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LIBYA AND 'DUAL USE'

Libya deserves the gratitude of us all in renouncing its programmes for weapons of mass destruction. Its decision to do so, announced on 19 December 2003, had been driven by a trilateral process initiated by the governments of Britain, Libya and the USA nine months previously, just before the invasion of Iraq. With teams of British and US specialists working in Libya, the trilateral process has continued into its present phase of implementing the decision, and is now aiming for an extended verification system able to demonstrate that the Libyan renunciation is permanent. The intrusion into the internal affairs of Libya has been heavy, but, by all accounts, the country's officials, scientists and military remain fully co-operative participants in the process. Regarding the chemical weapons programme, described by a senior US official as the most advanced of the whole WMD effort, Libya formally acceded to the CWC within three weeks of the decision, thereby empowering the OPCW to join in, just as the IAEA was doing for the nuclear programme. On biological weapons, Libya has been bound by the BWC since January 1982, but here there is as yet no 'OPBW' or other international body to facilitate the trilateral process.

The implications of the process are profound for the future of arms control, disarmament, anti-proliferation and other international efforts to protect international security against CBW and nuclear weapons. The practical problems of implementation now being encountered in Libya have lessons for that wider enterprise. Above all else, this is so for the problem of 'dual use', which is to say the propensity of many particular technologies, tangible and intangible, for use both in worthwhile peaceful industry and in the development, production or use of CBW weapons or, to a lesser extent, of nuclear weapons.

Three aspects of dual use are on prominent display in Libya. First there are the multifunctional industrial intermediates ('precursors') that Libya purchased on the world market in rather large quantity, often at inflated prices, in order to support such future indigenous production as there might be of chemical-warfare agents. Second, there is the 'Rabta Pharmaceutical Factory', where what the *New York Times* called Libya's "vast stockpile" of mustard gas was made more than a decade ago, a factory that Libya says it now wishes to convert to production of low-cost pharmaceuticals for the African continent. Third, there are the Libyan facilities for medical and agricultural research that British and US officials say were established with biological weapons also in mind. How the trilateral process and the OPCW

finally cope with these three aspects will tell us much about the tractability of dual use to proper governance and control – a matter of immense importance to us all as the world moves more deeply into the age of biotechnology.

As yet, we can see only dimly the progress we must hope is indeed being made. The confidentiality regime that covers OPCW activity obscures our view of it. Cognizant British and US specialists are reticent and tend to brief only on background or under Chatham House rules. Libyan officials appear to have made no detailed disclosures at all, outside of the OPCW.

Even so, the first of the three aspects of dual use just listed – the matter of the chemical precursors – can be discerned with some clarity. The last issue of this *Bulletin* reported a statement by the OPCW Director-General in March to the effect that Libya had already destroyed all of its Category 3 chemical weapons (which comprised 3563 unfilled aircraft bombs designed to carry chemicals such as mustard gas) and that its initial declaration with respect to chemical weapons pursuant to CWC Article III.1(a) disclosed possession of 23.62 metric tons of mustard gas (and no nerve agent), over a thousand tons of "Category 2 chemical agent precursors", and almost two thousand tons of "precursors for manufacturing chemical weapons" – in other words a militarily trivial amount of mustard gas but a large amount of at least two varieties of precursor. An unidentified senior US administration official who gave a White House briefing on 19 December had referred to Libyan holdings of precursors for "mustard and nerve agent"; a US official reportedly spoke at that time of Libyan experimental work on both sarin and soman nerve agents; more recently, a US official has identified one of the precursors as a binary nerve agent component; and we can infer, not least from the Director-General's statement, that the declared precursors include chemicals not listed in the CWC Schedules.

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Precursors can be chemical weapons in the sense of the CWC: it is to Libya's great credit that it included unscheduled chemicals in its initial declaration, thereby applying, as certain other states parties have failed to do, the general purpose criterion that is the CWC's primary instrument for dual-use control and for providing a proper breadth to the scope of the treaty. No doubt their quantity, their identity as compared to other intermediates present in the Libyan chemical economy, and maybe also the manner of their purchase and subsequent storage, indicated that the precursors were intended for purposes prohibited under the CWC, Libya therefore electing to declare them.

With very few exceptions, any precursor can also be used for purposes not prohibited under the CWC. But however versatile a holding of chemical may be, once it has been declared to the OPCW as a chemical weapon the CWC permits nothing other than destruction of declared holdings. It seems (from US State Department testimony to the Congress back in February) that all such holdings have now been consolidated at a single secure location, apparently in Al Jufra province. In March a US official reportedly stated that the precursors would either be incinerated or neutralized or mixed with cement.

