

### In this issue:

- BWC Review Conference (including extracts from the Final Declaration)
- Gulf War Syndrome
- IAEA Safeguards — 93+2

## BWC Review Conference

The Fourth Review Conference of the Biological Weapons Convention was held in Geneva from 25 November to 6 December.

Although verification was discussed in broad terms, the detailed work on future verification arrangements was left to the Ad Hoc Group which will next meet in March 1997.

The question of whether the prohibition on use of biological weapons should be more clearly spelled out was raised by some, with Iran proposing an amendment to do so. Other

states considered the prohibitions on acquisition as being explicit in prohibiting use.

Curiously there was little discussion on proven or admitted breaches of the Convention — the revelations in Iraq or to the admission by the Russian Federation in 1992 of a biological weapons programme — with neither being referred to in the Final Declaration.

Extracts from the Final Declaration are reproduced on pages 3 and 4 of this issue.

## Gulf War Syndrome — News from the UK

### New studies announced

On 10 December the British Government announced that two epidemiological studies were to be carried out into the illnesses that have become known as 'Gulf War Syndrome'.

The announcement was reported in the media as a major new step, although the process of commissioning these studies has taken nearly a year.

### Background

On 7 November 1995, the House of Commons Select Committee on Defence published the report of its two-year inquiry into Gulf War Syndrome. The report called for resources to be made available to allow the rapid completion of a full, independently monitored, epidemiological study. This was described by the Minister of State for the Armed Forces, Nicholas Soames, as 'unhelpful and disappointing'.

On 30 January 1996 Mr Soames announced that the Ministry of Defence 'will commission a series of epidemiological studies comparing the health of Gulf veterans with similarly matched control groups of service personnel who did not go to the Gulf. The aim of these studies, some of which will be conducted in-house and some by commissioning external research, will be to establish whether there is any increased prevalence of illness among Gulf veterans or of birth defects among their children. We will also commission research into the alleged causes of Gulf-related illness, including the possibility of interaction between the vaccinations received by service personnel and the nerve agent pretreatment sets — NAPS — taken for protection against the very real threat of chemical attack. We shall of course work very closely with the US, but will not duplicate their efforts. ... The Medical Research Council has been invited to oversee and review

the conduct of the programme, and the results will be published.'

On the same day, the Ministry of Defence presented the Select Committee on Defence with its official response to the latter's inquiry, which the Committee published two weeks later. It states that the Government 'remains of the view that the resources allocated to investigations by the Ministry of Defence have been appropriate, and that these investigations have been pursued with scientific rigour'.

On 30 May the Medical Research Council (MRC) issued the formal call for research proposals concerning Gulf War Syndrome. Proposals are solicited in two main areas:

- whether British veterans suffer more ill-health because of Gulf service and, if so, the nature and extent of the risk; and
- whether there are increased reproductive health problems in veterans and, if so, the nature and prevalence of the problems.

The plan was that three-year research grants would be awarded by the autumn after both the MRC and the Ministry of Defence had reviewed the proposals submitted.

By mid-July the MRC had received some 37 outline proposals, but there were already signs of slippage in the awards timetable.

### Organophosphate (OP) use

On 4 October, the defence ministry announced that organophosphate pesticides had been used more widely in the Gulf War than it had previously told Parliament. In a letter to the chairman of the defence committee, Armed Forces Minister Nicholas Soames stated that organophosphate pesticides had been used more widely in the Gulf War than had previously been thought. Earlier, inaccurate, information had been given to Parliament. The letter says that the ministry had become aware of this only recently. Four organophosphate

# Trust & Verify

ISSN 0966-9221

Verification Technology  
Information Centre

VERTIC  
Carrara House  
20 Embankment Place  
London WC2N 6NN  
United Kingdom  
Tel: 44 171 925 0867  
Fax: 44 171 925 0861  
e-mail:  
info@vertic.org



pesticides — malathion, dimethyl phosphorothionate, diazinon and azamathiphos — had been used to an extent that was now being urgently investigated. The letter observed that the 'use of some OPs may possibly be a clue to the conditions that some Gulf War veterans have suffered from ... We wish to know whether any of

the Gulf veterans may be ill as a result of exposure to OPs so that we can then ensure that they are receiving the most appropriate treatment'.

### French forces and OPs

The British Government has indicated that France has informed it that

French forces did not use organophosphate pesticides during the Gulf conflict.

The comparison with France is important as no French soldiers have come forward with claims that they are suffering Gulf War Syndrome-type illnesses.

