

**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 TEXT FOR ARTICLE III _ DECLARATIONS

[(F)WORK WITH LISTED AGENTS AND/OR TOXINS]

13. Each State Party shall submit to the Organization, not later than [180] days after this Protocol enters into force for it and on an annual basis thereafter, not later than **[30 April]** of each successive year, a declaration, in which it shall:

Declare, in accordance with the format in [Annex] [**Appendix**]..., facilities located on its territory or in any other place under its jurisdiction or control, which in the previous year have conducted any of the following activities with agents **and/or toxins** listed in Annex A:

(a) Research and development, with certain containment characteristics including negative air pressure;

(b) Production and recovery of one or more agents or toxins listed in Annex A;

(c) Genetic modification in any one of the following ways or combined:

- (i) Modification of any pathogen listed in Annex A, which creates or results in **change of antigenicity**, increased antibiotic resistance, stability, or toxic or disease-causing properties;
- (ii) Modification of nucleic acid sequences **relating to** any toxin in Annex A, [or **to** the subunits of any such toxin,] which results in enhanced toxicity, **stability, and ease of production;**

(iii) Transfer of nucleic acid sequences relating to any pathogen **and/or toxin** listed in Annex A into another organism, resulting in a genetically modified organism with new disease-causing or toxic properties;

(iv) Transfer of nucleic acid sequences coding for any toxin listed in Annex A, or for the subunits of any such toxin, into another organism to facilitate the production of the toxin or **its toxicity** subunit;]

(d) Aerobiology:

(i) [Deliberate] aerosolization of any agent **or toxin** listed in Annex A;

(ii) Any activities associated with aerosolized agents or toxins listed in Annex A;

[(e) Maintain culture collections registered and designated by the government and provide professional services on demand.]

14. For the purposes of paragraph 13 above on Work with Listed Agents **and/or Toxins**, the following exclusions apply:

A facility should not be declared under paragraph 13 if:

The facility works with listed agents only for the purpose of diagnosis of human, animal or plant disease, or for testing for food or water hygiene, or for testing the efficacy of antimicrobial preparations, vaccines, toxoids or antitoxin immunoglobulin preparations.

[(G) NON_VACCINE PRODUCTION FACILITIES]

15. Each State Party shall submit to the Organization, not later than [180] days after this Protocol enters into force for it and on an annual basis thereafter, not later than ... of each successive year, a declaration, in which it shall:

Declare, in accordance with the format in Annex ..., facilities located on its territory or in any other place under its jurisdiction or control, which at any time in the previous year have:

Produced medicines, antimicrobials, pesticides, plant inoculants, proteins other than enzymes, peptides or amino acids, nucleic acids or genetic elements, microorganisms in areas protected by high containment,

when

(a) This involved [use] of a fermenter/bioreactor exceeding [30] litres in capacity, or smaller fermenters/bioreactors with an aggregate capacity exceeding [100] litres, or continuous or perfusion fermenters/bioreactors with a flow rate capable of exceeding [2] litres per hour;

or

(b) This involved production by other methods with an annual consumption exceeding [...] embryonated eggs or [...] litres of tissue culture medium or [...] litres of other medium.

16. For the purpose of paragraph 15 above on Non_Vaccine Production Facilities, the following exclusions apply:

A facility should not be declared under paragraph 15 if:

The [facility was] solely [used] for bioremediation or waste treatment, or for manufacture for sale or use of soap, cosmetics, detergents, fertilizers, or of foods or beverages for humans or animals [, or of single_cell proteins].

[(H) OTHER FACILITIES

17. Each State Party shall submit to the Organization, not later than [180] days after this Protocol enters into force for it and on an annual basis thereafter, not later than [30 April] of each successive year, a declaration, in which it shall declare, in accordance with the format in [Annex] [Appendix ...], facilities located on its territory or in any other place under its jurisdiction or control, which in the previous year have not conducted any activities with agents and/or toxins listed in Annex A but:

- Possess aerosol test chambers of ... m³ or above for work with microorganisms or toxins;
 - Possess equipment for aerosol dissemination in the open air with a particle mass median diameter not exceeding [10] microns [excluding those for purely routine agricultural [, health or environmental] use];
 - conduct genetic modification [to enhance pathogenicity and virulence [or resistance to environmental factors/antibiotics]] [with BL3 containment or equivalent standard] [with high containment] [and have an aggregate production capacity of 100 litres or more].]
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