to support and encourage their development, promulgation and adoption.

16. The Conference urges States Parties with relevant experience in legal and administrative measures for the implementation of the provisions of the Convention, to provide assistance on request to other States Parties. The Conference also encourages such initiatives on a regional basis.

17. The Conference recalls United Nations Security Council Resolution 1540 (2004) that places obligations on all states and is consistent with the provisions of the Convention. The Conference notes that Resolution 1540 affirms support for the multilateral treaties whose aim is to eliminate or prevent proliferation of nuclear, chemical or biological weapons and the importance for all States Parties to these treaties to implement them fully in order to promote international stability. The Conference also notes that information provided to the United Nations by states in accordance with Resolution 1540 may provide a useful resource for States Parties in fulfilling their obligations under this Article.

18. The Conference encourages States Parties to designate a national focal point for coordinating national implementation of the Convention and communicating with other States Parties and relevant international organizations.

19. The Conference reaffirms that under all circumstances the use of bacteriological (biological) and toxin weapons is effectively prohibited by the Convention.

Article V

20. The Conference reaffirms that:

- (i) this article provides an appropriate framework for States Parties to consult and cooperate with one another to resolve any problem and to make any request for clarification which may have arisen in relation to the objective of, or in the application of, the provisions of, the Convention;
- (ii) any State Party which identifies such a problem should, as a rule, use this framework to address and resolve it;
- (iii) States Parties should provide a specific, timely response to any compliance concern alleging a breach of their obligations under the Convention.

21. The Conference reaffirms that the consultation procedures agreed at the Second and Third Review Conferences remain valid to be used by States Parties for consultation and cooperation pursuant to this Article. The Conference reaffirms that such consultation and cooperation may also be undertaken bilaterally and multilaterally, or through other appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

22. The Conference stresses the need for all States Parties to deal effectively with compliance issues. In this connection, the States Parties had agreed to provide a specific, timely response to any compliance concern alleging a breach of their obligations under the Convention. Such responses should be submitted in accordance with the procedures agreed upon by the Second Review Conference and further developed by the Third Review Conference. The Conference reiterates its request that information on such efforts be provided to the Review Conferences.

23. The Conference emphasises the importance of the exchange of information among States Parties through the confidence-building measures (CBMs) agreed at the Second and Third Review Conferences. The Conference welcomes the exchange of information carried out under these measures, and notes that this has contributed to enhancing transparency and building confidence.

24. The Conference notes that only a limited number of States Parties make an annual CBM submission. The Conference recognises the urgent need to increase the number of States Parties participating in CBMs. In this regard, the Conference also recognises the technical difficulties experienced by some States Parties in completing full and timely declarations. In order to update the mechanism of transmission of information, the Conference has agreed on several measures.¹

25. The Conference reaffirms that the data submitted in the framework of the annual exchange of information should be provided to the United Nations Department for Disarmament Affairs and promptly forwarded by it to all States Parties according to existing modalities. The information supplied by a State Party must not be further circulated or made available without the express permission of that State Party.

¹ See Part III: Decisions and Recommendations

Article VI

26. The Conference notes that the provisions of this Article have not been invoked.
27. The Conference emphasizes the provision of Article VI that such a complaint should include all possible evidence confirming its validity. It stresses that, as in the case of the implementation of all the provisions and procedures set forth in the Convention, the procedures foreseen in Article VI should be implemented in good faith within the scope of the Convention.
28. The Conference invites the Security Council:
- (i) to consider immediately any complaint lodged under this Article and to initiate any measures it considers necessary for the investigation of the complaint in accordance with the Charter;
 - (ii) to request, if it deems necessary and in accordance with its resolution 620 of 1988, the United Nations Secretary-General to investigate the allegation of use, using the technical guidelines and procedures contained in Annex I of United Nations Document A/44/561;
 - (iii) to inform each State Party of the results of any investigation initiated under this Article and to consider promptly any appropriate further action which may be necessary.
29. The Conference reaffirms the agreement of States Parties to consult, at the request of any States Party, regarding allegations of use or threat of use of biological or toxin weapons. The Conference reaffirms the undertaking of each State Party to cooperate in carrying out any investigations which the Security Council initiates.
30. The Conference notes that the Secretary-General's investigation mechanism, set out in A/44/561 and endorsed by the General Assembly in its resolution 45/57, represents an international institutional mechanism for investigating cases of alleged use of biological or toxin weapons. The Conference notes in this regard General Assembly resolution 60/288 (2006).
31. The Conference notes that the procedure outlined in this Article is without prejudice to the prerogative of the States Parties to consider jointly the cases of alleged non-compliance with the provisions of the Convention and to make appropriate decisions in accordance with the Charter of the United Nations and applicable rules of international law.

Article VII

32. The Conference notes with satisfaction that these provisions have not been invoked.
33. The Conference takes note of desires expressed that, should a request for assistance be made, it be promptly considered and an appropriate response provided. In this context, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties if requested.

34. The Conference considers that in the event that this Article might be invoked, the United Nations could play a coordinating role in providing assistance, with the help of States Parties as well as the appropriate intergovernmental organizations such as the World Health Organization (WHO), the World Organisation for Animal Health (OIE), the Food and Agriculture Organization of the United Nations (FAO), and the International Plant Protection Convention (IPPC).

