

ARTICLE I

[[GENERAL PROVISIONS]]

[1. Each State Party to this Protocol reaffirms its obligations under the Biological and Toxin Weapons Convention [and the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare] and particularly undertakes never under any circumstances:

(a) To develop, produce, otherwise acquire, stockpile or retain biological and toxin weapons, or transfer, directly or indirectly, biological and toxin weapons to anyone;

[(b) To use biological agents and toxins as weapons;]

(c) To engage in any military preparations to use biological and toxin weapons;

(d) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under the Convention.]

[2. Each State Party to this Protocol undertakes not to use pests and vectors as a method of warfare or for hostile purposes.]

[3. To promote the goals of the Convention for a world free of biological weapons and to promote these goals through cooperative endeavours, the implementation of this Protocol shall include the requirement for multilaterally negotiated, universal, comprehensive and non-discriminatory sensitive technology transfer agreements.]

[4. In implementing this Protocol, each State Party shall have the right to protect commercial and proprietary information and national security information.]

[5. In carrying out its responsibilities, the Organization shall consider only such sources of information which are objective, unbiased, legal and do not violate the sovereignty of States Parties.]

[6. Without prejudice to the provisions on confidentiality, the relevant organs of the Organization shall be entitled to information available with the Secretariat if it is considered that such information is necessary for the performance of functions entrusted to those organs.]

[7. In assuming the responsibilities and obligations under the Protocol, States Parties shall not enact national legislation the provisions of which are incompatible with the provisions of the Protocol.]

[8. All provisions under the Protocol shall apply to States Parties on a non-discriminatory basis.]]