While destruction may be the unavoidable option for dealing with the chemical precursor aspect of Libyan dual-use technology, it need not be the option for the second aspect of dual use, characterized by the factory at Rabta. States parties have already used the provisions of the CWC that, instead of destruction, allow conversion of Chemical Weapons Production Facilities to purposes not prohibited under the Convention, and Libya is now seeking to do the same. It faces obstacles, including passage long since of the deadline specified in the CWC for completing conversion, 29 April 2003. This is an obstacle that can be removed only by changing the wording of the Convention. In July, Libya initiated the requisite 'technical change' process. The saxitoxin precedent suggests it may take a while. At this writing, there is progress, and this is surely heartening news, for on any count physical destruction is a heavy-handed and potentially counterproductive method for controlling dual-use technology. The Rabta case provides opportunity for exploring better approaches.

By the looks of things, one such approach is actually being developed. Libya has now declared three CWPFs. These do not in fact include the two underground production facilities reported in past US 'public diplomacy' and purported intelligence leaks – at Sebha (1990-93) and at Tarhuna (1993 on). Rather, OPCW documents refer to 'STO-001 Mobile Units' situated in Tripoli (which possibly comprise bomb-filling plant or else other production plant awaiting installation elsewhere), 'Rabta Pharmaceutical Factory 1', and 'Rabta Pharmaceutical Factory 2'. For each of the Rabta factories, a 'Phase I' has been differentiated from a 'Phase II'. The conversion request is apparently limited to the Phase II CWPFs, while destruction plans have been filed for the Phase I CWPFs. How the factories and the phases are differentiated is not public knowledge. The appearance, however, is of an effort to fractionate the dual-use technology prior to applying the blunt instrument of destruction to selected parts of it only.

The dependability of such an approach would seem to hinge on the degree to which physical features of a production facility can be associated with intentions for use of the products. If this cannot be done with confidence, then there

can be no confidence that the facility will not be converted back again for production of chemical weapons. There are historical instances that seem to favour fractionation. For example, at the former USSR biological production facility at Stepnogorsk in Kazakhstan — 'Progress Scientific and Production Association', a Biopreparat enterprise — the part of the facility intended for production of biological weapons (SNOBP, or PO Box 2076) was surrounded by security fences that made it readily distinguishable from the civilian part of the site ('Plant Progress'): the latter could press ahead with pharmaceutical or pesticide production while buildings in SNOBP have been demolished. Maybe some such association between architecture and purpose can indeed be exploited at Rabta. If so, we shall be relying on the OPCW Technical Secretariat, liaising with the Libyan CWC National Authority, to provide credible assurance that it works.

For the third aspect of the dual-use problem on display in Libya, those biological research facilities, one might doubt whether any such fractionated approach could be feasible, for one type of biological laboratory tends to look much like any other. Here, however, the first requirement is somehow to ascertain whether this third aspect is or is not real. Libya denies that it has ever seriously pursued biological weapons, whether in the particular research facilities cited or anywhere else. The Anglo-American view was expressed by a senior US intelligence official last December in the following terms: "Libya admitted [to a UK-US team that had been in Libya during October and early December] to past intentions to acquire equipment and develop capabilities related to biological weapons. At the team's request, Libya took our experts to a number of medical- and agriculture-related research centers that have dual use potentials to support BW-related work. The team was given access to scientists at these facilities, and Libya has committed not to pursue a biological weapons program and to accept the necessary inspections and monitoring to verify that undertaking." The *Washington Post* two days later reported that members of the team had "found no concrete evidence of an existing biological weapons effort". Since then a recurrent statement by US officials on the matter has been that "we will investigate the status of Libya's past efforts regarding biological weapons", but in public no further light has been shed.

In discerning intent, which at root is what differentiates the upside of 'dual use' from its downside, the intelligence community has advantages over the rest of us. However, in our view of the workings of the trilateral process in Libya, it is not intelligence assessment that we can see but what emerges from the interface between intelligence assessment and political process. Some senior politicians are clearly impressed by what they understand the intelligence community to have been telling them about Libya. For example, in June, the Intelligence and Security Committee of the UK Parliament reported as follows: "The detailed intelligence on Libya and its procurement activities, collected by the UK and the USA from all sources over a significant period of time, enabled the UK and USA to demonstrate to the Libyan authorities that they knew about their WMD programmes. Consequently, when the inspectors went to Libya the Libyan authorities, while they tried, were not able to hide their programmes and full disclosure was eventually achieved. This was a major intelligence success." The intelligence community itself seems more cautious. Last November, in its

series of periodic reports to Congress on worldwide *Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions*, the CIA stated, as it had done before, that “[e]vidence suggested that [besides offensive CW capability] Libya also sought dual-use capabilities that could be used to develop and produce BW agents”.