35. The Conference notes that State Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons.

36. The Conference takes note of the proposal that States Parties may need to discuss the detailed procedure for assistance in order to ensure that timely emergency assistance would be provided by States Parties, if requested, in the event of use of biological or toxin weapons.

37. The Conference reaffirms the undertaking of States Parties to provide or support assistance to any State Party which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention.

38. The Conference takes note of the willingness of States Parties, where appropriate, to provide or support assistance to any State Party which so requests, when that State Party has been exposed to danger or damage as a result of the use of bacteriological (biological) agents and toxins as weapons by anyone other than a State Party.

Article VIII

39. The Conference appeals to all States Parties to the 1925 Geneva Protocol to fulfill their obligations assumed under that Protocol and urges all states not yet party to the Protocol to ratify or accede to it without delay.

40. The Conference acknowledges that the 1925 Geneva Protocol, which prohibits the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare, and the Convention complement each other. The Conference reaffirms that nothing contained in the Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any state under the 1925 Geneva Protocol.

41. The Conference stresses the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Convention.

42. The Conference welcomes the actions which States Parties have taken to withdraw their reservations to the 1925 Geneva Protocol related to the Convention, and calls upon those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations, and to notify the Depositary of the 1925 Geneva Protocol of their withdrawals without delay.

43. The Conference notes that reservations concerning retaliation, through the use of any of the objects prohibited by the Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and

retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use.

Article IX

44. The Conference reaffirms that this Article identifies the recognized objective of the effective prohibition of chemical weapons.

45. The Conference welcomes the fact that the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction entered into force on 29 April 1997 and that 181 instruments of ratification or accession have now been deposited with the United Nations. The Conference calls upon all states that have not yet done so to accede to that Convention without delay.

Article X

46. The Conference stresses the importance of implementation of this Article and recalls that the States Parties have a legal obligation to facilitate and have the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

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

48. The Conference reaffirms that existing institutional ways and means of ensuring multilateral cooperation among all States Parties need to be developed further in order to promote international cooperation for peaceful uses in areas relevant to the Convention, including such areas as medicine, public health, agriculture and the environment.

49. The Conference calls for the use of the existing institutional means within the United Nations system and other international organizations, in accordance with their respective mandates, to promote the objectives of this Article. In this regard the Conference urges States Parties, the United Nations and its specialized agencies to take further specific measures within their competence for the promotion of the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and of international cooperation in this field.

50. The Conference also recognises that there should be efficient coordination mechanisms between the specialized agencies of the United Nations system and international and regional organizations, in order to facilitate scientific cooperation and technology transfer.

51. The Conference emphasises that in the interest of facilitating the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxin agents for peaceful purposes, States Parties should not use the provisions of the Convention to impose restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials.

52. The Conference recognises the need to effectively implement national measures in order to further implementation of Article X. In this regard, the Conference urges States Parties to undertake to review their national regulations governing international exchanges and transfers in order to ensure their consistency with the objectives and provisions of all the articles of the Convention.

53. The Conference urges States Parties to develop frameworks for disease surveillance in humans, animals and plants, and to support programmes for effective responses at the national, bilateral, regional and multilateral levels, including through the conclusion of appropriate agreements that would promote the regular exchange of scientific and technical information in these fields.

54. The Conference encourages States Parties to provide appropriate information on how this Article is being implemented to the United Nations Department for Disarmament Affairs, and requests the Department to collate such information for the information of States Parties.

55. The Conference:

- (i) encourages the States Parties to continue strengthening existing international organizations and networks working on infectious diseases, in particular those of the WHO, FAO, OIE and IPPC, within their respective mandates;
- (ii) notes that the role of these organizations is limited to the epidemiological and public/animal/plant health aspects of any disease outbreak, but recognises the added value of information exchange with them;
- (iii) encourages States Parties to improve communication on disease surveillance at all levels, including between States Parties and with the WHO, FAO, OIE and IPPC;
- (iv) calls upon States Parties to continue establishing and/or improving national and regional capabilities to survey, detect, diagnose and combat infectious diseases as well as other possible biological threats and integrate these efforts into national and/or regional emergency and disaster management plans;
- (v) urges States Parties in a position to do so to continue supporting, directly as well as through international organizations, capacity-building in States Parties in need of assistance in the fields of disease surveillance, detection, diagnosis and combating of infectious diseases and related research;

- (vi) calls upon States Parties to promote the development and production of vaccines and drugs to treat infectious disease through international cooperation and, as appropriate, public-private partnerships.

56. The Conference recognises the important role of the private sector in the transfer of technology and information and the wide range of organizations within the United Nations system that are already engaged in international cooperation relevant to this Convention.

Article XI

57. The Conference notes that the Islamic Republic of Iran has formally presented a proposal to amend Article I and the title of the Convention to include explicitly the prohibition of the use of biological weapons.

58. The Conference takes note of the statement by the Government of the Russian Federation as a Depositary that it has notified all States Parties of the proposal by the Islamic Republic of Iran to amend the Convention. The Conference encourages all States Parties to convey their views to the Depositaries on the proposal by the Islamic Republic of Iran.

59. The Conference reaffirms that the provisions of this Article should in principle be implemented in such a way as not to affect the universality of the Convention.

