

PREAMBLE¹

The States Parties to this Protocol,

(1) Being Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, which was opened for signature on 10 April 1972, and entered into force on 26 March 1975, hereinafter referred to as the Convention,

[(2) Reaffirming their determination for the sake of all mankind to exclude completely the possibility of bacteriological (biological) agents and toxins being used as weapons,]

[(3) Determined for the sake of all peoples to exclude completely the possibility of the development, production, stockpiling, acquisition, retention or use of biological and toxin weapons through the implementation of this Protocol, furthering the principles and objectives of the Geneva Protocol of 1925 and the Convention,]

[(4) Reaffirming the purposes laid down in the preamble to the Convention,]

(5) Mindful of their obligations under the Convention and desiring to further its objectives,

[(6) Mindful of their obligations under the Convention never in any circumstances to develop, produce, stockpile or otherwise acquire or retain microbial or other biological agents or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes or weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict,]

(7) Determined to implement all the provisions of the Convention in a comprehensive and balanced manner,

[(8) Reaffirming the final declarations of the successive Review Conferences of the Convention,]

[(9) Noting the reaffirmation by the States Parties to the Convention at the Fourth Review Conference that the use by States Parties, in any way and under any circumstances, of microbial or other biological agents or toxins, that is not consistent with prophylactic,

1. It was agreed that the text required review with a view to eliminating repetitions. This could be done on the basis of clustering of similar paragraphs.

protective or other peaceful purposes, is effectively a violation of Article I of the Convention,]

OR

[(8+9) Considering the final declarations of the successive Review Conferences of the Convention, and noting the reaffirmation by the States Parties to the Convention at the Fourth Review Conference that the use by States Parties, in any way and under any circumstances, of microbial or other biological agents or toxins, that is not consistent with prophylactic, protective or other peaceful purposes, is effectively a violation of Article I of the Convention,]

[(10) Emphasizing that the use by States Parties in any way and under any circumstances of microbial or other biological agents or toxins, that is not consistent with prophylactic, protective or other peaceful purposes, is effectively a violation of Article I of the Convention,]

(11) Reaffirming that the [implementation of the provisions of the] Convention is essential for maintaining and enhancing regional and international peace and security [and development],

(12) Convinced that strengthening and enhancing the preamble and the provisions of the Convention, adopting specific measures to improve its implementation and effectiveness, and encouraging universal adherence to the Convention and this Protocol, will deliver significant benefits in terms of international security and development,

[(13)² Determined to achieve effective progress toward the prohibition and complete elimination of all types of weapons of mass destruction,

(14) Determined also to achieve effective progress toward general and complete disarmament under strict and effective international control,]

OR

[(13+14) Determined to act with a view to achieving effective progress toward general and complete disarmament under strict and effective international control, including the prohibition of all types of weapons of mass destruction,]

[(15) Desiring to contribute to the realization and purposes of the Charter of the United Nations,]

2. Views were expressed that the order of paragraphs 13 and 14 should be reversed.

(16) Reaffirming their adherence to the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925 (Geneva Protocol of 1925), [and their commitment to strictly comply with them,] [and calling upon all States to strictly comply with them,]

(17) Welcoming the entry into force of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, signed at Paris on 13 January 1993,

(18) Recognizing the significant advances in the field of biotechnology since the entry into force of the Convention, and the potential implications, both positive and negative, of these advances for the implementation and effectiveness of the Convention,

(19) Determined to ensure that all achievements in this field are used exclusively for the benefit of mankind,

[(20) Conscious of the apprehension arising from relevant scientific and technological developments as expressed by States Parties at Review Conferences of their use for purposes inconsistent with the objectives and the provisions of the Convention,]

[(21) Reaffirming the obligation of each State Party to the Convention under Article III not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention,]

[(22) Concerned with the increasing gap between the developed and the developing countries in the field of biotechnology, genetic engineering, microbiology and other related areas,]

(23) Desiring to promote international cooperation and exchange of bacteriological (biological) agents and toxins, and equipment, materials and scientific and technological information in the field of biotechnology for purposes not prohibited under the Convention to [enhance] [ensure] the economic and technological development of all States Parties [to the Protocol],

(24) Emphasizing the increasing importance of the implementation of the provisions of Article X of the Convention and the obligations of each State Party under that Article [as well as under Article VII of the Protocol], especially in the light of recent scientific and technological developments in the field of biotechnology, bacteriological (biological) agents and toxins for peaceful purposes, which have vastly increased the potential for cooperation between States to help to promote economic and social development, and scientific and technological progress [particularly in developing countries] [in conformity with interests, needs and priorities],

[(25) Recalling that, in accordance with the Declaration of Principles adopted at the United Nations Conference on Environment and Development, States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technical knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies,]

[(26) Determined to promote international cooperation on all developments in the field of frontier science and high technology in areas relevant to the Convention, and urging the developed countries possessing advanced biotechnology and knowledge in such fields as medicine, public health and agriculture to adopt positive measures and to continue to promote technology transfer and cooperation on an equal and non-discriminatory basis, in particular with the developing countries, for the benefit of all mankind,]

(27) Convinced that to contribute as effectively as possible to the prevention of [the proliferation of] [weapons of mass destruction, including] biological and toxin weapons, and thereby to enhance international peace and security, all States Parties to the Convention should become States Parties to this Protocol,

(28) Convinced that the most effective way to ensure a world free of biological and toxin weapons is to strengthen the Convention through appropriate measures, [in particular] [including] through enhanced transparency and compliance provisions,

(29) Determined to strengthen and improve the effective implementation of the Convention,

Have agreed as follows: