

Third Session
Geneva, 27 November-8 December 1995

FRIEND OF THE CHAIR ON CONFIDENCE BUILDING AND TRANSPARENCY MEASURES

This paper is without prejudice to the positions of delegations on the issues under consideration in the Ad Hoc Group and does not imply agreement on the scope or content of the paper.

These potential confidence building and transparency measures would be voluntary and non-mandatory, and they could be included, as appropriate, into a legally binding instrument.

Surveillance of legislation

1. Collection and survey of information with regard to legislation that is directly related to the BWC and its Protocol. (Existence or absence of legislation may not be an indication of compliance or non-compliance.)
2. Collection
 - 2.1 States Parties are requested to provide relevant information.
 - 2.2 BWC organization is to collect, as appropriate, relevant information.
3. Survey
 - 3.1 Management, categorization and synthesis.
 - 3.2 To be carried out by personnel with specific expertise, relying on information technology.
 - 3.3 Survey will have to be focussed.
4. Sources of information
 - 4.1 Legislation directly related to the BWC and its Protocol.
 - 4.1.1 Enabling legislation with regard to the BWC and its Protocol.
 - 4.2 Regulations related to activities/facilities/programmes/agents covered by the BWC

and its Protocol.

- 4.3 Other measures related to activities/facilities/programmes/agents covered by the BWC and its Protocol.
- 4.4 Legislative, regulatory and relevant statistical data bases.
5. Information to be collected and surveyed
 - 5.1 Besides legislation directly related to BWC and Protocol (enabling legislation) key identifiers (triggers) should be used.
 - 5.1.1 Same triggers as for declarations (compliance measures)
 - 5.1.2 Possibility of combining triggers.
 - 5.1.3 Other possible triggers.
6. Activities to be covered
 - 6.1 Development, production, stockpiling, acquisition, or retention of microbial or other biological agents, or toxins, weapons, equipment and means of delivery specified in Article I; export of micro-organisms and toxins; imports of micro-organisms and toxins (1991 CBM, “E” approach).
 - 6.2 All activities covered by BWC and Protocol and activities related to triggers.
7. Modalities
 - 7.1 States Parties are requested to provide baseline information.
 - 7.2 States Parties are requested to provide information on an annual basis about changes.
 - 7.3 Organization is to collect and survey information continuously.
 - 7.4 Information to be provided.
 - 7.4.1 Copies of legislation in original languages if possible with unofficial translation in one of UN official languages.
 - 7.4.2 A short resumé in one of the UN official languages.
 - 7.4.3 Preferably in computerized format (floppy disk).
 - 7.5 Information can be used to provide, as appropriate, “model” legislation.
 - 7.6 Information can be accessed by States Parties