Article XII

60. The Conference reaffirms that Review Conferences constitute an effective method of reviewing the operation of the Convention with a view to assuring that the purposes of the Preamble and the provisions of the Convention are being realized. The Conference therefore recommends that Review Conferences should continue to be held at least every five years.

61. The Conference decides that the Seventh Review Conference shall be held in Geneva not later than 2011 and should review the operation of the Convention, taking into account, *inter alia*:

- (i) new scientific and technological developments relevant to the Convention;
- (ii) the progress made by States Parties on the implementation of the obligations under the Convention;
- (iii) progress of the implementation of the decisions and recommendations agreed upon at the Sixth Review Conference.

Article XIII

62. The Conference reaffirms that the Convention is of unlimited duration and applies at all times, and expresses its satisfaction that no State Party has exercised its right to withdraw from the Convention.

Article XIV

63. The Conference notes with satisfaction that eleven states have acceded to or ratified the Convention since the Fifth Review Conference.

64. The Conference calls upon signatories to ratify the Convention, and upon those states which have not signed the Convention to accede to it without delay, thus contributing to the achievement of universal adherence to the Convention.

65. The Conference encourages States Parties to take action to persuade non-parties to accede to the Convention without delay, and particularly welcomes regional initiatives that would lead to wider accession to the Convention.

Article XV

66. The Conference decides that as well as the five languages listed in this Article, Arabic shall be considered an official language for the purposes of any meetings of the States Parties and other formal communications concerning the operation of the Convention.

Part III. Decisions and Recommendations

Work of the 2003-2005 Meetings of States Parties

1. In accordance with the decision taken by the resumed session of the Fifth Review Conference, these Meetings of States Parties of one week duration were held each year, commencing in 2003, to discuss, and promote common understanding and effective action on five specified topics. Each Meeting of States Parties was prepared by a two-week Meeting of Experts. The five topics were:

- (i) the adoption of necessary national measures to implement the prohibitions set forth in the Convention, including the enactment of penal legislation;
- (ii) national mechanisms to establish and maintain the security and oversight of pathogenic microorganisms and toxins;
- (iii) 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;
- (iv) strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants;
- (v) the content, promulgation, and adoption of codes of conduct for scientists.

2. The Conference notes that the Meetings of States Parties and Meetings of Experts functioned as an important forum for exchange of national experiences and in-depth deliberations among States Parties. The Meetings of the States Parties engendered greater common understanding on steps to be taken to further strengthen the implementation of the Convention.

3. The Conference notes the contribution by the WHO, FAO, OIE and other relevant international organizations, as well as scientific and academic institutions and non-governmental organizations, to the Meetings of States Parties and Meetings of Experts.

4. The Conference endorses the consensus outcome documents from the Meetings of States Parties (BWC/MSP/2003/4, BWC/MSP/2004/3 and BWC/MSP/2005/3).

Implementation Support Unit

5. Taking into account the importance of providing administrative support to meetings agreed by the Review Conference as well as comprehensive implementation and universalization of the Convention and the exchange of confidence-building measures, the Conference decides that an "Implementation Support Unit" (ISU) shall be established and will consist of three full time staff members within the Geneva Branch of the United Nations Department for Disarmament Affairs, funded by States Parties for the period from 2007-2011, to perform the following tasks:

A. Administrative support:

- (i) Providing administrative support to and preparing documentation for meetings agreed by the Review Conference;
- (ii) Facilitating communication among States Parties and, upon request, with international organizations;
- (iii) Facilitating, upon request, States Parties' contacts with scientific and academic institutions, as well as non-governmental organizations;
- (iv) Serving as a focal point for submission of information by and to States Parties related to the Convention;
- (v) Supporting, as appropriate, the implementation by the States Parties of the decisions and recommendations of this Review Conference.

B. Confidence Building Measures:

- (i) Receiving and distributing confidence-building measures (CBMs) to/from States Parties;
- (ii) Sending information notices to States Parties regarding their annual submissions;
- (iii) Compiling and distributing data on CBMs and informing on participation at each Meeting of States Parties;
- (iv) Developing and maintaining a secure website on CBMs to be accessible only to States Parties;
- (v) Serving as an information exchange point for assistance related to preparation of CBMs;
- (vi) Facilitating activities to promote participation in the CBM process, as agreed by the States Parties.

6. The Unit's mandate will be limited to the above-mentioned tasks. The Unit will submit a concise annual written report to all States Parties on its activities to implement this mandate. The Unit's performance will be evaluated and its mandate will be reviewed by States Parties at the Seventh Review Conference.

Intersessional Programme 2007-2010

7. The Conference decides:

- (a) To hold four annual meetings of the States Parties of one week duration each year commencing in 2007, prior to the Seventh Review Conference, to be held not

later than the end of 2011, to discuss, and promote common understanding and effective action on:

- (i) Ways and means to enhance national implementation, including enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions.
 - (ii) Regional and sub-regional cooperation on implementation of the Convention.
 - (iii) National, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins.
 - (iv) Oversight, education, awareness raising, and adoption and/or development of codes of conduct with the aim of preventing misuse in the context of advances in bio-science and bio-technology research with the potential of use for purposes prohibited by the Convention.
 - (v) With a view to enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases: (1) for States Parties in need of assistance, identifying requirements and requests for capacity enhancement; and (2) from States Parties in a position to do so, and international organizations, opportunities for providing assistance related to these fields.
 - (vi) Provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems.
- (b) Each meeting of the States Parties will be prepared by a one week meeting of experts. The topics for consideration at each annual meeting of States Parties will be as follows: items (i) and (ii) will be considered in 2007; items (iii) and (iv) in 2008; item (v) in 2009; and item (vi) in 2010. The first meeting will be chaired by a representative of the Group of the Non-Aligned Movement and Other States, the second by a representative of the Eastern European Group, the third by a representative of the Western Group, and the fourth by a representative of the Group of the Non-Aligned Movement and Other States.
- (c) The meetings of experts will prepare factual reports describing their work.
- (d) All meetings, both of experts and of States Parties, will reach any conclusions or results by consensus.
- (e) The Seventh Review Conference will consider the work and outcome of these meetings and decide on any further action.