## IAEA Safeguards

With preparations underway for the reconvening of a special Safeguards Committee during 20–31 January 1997, it may be pertinent to review the work in progress to strengthen the safeguards regime operated by the International Atomic Energy Agency (IAEA).

The options for strengthening safeguards are the subject of a forthcoming report by VERTIC arms control and disarmament researcher Suzanna van Moyland.

The committee was established in mid-1996 to negotiate further measures under the IAEA's Programme to Strengthen the Effectiveness and Improve the Efficiency of Safeguards, some of which have been controversial. Chaired by 1995–96 Board Chair, Ambassador Johan van Ebbenhorst Tengbergen (Netherlands), the Committee is open to all IAEA Member States and those states that have, or are obliged to make, a safeguards agreement with the IAEA. The Safeguards Committee met in July and October 1996.

### '93+2'

In 1993, drawing on the differing experiences of Iraq, North Korea and South Africa, the IAEA Standing Advisory Group on Safeguards was requested by the Agency's Board of Governors to examine ways in which clandestine activity in a state committed not to developing nuclear weapons could be better detected. The wish to have a plan of action by the NPT Review and Extension Conference in mid-1995 led to the Programme being dubbed '93+2' — two years beyond 1993.

The Board of Governors agreed in March 1995 that '93+2' be split into two parts: measures for which authority was considered to be contained within existing full-scope safeguards agreements (modelled on INFCIRC/153); and measures considered to require an Additional Protocol.

### Part I

In June 1995, the Board endorsed implementation of Part I measures for states with full-scope safeguards. These include:

- an expanded declaration of State's (or regional) System of Accounting and Control of nuclear materials (SSAC); nuclear activities prior to verification of a State's initial report; closed-down facilities and past accounting and operating records; all activities which involve nuclear materials (including R&D); and earlier provision of design information of planned nuclear plants and changes to existing ones;
- no-notice inspections at 'strategic points'; and
- use of environmental monitoring techniques at such 'strategic points'.

To make safeguards more effective and cost-efficient the IAEA will also:

- use improved secure remote monitoring technology;
- increase co-operation with States and SSAC;
- make better use of computerised systems to cross-reference available information.

### Part II

Part II measures being considered include:

- an expanded declaration providing information on nuclear fuel-cycle-related R&D (e.g., at nuclear plants, stores, training facilities, private centres and universities); all buildings on sites of nuclear plants; other aspects relevant to nuclear activities (e.g. heavy water production, stores of nuclear-related equipment, radio-active waste and maintenance/repair locations); domestic manufacturers of nuclear equipment and materials; import and export of items specified in the (at present) voluntary universal reporting system; and plans for development of nuclear fuel cycles and R&D;

- additional access for inspectors beyond 'strategic points' at sites (perhaps also no-notice) and occasionally to areas identified in the Part II's expanded declaration (for visual observation and under managed access).
- environmental monitoring anywhere; and
- visaless travel or multiple-entry visas for inspectors (necessary for implementing no-notice inspections) and simplified inspector designation procedures.

Information about, and access to, areas where no nuclear material is located (e.g. R&D and nuclear-related equipment) has been particularly controversial, as has binding reporting requirements for nuclear-related equipment. States reported to have reservations about some of these measures include Germany, Japan, Belgium, Spain and the Republic of Korea.

Among the concerns are protection of proprietary information and constitutional obligations regarding searches of private property — though, notably, challenge inspections under the Chemical Weapons Convention can be conducted at such locations. Some states would like prior justification for inspector access at more sensitive locations. Others fear that would make them more akin to special inspections, which the IAEA already has the right to conduct, and undermine the objectives of Programme '93+2' to detect undeclared nuclear-weapon activity.

Another concern is that of additional safeguard burdens. Yet, one of the aims of '93+2' is a pay-off of fewer routine inspections in exchange for no-notice and wider access inspections, which would thus retain a high level of assurance of detection and deterrence. All these concerns have highlighted the inequality within the NPT and so pressure exists for the nuclear-weapon states, who are not obliged to arrange safeguards with the IAEA, to accept as many '93+2' measures as they possibly can.



## Extracts from the Final Declaration of the Fourth Review Conference of the Biological Weapons Convention

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, which met in Geneva from 25 November to 6 December 1996 to review the operation of the Convention, solemnly declare:

Their conviction that the Convention is essential to international peace and security;

Their reaffirmation of their determination to act with a view to achieving effective progress towards general and complete disarmament, including the prohibition of all types of weapons of mass destruction, and their conviction that the prohibition of the development, production and stockpiling of bacteriological (biological) weapons and their elimination, through effective measures, will facilitate the achievement of general and complete disarmament under strict and effective international control;

Their reaffirmation that under any circumstances the use, development, production and stockpiling of bacteriological (biological) and toxin weapons is effectively prohibited under Article I of the Convention; ...

