

**AD HOC GROUP 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**

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**PROPOSED LANGUAGE CHANGES FOR ANNEX D -
[FACILITY] INVESTIGATIONS [OF ANY OTHER ALLEGED BREACH OF
OBLIGATIONS UNDER THE PROVISIONS OF THE CONVENTION]**

Paragraph 7(f). Delete “on” and replace it with “during”, delete both the bracketed words [site] and [area].

Paragraph 8. Delete and replace the paragraph with: “**The Director General shall, not less than [12] [36] [48] hours prior to the arrival of the investigation team at the point of entry, notify the State Party on whose territory or under whose jurisdiction or control the facility to be investigated is situated.**”

Paragraph 10 (a). Delete the subparagraph and replace it with: “**Name of the receiving State Party.**”

Paragraph 10 (a) bis. Add a new paragraph 10 (a) bis: “**The name of the host State Party/ State, when applicable.**”

Paragraph 10 (e). Delete and replace the sentence with: “**If using a non-scheduled aircraft, the standing diplomatic clearance number or the appropriate information required by the State Party to receive an investigation to facilitate the arrival and handling of the non-scheduled aircraft.**”

Paragraph 11. Insert in the last sentence in the dotted areas: “**the first time of arrival of the investigation team at the final investigation perimeter**” before “until” and “**departure of the investigation team from the point of exit**” after “until”.

Paragraph 22. Delete the last two sentences of the paragraph. The same points are covered in paragraph 24.

Paragraph 24. Delete the word “such” in front of “transportation” in the first line. Add the following phrase after “transportation” in the first line: “**to the final or alternative perimeter**”.

Paragraph 28. Delete and replace the paragraph with: “**The investigated State Party shall provide a pre-investigation briefing to the investigation team prior to granting it access. The briefing shall include the scope and a general description of the activities of the facility, details of the physical layout and other relevant characteristics of the site, including a map or sketch showing all structures and significant geographic features as well as details of the availability of facility personnel and records. It shall also include information concerning the safety regulations including, where applicable, rules of observation and quarantine, in force at the facility. The briefing shall, wherever possible, include a tour of the site within the final perimeter. It may also include an indication of areas the investigated State Party considers sensitive or not related to the purpose of the investigation. The investigation team shall provide information on the vaccination status of the team members at the pre-investigation briefing. The briefing shall not normally exceed 3 hours.**”

Paragraph 34. Insert the following phrase after “State Party” in the first sentence: “**which may include a legal adviser and/or a senior member of the facility staff**”. Delete the second sentence.

Add the following paragraphs after paragraph 55:

The Director-General shall have the primary responsibility for the security, integrity and preservation of samples and for ensuring that the confidentiality of samples transferred for off-site analysis is protected. The Director-General shall, in any case:

(a) **Establish a stringent regime governing the collection, handling, transport and analysis of samples;**

(b) Select from among the designated laboratories those which shall perform analytical or other functions in relation to the investigation.

When off-site analysis is to be performed, samples shall be analysed in at least two designated laboratories. The Technical Secretariat shall ensure the expeditious processing of the analysis. The samples shall be accounted for by the Technical Secretariat and any unused samples or portions thereof shall be returned to the Technical Secretariat.

Any samples remaining after analyses that have not been destroyed shall be returned to the State Party of origin.

Paragraphs 59 and 60. Reverse the order of paragraphs 59 and 60.

Paragraph 60. Add after “States Parties” in the second last line the following: “**which shall be attached to the report as an annex**”. Delete and replace the last sentence with: “**The investigation team shall refer to the comments of the receiving State Party in the report and, where appropriate, incorporate them before submitting the final report to the Director-General.**”

Paragraph 59. Delete and replace the phrase “with Article I of the BTWC” with: “**as expressed in paragraph 1, subparagraph (b) of this section**”. Delete the brackets around the phrase starting with “particularly”.

Paragraph 60 bis. Add a new paragraph 60 bis: “**The final investigation report shall be made available to the receiving State Party. There shall be attached to it any written comments that the receiving State Party may wish to make concerning the findings contained in it. The final report, together with the attached comments by the receiving State Party, shall be transmitted to the Technical [Secretariat] [Body] no later than [30] days after the completion of the investigation for further management in accordance with Article III, section F, subsection III, paragraphs 62 to 67.**”