Confidence-building Measures

8. The Conference notes that the review of Article V of the Convention has shown the need for enhancing participation of States Parties in the confidence-building measures (CBM) process. The Conference therefore decides that:

- (i) The Implementation Support Unit (ISU) within the United Nations Department for Disarmament Affairs, with the assistance of interested States Parties, shall develop an electronic format of the existing CBM forms.
- (ii) Once completed, the electronic forms shall, with the consent of the State Party submitting them, be posted on a secure Internet site and made available for the use of States Parties, to be developed under the auspices of the ISU. The information thus supplied by a State Party must not be circulated further without the express permission of that State Party.
- (iii) States Parties are invited to submit forms using the electronic format. States Parties that wish to submit completed paper forms instead of electronic forms may do so. The ISU shall insert the submitted hard copy data in the secure Internet site with the consent of the State Party providing this data in order to make it electronically available to all States Parties.
- (iv) The ISU shall centralize requests and offers of assistance regarding the submission of CBMs.
- (v) The ISU shall regularly inform States Parties about CBM returns and provide statistics on the level of participation at the annual meetings of States Parties.
- (vi) States Parties shall designate a national point of contact in charge of preparing the submission of CBMs, the contact details of which shall be sent to the ISU.
- (vii) The ISU shall circulate to points of contact a notice informing States Parties of the deadline for submitting information under the information exchange procedure (15 April) at least three months prior to this deadline.

9. Furthermore, the Conference reviewed the implementation of the CBMs during its session and agrees that the issue merits further and comprehensive attention at the Seventh Review Conference.

Promotion of Universalization

10. The Conference notes that although the Convention is a cornerstone of international security, with only 155 States Parties, membership of the Convention falls behind other major multilateral arms control, disarmament and non-proliferation treaties. The Conference agrees that a concerted effort by States Parties is needed to persuade states not party to join the Convention.

11. The Sixth Review Conference calls upon signatories to ratify the Convention and other states not party to accede to it without delay. The States Parties reaffirm their commitment to ensuring the universalization of the Convention. To this end, the Conference:

- (a) Requests States Parties to:
 - (i) promote universalization of the Convention through bilateral contacts with states not party;
 - (ii) promote universalization of the Convention through regional and multilateral fora and activities;
 - (iii) inform the Implementation Support Unit (ISU) of their designated national point of contact for facilitating information exchange of universalization efforts;
 - (iv) report, as appropriate, on their activities at annual meetings of States Parties;
 - (v) provide, as appropriate, the ISU with relevant information on activities related to the promotion of universalization of the Convention;
- (b) Agrees that the Chairs of Meetings of States Parties shall coordinate universalization activities, address states not party to the Convention, provide an annual report on universalization activities at Meetings of States Parties, and provide a progress report to the Seventh Review Conference, bearing in mind the primary responsibility of the States Parties on the implementation of this decision.
- (c) Tasks the Implementation Support Unit to:
 - (i) support the Chairs of Meetings of States Parties in the implementation of this decision;
 - (ii) support States Parties by maintaining a list of national points of contact;
 - (iii) consolidate and make available information on progress made by states not party towards ratification.

Annex I

AGENDA OF THE SIXTH REVIEW CONFERENCE

1. Opening of the Conference.
2. Election of the President.
3. Adoption of the agenda.
4. Submission of the final report of the Preparatory Committee.
5. Adoption of the Rules of Procedure.
6. Election of the Vice-Presidents of the Conference and Chairmen and Vice-Chairmen of the Committee of the Whole, the Drafting Committee and the Credentials Committee.
7. Credentials of representatives to the Conference:
 - (a) Appointment of the Credentials Committee;
 - (b) Report of the Credentials Committee.
8. Confirmation of the nomination of the Secretary-General.
9. Programme of work.
10. Review of the operation of the Convention as provided for in its Article XII:
 - (a) General debate;
 - (b) Articles I-XV;
 - (c) Preambular paragraphs and purposes of the Convention.
11. Consideration of issues identified in the review of the operation of the Convention as provided for in its Article XII and any possible consensus follow-up action.
12. Other matters, including the question of future review of the Convention.
13. Report of the Committee of the Whole.
14. Report of the Drafting Committee.
15. Preparation and adoption of the final document(s).

