

**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**

BWC/AD HOC GROUP/WP.396
26 July 1999

Original: ENGLISH

Fifteenth session
Geneva, 28 June - 23 July 1999

**Working paper submitted by the United Kingdom of
Great Britain and Northern Ireland and the
United States of America**

*Changes to document BWC/AD HOC GROUP/45 (Part I) - Article III, section G,
subsection (A) and Annex D, II.*

INVESTIGATION OF DISEASE OUTBREAKS

5. All outbreaks of disease which are due to natural causes do not pose a compliance concern under the Convention and shall not be a ~~cause~~ **reason** for an investigation of a non-compliance concern.

5 bis Nothing in this Protocol shall prejudice the right of a State Party to investigate, as per its national regulations, outbreaks of disease which occur on its territory or in any place under its jurisdiction or control, or if it so wishes, with the assistance of other State(s) and/or relevant international organizations.

5 ter If a State Party has a concern that an outbreak of disease is directly related to activities prohibited by the Convention, it shall ~~provide in its request for an investigation detailed information, reasons and evidence to demonstrate~~ **have the right to request a field investigation to address the non-compliance concern. In accordance with the requirements of Annex D, part II, paragraphs 1 and 2, such request shall contain detailed information, including evidence, and analysis indicating** why, in its view, it considers the outbreak of disease not to be naturally occurring and directly related to activities prohibited by the Convention.

5 quatre The Executive Council shall not ~~consider a request for~~ **authorize an field investigation of an outbreak(s) of disease under paragraph ... of Article III, unless it is provided by the requesting State Party with the detailed information, reasons, and evidence described in paragraph 5 ter above determines that there is a basis for concern substantiated by detailed information, including evidence, and analysis that such an outbreak(s) of disease is not naturally occurring and is directly related to activities prohibited by the Convention. When a State Party requests a field investigation of an outbreak(s) of disease on the territory or any place under the jurisdiction or control of**

another State Party. The State Party **where the investigation is proposed to occur** ~~on whose territory or in any place under its jurisdiction or control the investigation is proposed to occur~~ shall have the right to provide information, **including evidence, and analysis** that indicates that the outbreak of disease is naturally occurring or otherwise unrelated to activities prohibited by the Convention. If deemed appropriate by the Executive Council **as a matter of procedure under Article IX, paragraph 31, other** ~~another~~ State Party(ies) may also provide information **relevant to whether the outbreak(s) of disease is naturally occurring and/or whether it is related to activities prohibited by the Convention.** ~~which corroborates that the outbreak of disease is naturally occurring or otherwise unrelated to activities prohibited by the Convention.~~ All of the information, **including evidence, and analysis submitted,** ~~reasons and evidence~~ shall be taken into account by the Executive Council in its consideration of the investigation request in accordance with the request procedures of paragraph ... of this section of Article III.

Delete current paragraph 18

Annex D, II, paragraph 1

(i) **For requests involving outbreaks of disease,** Detailed information, **including evidence, and analysis,** ~~reasons, and evidence to demonstrate why, in~~ **substantiate** its view **that** an outbreak(s) of disease **(a)** is not naturally occurring and **(b)** is directly related to activities prohibited by the Convention.

~~(i) bis **Any available** Detailed information on events or activities which **leads** makes the requesting State Party to believe that the outbreak(s) of disease is caused by activities prohibited by the Convention.~~