Their determination to enhance the implementation and effectiveness of the Convention and to further strengthen its authority, including through confidence-building measures and agreed procedures for consultations ... and through the fulfilment of the mandate entrusted to the Ad Hoc Group established by the Special Conference in 1994;

Their recognition that effective verification could enforce the Convention;

Their conviction that the full implementation of the provisions of the Convention should facilitate economic and technological development and international cooperation in the field of peaceful biological activities; ...

### Article I [— general obligations]

...  
3. The Conference reaffirms 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. ...

5. The Conference also reaffirms that the Convention unequivocally covers all microbial or other biological agents or toxins, naturally or artificially created or altered, as well as their components, whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

6. The Conference, conscious of apprehensions arising from relevant scientific and technological developments, *inter alia*, in the fields of microbiology, biotechnology, molecular biology, genetic engineering, and any applications resulting from genome studies, and the possibilities of their use for purposes inconsistent with the objectives and the provisions of the Convention, reaffirms that the undertaking given by the States parties under Article I applies to all such developments.

...  
9. The Conference emphasizes, once more, the vital importance of full implementation by all States Parties of all the provisions of the Convention, especially Articles I, II and III. ... Non-compliance should be treated with determination in all cases, without selectivity or discrimination. ...

### Article III [— transfers]

...  
4. The Conference reiterates that the provisions of this Article should not be used to impose restrictions and/or limitations on the transfers for purposes consistent with the objectives and purposes of the Convention of scientific knowledge, technology, equipment and materials under Article X.

### Article IV [— application within state]

...  
3. The Conference notes the importance of:

- Legislative, administrative and other measures designed to enhance domestic compliance with the Convention;
- Legislation regarding the physical protection of laboratories and other facilities to prevent unauthorized access to and removal of microbial or other biological agents or toxins;
- Inclusion in textbooks and in medical, scientific and military education programmes of information dealing with the prohibitions and provisions contained in the Biological and Toxin Weapons Convention and the Geneva Protocol of 1925. ...

7. The Conference reaffirms that under all circumstances the use of bacteriological (biological) and toxin weapons is effectively prohibited by the Convention.

### Article V [— consultation and co-operation]

...  
5. ... The Conference recognizes that participation in the confidence-building measures since the last Review Conference has not been universal, and that not all responses have been prompt or complete. In this regard, the Conference also recognizes the technical difficulties experienced by some States Parties with respect to preparing CBM responses. In this regard, the Conference urges all States Parties to complete full and timely declarations in the future. The Conference notes that the Ad Hoc Group of States Parties established by the Special Conference in 1994 is, as part of its continuing work, considering the incorporation of existing and further enhanced confidence-building and transparency measures, as appropriate, in a regime to strengthen the Convention.

6. The Conference stresses its determination to strengthen effectiveness and improve the implementation of the Convention, and its recognition that effective verification could reinforce the Convention.

7. In this regard, the Conference recalls that:

- The Third Review Conference established the Ad Hoc Group of Governmental Experts open to all States Parties to identify and examine potential verification measures from a scientific and technical standpoint.
- The Group held four sessions in 1992–3 and circulated its report to all States Parties in September 1993.
- A Special Conference was held in September 1994 to consider the report, and decided to establish an Ad Hoc Group open to all States Parties. ...

### Article VI [— alleged breaches and their investigation]

1. The Conference notes that the provisions of this Article have not been invoked. ...

4. The Conference recalls, in this context, [UN] Security Council resolution 620 (1988), which at the time encouraged the [UN] Secretary-General to carry out prompt investigations, in response to allegations brought to its attention by any Member State concerning the possible use of chemical and bacteriological (biological) or toxin weapons that could entail a violation of the 1925 Geneva Protocol or of any other applicable rule of international treaty or customary law. ...

### Article VII [— assistance]

1. The Conference notes with satisfaction that these provisions have not been invoked. ...

3. The Conference takes note of desires expressed that, should a request for assistance be made, it be promptly considered and an appropriate response provided. In this context, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties if requested. ...

### Article VIII [— Geneva Protocol]

...  
4. ... the Conference appeals to all States Parties to the Geneva Protocol to fulfil their obligations assumed under the Protocol and urges all States not yet Parties to the 1925 Geneva Protocol to accede to it without delay.



5. The Conference stresses the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Biological and Toxin Weapons Convention.