Annex II

RULES OF PROCEDURE OF THE CONFERENCE

I. REPRESENTATION AND CREDENTIALS

Delegations of Parties to the Convention

Rule 1

1. Each State Party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (hereinafter "the Convention") may be represented at the Conference by a head of delegation and such other representatives, alternate representatives and advisers as may be required.
2. The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials

Rule 2

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. Credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee

Rule 3

The Conference shall establish a Credentials Committee composed of the Chairman, one Vice-Chairman elected in accordance with rule 5, and five members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation

Rule 4

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Election

Rule 5

The Conference shall elect the following officers: a President and 20 Vice-Presidents as well as a Chairman and two Vice-Chairmen for the Committee of the Whole, a Chairman and a Vice-Chairman for the Drafting Committee and a Chairman and a Vice-Chairman for the Credentials Committee.

Acting President

Rule 6

1. If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.
2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President

Rule 7

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his delegation to vote in his place.

III. GENERAL COMMITTEE

Composition

Rule 8

1. The General Committee shall be composed of the President of the Conference, who shall preside, 20 Vice-Presidents, the Chairman of the Committee of the Whole, the Chairman of the Drafting Committee and the Chairman of the Credentials Committee. No two members of the General Committee shall be members of the same delegation and it shall be so constituted as to ensure its representative character.
2. If the President is unable to attend a meeting of the General Committee, he may designate a Vice-President to preside at such meeting and a member of his delegation to take his place. If a Vice-President is unable to attend, he may designate a member of his delegation to take his place. If the Chairman of the Committee of the Whole, the Drafting Committee or the Credentials Committee is unable to attend, he may designate one of the Vice-Chairmen or the

Vice-Chairman, as appropriate, to take his place, with the right to vote unless he is of the same delegation as another member of the General Committee.

Functions

Rule 9

The General Committee shall assist the President in the general conduct of the business of the Conference and subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. CONFERENCE SECRETARIAT

Duties of the Secretary-General of the Conference

Rule 10

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its committees and other appropriate bodies established under rule 34, and may designate a member of the Secretariat to act in his place at these meetings.
2. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the Secretariat

Rule 11

The Secretariat of the Conference shall, in accordance with these rules:

- (a) interpret speeches made at meetings;
- (b) receive, translate and circulate the documents of the Conference;
- (c) publish and circulate any report of the Conference;
- (d) make and arrange for the keeping of sound recordings and summary records of meetings;
- (e) arrange for the custody of the documents of the Conference in the archives of the United Nations and provide authentic copies of these documents to each of the depositary Governments; and
- (f) generally perform all other work that the Conference may require.

Costs

Rule 12¹

The costs of the Review Conference, including the session of the Preparatory Committee, will be met by the States Parties to the Convention participating in the Review Conference in accordance with the United Nations assessment scale pro-rated to take into account differences between the United Nations membership and the number of States Parties participating in the Conference. States which have signed but not yet ratified the Convention and which accept the invitation to take part in the Review Conference as provided by rule 44.1 will share in the costs to the extent of their respective rates of assessment under the United Nations scale. For States Parties or signatories which are not members of the United Nations the share will be determined on the basis of the similarly pro-rated scale in force for determining this share in the activities in which they take part.

V. CONDUCT OF BUSINESS

Quorum

Rule 13

A majority of the States Parties to the Convention participating in the Conference shall constitute a quorum.

General powers of the President

Rule 14

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, he shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, ascertain consensus, put questions to the vote and announce decisions. He shall rule on points of order. The President, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each State may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.
2. The President, in the exercise of his functions, remains under the authority of the Conference.

¹ It is understood that all financial arrangements for the Review Conference do not constitute a precedent.

Points of order

Rule 15

A representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 16

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 15, 17 and 19-22, the President shall call upon speakers in the order in which they signify their desire to speak.
2. Debate shall be confined to the subject under discussion and the President may call a speaker to order if his remarks are not relevant thereto.
3. The Conference may limit the time allowed to speakers and the number of times the representative of each State may speak on a question; permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 17

The Chairman of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by his committee.

Closing of list of speakers

Rule 18

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 22.

Right of reply

Rule 19

Notwithstanding rule 18, the President may accord the right of reply to a representative of any State participating in the Conference. Such statements shall be as brief as possible and shall, as a general rule, be delivered at the end of the last meeting of the day.

Suspension or adjournment of the meeting

Rule 20

A representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 23, be immediately put to the vote.

Adjournment of debate

Rule 21

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment after which the motion shall, subject to rule 23, be immediately put to the vote.

Closure of debate

Rule 22

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 23, be immediately put to the vote.

Order of motions

Rule 23

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

- (a) to suspend the meeting;
- (b) to adjourn the meeting;
- (c) to adjourn the debate on the question under discussion;
- (d) to close the debate on the question under discussion.

Submission of proposals and substantive amendments

Rule 24

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, proposals and substantive amendments shall be discussed or decided on no earlier than 24 hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions

Rule 25

A proposal or a motion may be withdrawn by its sponsors at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decision on competence

Rule 26

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it, shall be decided upon before a decision is taken on the proposal in question.

Reconsideration of proposals

Rule 27

Proposals adopted by consensus may not be reconsidered unless the Conference reaches a consensus on such reconsideration. When a proposal has been adopted or rejected by a majority or two-thirds vote, it may not be reconsidered unless the Conference, by a two-thirds majority of the members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

VI. VOTING AND ELECTIONS

Adoption of decisions

Rule 28

1. Decisions on matters of procedure and in elections shall be taken by a majority of representatives present and voting.

