

**Proposals for further consideration by the Friend of the Chair
on Confidentiality Issues**

ARTICLE IV

CONFIDENTIALITY PROVISIONS

It is proposed to merge paragraph 5 with paragraph 2 of Article IV and paragraph 12 of Annex E, section I. Paragraph 2 of Article IV and subsection E of Annex E, section I, would consequently be deleted.

5. States Parties shall be entitled to receive in accordance with the relevant provisions of this Protocol the following data:

(a) The initial and annual declarations provided by States Parties on a reciprocal basis in accordance with paragraph 2, subsection II, and paragraph 4, subsection III of Article III, section D. ~~If declarations contain information that has been classified by the declaring State Party in accordance with paragraph 5 of Annex E, section I, all States Parties receiving that information shall treat it in accordance with paragraph 12 of Annex E, section I;~~

(b) Reports on the activities of the Technical Secretariat as compiled and issued by the Director-General;

(c) Reports on investigations as well as observations and comments on these reports, if any, from the receiving States Parties in accordance with Annex D. ~~{If necessary, the information contained in these reports shall be edited to ensure that they contain no confidential information;}³⁰~~

(d) Reports on visits in accordance with Article III, section D, subsection II. ~~{If necessary, the information contained in these reports shall be edited to ensure that they contain no confidential information;}³¹~~

30. This subparagraph will need to be revisited in the light of progress on the relevant sections of Article III and Annex D.

31. This subparagraph will need to be revisited in the light of progress on the section on visits in Article III.

(e) Annual declarations required under Article VII;

(f) Other information to be supplied to ~~all~~ States Parties in accordance with the provisions of this Protocol.

Each State Party shall treat information which it receives from the Organization in accordance with the level of confidentiality established for that information and shall treat it exclusively in connection with its rights and obligations under this Protocol and in accordance with the provisions set forth in this Protocol.

It is proposed to insert a new paragraph 5 bis:

5 bis The relevant organs and subsidiary organs of the Organization shall be entitled to receive from the Technical Secretariat information and data necessary for the performance of the functions entrusted to them by the provisions of this Protocol. The provision of any confidential information shall be strictly limited to the minimum necessary for the performance of these functions and shall be in conformity with the procedures of the Confidentiality Regime.