6. The Conference welcomes the actions which States Parties have taken to withdraw their reservations to the 1925 Geneva Protocol related to the Biological and Toxin Weapons Convention, and calls upon those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations ...

7. The Conference notes that reservations concerning retaliation, through the use of any of the objects prohibited by the Biological and Toxin Weapons Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use.

#### **Article IX [— chemical weapons]**

1. The Conference reaffirms that Article IX identifies the recognized objective of effective prohibition of chemical weapons. The Conference welcomes conclusion of the [Chemical Weapons Convention] which was opened for signature on 13–15 January 1993 in Paris.

2. The Conference welcomes the fact that ... the [Chemical Weapons] Convention will ... enter into force on 29 April 1997.

3. The Conference stresses the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities should be among the original parties to the Convention and, in this context, the importance of the United States of America and the Russian Federation, having declared possession of chemical weapons, being among the original States Parties to the Convention. ...

#### **Article X [— technical co-operation]**

...

2. The Conference, while acknowledging what has already been done towards this end, notes with concern the increasing gap between the developed and the developing countries in the field of biotechnology, genetic engineering, microbiology and other related areas. The Conference urges all States Parties actively to continue to promote international cooperation and exchange with States Parties in the peaceful uses of biotechnology ...

6. The Conference reiterates its call upon the Secretary-General of the United Nations to propose for inclusion on the agenda of a relevant [UN] body, before the next Review Conference, a discussion and examination of the means of improving institutional mechanisms in order to facilitate the fullest possible exchange of equipment, materials and scientific and technological information regarding the use of bac-

teriological (biological) agents and toxins for peaceful purposes. ...

9. The Conference takes note of the significant steps forward in promoting cooperation in the biological field taken by the United Nations Conference on Environment and Development held in Rio de Janeiro, Brazil, in 1992, including the adoption of Agenda 21 and the Rio Declaration, and by the Convention on Biological Diversity, and underlines their importance in the context of Article X implementation.

10. The Conference shares the worldwide concern about new, emerging and re-emerging infectious diseases and considers that the international response to them offers opportunities for increased cooperation in the context of Article X application and of strengthening the Convention. The Conference welcomes the efforts to establish a system of global monitoring of disease and encourages States Parties to support the World Health Organization, including its relevant newly established division, the FAO and the OIE, in these efforts directed at assisting Member States to strengthen national and local programmes of surveillance for infectious diseases and improve early notification, surveillance, control and response capabilities. ...

12. The Conference urges States Parties, the United Nations and its specialized agencies to take further specific measures within their competence for the promotion of the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and of international cooperation in this field. ...

16. The Conference welcomes efforts to elaborate an international programme of vaccine development for the prevention of diseases which would involve the scientific and technical personnel from developing countries that are States Parties to the Convention. ...

#### **Article XI [— amendments]**

1. The Conference notes that the Islamic Republic of Iran has formally presented a proposal to amend Article I and the title of the Convention to include explicitly the prohibition of use of biological weapons. ...

#### **Article XII [— Review Conferences]**

1. The Conference decides that a Fifth Review Conference shall be held in Geneva ... not later than 2001. ...

#### **Article XIII [— duration and withdrawal]**

1. The Conference ... expresses its satisfaction that no State Party ... has exercised its right to withdraw from the [BWC].

...

[The full text of this document will appear in *Verification 1997*, the forthcoming volume in VERTIC's yearbook series.]

#### **Trust & Verify**

*Trust & Verify* is edited and produced by Richard Guthrie with additional reporting by VERTIC staff and consultants.

*Trust & Verify* is published by VERTIC 10 times a year. Anyone wishing to comment on its contents should contact the VERTIC office.

Unless otherwise stated, views expressed in *Trust & Verify* are the responsibility of the editor and do not necessarily reflect those of VERTIC nor any individual or organization associated with it.

© VERTIC 1996

#### **Subscriptions**

Subscription rates are £15 (individual) or £25 (organization) per year. Payments may be made by cheque (in Sterling) or by credit card.

#### **What is VERTIC?**

VERTIC is the Verification Technology Information Centre, an independent organization aiming to research and provide information on the role of verification technology and methods in present and future arms control and environmental agreements.

VERTIC is the major source of information on verification for scientists, policy makers and the press.

VERTIC is funded primarily by grants from foundations and trusts and its independence is monitored by an Oversight and Advisory Committee.

#### **Other publications**

In addition to *Trust & Verify*, VERTIC publishes the *Verification* (formerly *Verification Report*) series of yearbooks and a variety of research reports each year. Details of VERTIC publications are available on request.