2. The task of the Review Conference being to review the operation of the Convention with a view to assuring that the purposes of the preamble and the provisions of the Convention are being realized, and thus to strengthen its effectiveness, every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.
3. If, notwithstanding the best efforts of delegates to achieve consensus, a matter of substance comes up for voting, the President shall defer the vote for 48 hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.
4. If by the end of the period of deferment the Conference has not reached agreement, voting shall take place and decisions shall be taken by a two-thirds majority of the representatives present and voting, providing that such majority shall include at least a majority of the States participating in the Conference.
5. If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.
6. In cases where a vote is taken in accordance with paragraphs 1 and 4 above, the relevant rules of procedure relating to voting of the General Assembly of the United Nations shall apply, except as otherwise specifically provided herein.

Voting rights

Rule 29

Every State Party to the Convention shall have one vote.

Meaning of the phrase "representatives present and voting"

Rule 30

For the purposes of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting are considered as not voting.

Elections

Rule 31

All elections shall be held by secret ballot, unless the Conference decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Rule 32

1. If, when only one elective place is to be filled, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined to the two candidates having obtained the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.
2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held among such candidates for the purpose of reducing their number to two; similarly, in the case of a tie among three or more candidates obtaining the largest number of votes, a special ballot shall be held, if a tie again results in the special ballot, the President shall eliminate one candidate by drawing lots and thereafter another ballot shall be held in accordance with paragraph 1.

Rule 33

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot the majority required and the largest number of votes, shall be elected.
2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, provided that if only one place remains to be filled the procedures in rule 32 shall be applied. The ballot shall be restricted to the unsuccessful candidates having obtained the largest number of votes in the previous ballot, but not exceeding twice the number of places remaining to be filled. However, in the case of a tie between a greater number of unsuccessful candidates a special ballot shall be held for the purpose of reducing the number of candidates to the required number; if a tie again results among more than the required number of candidates, the President shall reduce their number to that required by drawing lots.
3. If such a restricted ballot (not counting a special ballot held under the conditions specified in the last sentence of paragraph 2) is inconclusive, the President shall decide among the candidates by drawing lots.

VII. OTHER APPROPRIATE BODIES OF THE CONFERENCE

Rule 34

The Conference may establish appropriate bodies. As a general rule each State Party to the Convention participating in the Conference may be represented in those bodies unless otherwise decided.

Committee of the Whole

Rule 35

The Conference shall establish a Committee of the Whole to consider in detail the substantive issues relevant to the Convention with a view to facilitating the work of the Conference.

Drafting Committee

Rule 36

1. The Conference shall establish a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to it by the Conference. It shall also, without reopening substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference.
2. Representatives of delegations proposing texts referred to the Drafting Committee in conformity with paragraph 1 of this rule shall be entitled to participate, at their request, in the discussion of those texts in the Drafting Committee.
3. Representatives of other delegations may also attend the meetings of the Drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

VIII. OFFICERS AND PROCEDURES

Rule 37

The rules relating to officers, the Conference Secretariat, conduct of business and voting of the Conference (contained in chaps. II (rules 5-7), IV (rules 10-11), V (rules 13-27) and VI (rules 28-33) above) shall be applicable, *mutatis mutandis*, to the proceedings of committees and other appropriate bodies, except that:

- (a) unless otherwise decided, any body established under rule 34 shall elect a chairman and such other officers as it may require;
- (b) the Chairmen of the General Committee, the Committee of the Whole, the Drafting Committee and the Credentials Committee and the chairmen of bodies established under rule 34 may vote in their capacity as representatives of their States;
- (c) a majority of the representatives on the General Committee, the Committee of the Whole, the Drafting Committee or the Credentials Committee shall constitute a

quorum; the same may apply to any body established under rule 34 if the Conference so desires.

IX. LANGUAGES AND RECORDS

Languages of the Conference

Rule 38

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Interpretation

Rule 39

1. Speeches made in a language of the Conference shall be interpreted into the other languages.
2. A representative may make a speech in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the Secretariat may be based on the interpretation given in the first such language.

Language of official documents

Rule 40

Official documents shall be made available in the languages of the Conference.

Sound recordings of meetings

Rule 41

Sound recordings of meetings of the Conference and of all committees shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided, no such recordings shall be made of the meetings of any other appropriate body established under rule 34.

Summary records

Rule 42

1. Summary Records of the plenary meetings of the Conference, excluding that part of those meetings devoted to consideration of agenda item 10 (a), general debate, shall be prepared by the Secretariat. Such records shall be produced in the languages of the Conference. They shall be

distributed in provisional form as soon as possible to all participants in the Conference. Participants in the debate may, within three working days of receipt of provisional summary records, submit corrections on summaries of their own interventions to the Secretariat; in special circumstances, the presiding officer may, in consultation with the Secretary-General of the Conference, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Separate corrigenda to provisional records shall not normally be issued.

2. The summary records, with any corrections incorporated, shall be distributed promptly to participants in the Conference.

X. PUBLIC AND PRIVATE MEETINGS

Rule 43

1. The plenary meetings of the Conference shall be held in public unless otherwise decided.
2. Meetings of the Committees and any other appropriate body established under rule 34 shall be held in private.

XI. PARTICIPATION AND ATTENDANCE

Rule 44

1. Signatories

Any State signatory to the Convention which has not yet ratified it shall be entitled to participate, without taking part in the adoption of decisions, whether by consensus or by vote, in the deliberations of the Conference, subject to prior written notification to the Secretary-General of the Conference. This means that any of those signatory States shall be entitled to attend meetings of the Conference; to address plenary meetings; to receive the document of the Conference and to submit its views in writing to the Conference, which shall be considered as Conference documents.

2. Observers

(a) Any other State which, in accordance with article XIV of the Convention, has the right to become a Party thereto but which has neither signed nor ratified it may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference.² Such a State shall be entitled to appoint officials to attend meetings of the

² It is understood that any such decision will be in accordance with the practice of the United Nations General Assembly.

Plenary other than those designated closed meetings, and to receive documents of the Conference. An Observer State shall also be entitled to submit documents to the participants in the Conference.

(b) Any national liberation organization entitled by the General Assembly of the United Nations³ to participate as an Observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly, and all international conferences convened under the auspices of other organs of the United Nations, may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the Plenary and of the Committee of the Whole other than those designated closed meetings, and to receive documents of the Conference. An Observer organization shall also be entitled to submit documents to the participants in the Conference.

3. The United Nations

The Secretary-General of the United Nations or his representative or representatives shall be entitled to attend meetings of the Plenary and any other appropriate body established under rule 34 and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

4. Specialized agencies and regional intergovernmental organizations

The specialized agencies as well as regional intergovernmental organizations may apply to the Secretary-General of the Conference for Observer Agency status which will be accorded on the decision of the Conference. An Observer Agency shall be entitled to appoint officials to attend meetings of the Plenary other than those designated closed meetings and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as Conference documents.

5. Non-governmental organizations

Representatives of non-governmental organizations who attend meetings of the Plenary will be entitled upon request to receive the documents of the Conference.

³ Pursuant to General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 3280 (XXIX) of 10 December 1974.

Annex III

LIST OF DOCUMENTS

Symbol	Title
BWC/CONF.VI/1	Provisional Agenda for the Sixth Review Conference
BWC/CONF.VI/2	Provisional Indicative Programme of Work
BWC/CONF.VI/3	Report of the Committee of the Whole
BWC/CONF.VI/4	Estimated Costs of Meetings in 2007, 2008, 2009 and 2010 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, Note by the Secretariat
BWC/CONF.VI/5 and Corr.1 [ENGLISH ONLY]	Report of the Credentials Committee
BWC/CONF.VI/6	Final Document
BWC/CONF.VI/INF.1 and Corr.1 [ENGLISH ONLY]	Background Information Document Showing the Additional Understandings and Agreements Reached by Previous Review Conferences Relating to Each Article of the Convention, Prepared by the Secretariat
BWC/CONF.VI/INF.2 and Corr.1 [ENGLISH ONLY]	Background Information Document on Developments Since the Last Review Conference in Other International Organizations Which May Be Relevant to the Convention, Prepared by the Secretariat
BWC/CONF.VI/INF.3 Corr.1 [ENGLISH ONLY] and Add.1	Background Information Document on the History and Operation of the Confidence-Building Measures, Prepared by the Secretariat
BWC/CONF.VI/INF.4	Background Information Document on New Scientific and Technological Developments Relevant to the Convention, Prepared by the Secretariat
BWC/CONF.VI/INF.5	Background Information Document on Status of Universality of the Convention, Prepared by the Secretariat

Symbol	Title
BWC/CONF.VI/INF.6 [ENGLISH ONLY]	Background Information Document on Compliance by States Parties with Their Obligations under the Convention, Submissions from States Parties
BWC/CONF.VI/INF.7	Franco-Swiss International Seminar on 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, Submitted by France and Switzerland
BWC/CONF.VI/INF.8 [ENGLISH/FRENCH/ SPANISH ONLY]	List of Participants
BWC/CONF.VI/WP.1	Accountability Framework, Submitted by Canada
BWC/CONF.VI/WP.2	Biosafety and Biosecurity, Submitted by Germany on behalf of the European Union
BWC/CONF.VI/WP.3	Assessment of National Implementation of the Biological and Toxin Weapons Convention (BTWC), Submitted by Germany on behalf of the European Union
BWC/CONF.VI/WP.4	Enhancement of the Confidence-Building Measure (CBM) Process, Submitted by France on behalf of the European Union
BWC/CONF.VI/WP.5	Article X of the Biological and Toxin Weapons Convention (BTWC), Submitted by Finland on behalf of the European Union
BWC/CONF.VI/WP.6	Increasing Universal Adherence to the Biological and Toxin Weapons Convention (BTWC), Submitted by Italy on behalf of the European Union
BWC/CONF.VI/WP.7	Implementation of the Biological and Toxin Weapons Convention (BTWC): Need For a Concerted and Coordinated Approach, Submitted by The Netherlands on behalf of the European Union
BWC/CONF.VI/WP.8	The Intersessional Programme of Work: Its Utility and Contribution to Fulfilling the Object and Purpose of the Convention Between 2003-2005 and a Case for Further Intersessional Work After 2006, Submitted by France and the United Kingdom of Great Britain and Northern Ireland on behalf of the European Union

Symbol	Title
BWC/CONF.VI/WP.9 and Corr.1	Universalization, Submitted by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Peru and Uruguay
BWC/CONF.VI/WP.10 and Corr.1	Scientific Cooperation and Technology Transfer, Article X, Submitted by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Peru and Uruguay
BWC/CONF.VI/WP.11 and Corr.1	Follow-Up Mechanism, Submitted by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Peru and Uruguay
BWC/CONF.VI/WP.12 and Corr.1	Confidence-Building Measures, Submitted by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Peru and Uruguay
BWC/CONF.VI/WP.13 and Corr.1	Support Unit, Submitted by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico, Peru and Uruguay
BWC/CONF.VI/WP.14	Actions to Improve Confidence-Building Measures, Submitted by Switzerland
BWC/CONF.VI/WP.15	An Action Plan for Realising the Universalisation of the Biological and Toxin Weapons Convention, Submitted by Australia
BWC/CONF.VI/WP.16	Support Unit for the Biological and Toxin Weapons Convention, Submitted by Norway
BWC/CONF.VI/WP.17	Review of National Implementation of the Biological and Toxin Weapons Convention, Submitted by Japan
BWC/CONF.VI/WP.18	The Intersessional Process, Submitted by New Zealand
BWC/CONF.VI/WP.19	Universality of the BWC, Submitted by the Republic of Korea
BWC/CONF.VI/WP.20	New Inter-sessional Process, Submitted by South Africa
BWC/CONF.VI/WP.21	Confidence Building Measures, Submitted by South Africa

Symbol	Title
BWC/CONF.VI/WP.22	Bioterrorism, Submitted by Italy on behalf of the European Union
BWC/CONF.VI/WP.23	Codes of Conduct for Scientists, Submitted by the United Kingdom
BWC/CONF.VI/WP.24	Article X of the Convention, Submitted by the Islamic Republic of Iran
BWC/CONF.VI/WP.25	Prohibition of Use of Biological Weapons, Submitted by the Islamic Republic of Iran
BWC/CONF.VI/WP.26	Preliminary Comments on Article I of the Convention, Submitted by the States Parties of the Non-Aligned Movement and Other States
BWC/CONF.VI/WP.27	Confronting Noncompliance with the Biological Weapons Convention, Submitted by the United States of America
BWC/CONF.VI/WP.28	United States Progress on 2003-2005 Work Program Topics, Submitted by the United States of America
BWC/CONF.VI/WP.29	Article X of the Convention, Submitted by the States Parties of the Non-Aligned Movement and Other States
BWC/CONF.VI/WP.30	Actions, Measures or Other Steps that Japan has Taken on the Basis of the Discussions at the Meetings of Experts and of the Outcome of the Meetings of States Parties to the BWC in 2003, 2004 and 2005, Submitted by Japan
BWC/CONF.VI/WP.31	Information on Compliance with the Convention, Submitted by Ukraine
BWC/CONF.VI/WP.32	Intersessional Ad Hoc Mechanism, to be Established between the Sixth and Seventh Review Conferences of the BWC, Submitted by the States Parties of the Non-Aligned Movement and Other States
BWC/CONF.VI/WP.33	Technical Assistance, Exchange and Cooperation Undertaken by Australia in the Field of Biotechnology, Submitted by Australia
BWC/CONF.VI/WP.34	Report of the Biological Weapons Convention (BWC) Regional Workshops Co-Hosted by Indonesia and Australia, Submitted by Australia and Indonesia

Symbol	Title
BWC/CONF.VI/WP.35 and Corr.1 [ENGLISH ONLY]	Proposals for the Final Declaration, Submitted by the Islamic Republic of Iran
BWC/CONF.VI/WP.36	Article VI and the UN Secretary-General's Mechanism for Investigating Alleged Use of Chemical and Biological Weapons, Submitted by Germany
BWC/CONF.VI/WP.37	Proposal for the Modification of the Format of Confidence-Building Measures Forms, Submitted by Switzerland
BWC/CONF.VI/WP.38	Report on Compliance, Submitted by Canada
BWC/CONF.VI/WP.39	Proposal for a Plan of Action on Implementation of Article X, Submitted by the States Parties of the Non-Aligned Movement and Other States
BWC/CONF.VI/CRP.1 [ENGLISH ONLY]	Proposed Language Submitted to the Committee of the Whole
BWC/CONF.VI/CRP.2 [ENGLISH ONLY]	Draft Report of the Committee of the Whole
BWC/CONF.VI/CRP.3 [ENGLISH ONLY]	Proposed Language Submitted to the Committee of the Whole
BWC/CONF.VI/CRP.4 [ENGLISH ONLY]	Draft Final Document
BWC/CONF.VI/Misc.1 [ENGLISH/FRENCH/ SPANISH ONLY]	Provisional List of Participants
BWC/CONF.VI/SR.1	Summary Record (Partial) of the 1st Meeting
BWC/CONF.VI/SR.2	Summary Record (Partial) of the 2nd Meeting
BWC/CONF.VI/SR.3	Summary Record (Partial) of the 3rd Meeting
BWC/CONF.VI/SR.4	Summary Record (Partial) of the 4th Meeting
BWC/CONF.VI/SR.5	Summary Record (Partial) of the 5th Meeting
BWC/CONF.VI/SR.6	Summary Record of the 6th Meeting

BWC/CONF.VI/SR.7

Summary Record of the 7th Meeting

BWC/CONF.VI/SR.8

Summary Record of the 8th Meeting