If we now wish to think constructively about how dual-

use capabilities should best be controlled, we are obliged to ask what the “evidence” was that the CIA reported. But for as long as biological ‘dual use’ in Libya remains mired in the ongoing WMD intelligence controversies, we are unlikely to see a good way forward. Still, if a satisfactory conversion of Rabta can be achieved, the trilateral process will nevertheless have had one major success in its all-important engagement with ‘dual use’.

Progress in The Hague

Quarterly Review no 47

Developments in the Organization for the Prohibition of Chemical Weapons

The major event during the period under review, mid June - mid September, was the thirty-seventh session of the Executive Council. Decisions were taken on several important issues including recommendations to the Conference of the States Parties on extensions of Albania and Libya’s Category 1 chemical weapons intermediate destruction deadlines, as well as on a facility arrangement with Australia and facility agreements with Singapore and the United States. The Council approved detailed plans for the verification of destruction of chemical weapons at the Dugway Proving Ground in the United States and the Al-Jufra chemical weapons destruction facility (CWDF) in Libya. Privileges and immunities agreements were concluded between the OPCW and Malta and Mauritius at this session of the Council, continuing a promising trend of more such agreements. Finally, the Council took decisions intended to stabilise the Organization’s finances, including a recommendation to the Conference that it approve measures in respect of the Working Capital Fund and the late receipt of Article IV and V income.

No new states acceded to or ratified the Convention during the period under review, accordingly, the OPCW’s membership stands at 164.

Thirty-seventh session of the Executive Council

The Executive Council met for its thirty-seventh session during 29 June to 2 July 2004 and was chaired, for the first time, by José Antonio Arróspide of Peru.

The previous Chairman of the Council, Petr Kubernát of the Czech Republic, reported on its activities during the intersessional period. The newly elected Vice-Chairmen and coordinators for clusters of issues reported on informal consultations during the intersessional period as follows: Noureddine Djoudi of Algeria on chemical weapons issues; Mustafa Kamal Kazi of Pakistan on chemical industry and other Article VI issues; Marc Th. Vogelaar of the Netherlands on administrative and financial issues; and Kirill Gevorgian of Russia on legal, organisational, and other issues.

In his opening statement the Council, the Director-General welcomed the new Chairman, before turning to a discussion of the OPCW programme and budget for 2005. He indicated that the programme and budget is in line with the objectives of the CWC as well as with those set by the First Review Conference. Pfirter also noted that the spending power in the 2005 budget takes into account inflationary and statutory costs

over which the OPCW has little or no control. Real growth in the budget was noted, including increased costs for such areas as verification of chemical weapons destruction in order to keep up with planned increases in the level of destruction activity by possessor states parties. The Director-General stated that the proposed budget comes to almost EUR 76.7 million, which covers salaries and staff costs as well as verification and other programme activities. It was added that the overall increase in the 2005 budget over the 2004 budget would be 4.8 percent, with an increase of less than 4.4 percent in member state assessments. Pfirter remarked upon certain significant initiatives in the budget, including a 17 percent increase in inspection rotations for the verification of chemical weapons destruction. He noted, however, that the planned level of inspection activity would be 10 percent less than what was needed with respect to the levels of destruction activities planned by possessor states parties. The Director-General stressed that additional costs for increased verification activity would be minimised by increasing the efficiency of inspection teams and by taking advantage of part-time inspectors. Additionally, Pfirter observed that there would be a small increase in Article VI inspections and more fixed-term posts for activities related to international cooperation and assistance. Finally, the Director-General noted that the proposed budget provides for employing all security guards on fixed-term rather than temporary assistance contracts.

Concerning verification, the Director-General observed that over 400 metric tonnes of chemical-warfare agent in three possessor states parties had been destroyed since the thirty-sixth session of the Council. He added that over 9,000 metric tonnes — or 13 per cent of the total quantity declared by the possessor states parties — had been destroyed since entry into force of the Convention. Pfirter noted that destruction activities continue at Aberdeen, Anniston, and Tooele in the United States and that final engineering reviews of CWDFs at Umatilla and Dugway Proving Ground had been completed. The Director-General also discussed an arrangement for the optimisation of verification of chemical weapons destruction at the Anniston CWDF. Destruction activities at Unit 1 of the Gorny CWDF in Russia were noted and Pfirter observed that almost 60 metric tonnes of lewisite had been destroyed there. The destruction of almost 40% of the declared stockpile of a state party of withheld identity, in addition to the ongoing destruction of India’s stockpile, were discussed. Finally, the Director-General urged the Executive Council to approve an

agreed plan for the verification of the destruction of Libya's declared Category 2 chemical weapons and noted that both Libya and Albania had submitted requests to the Council for extensions of their respective intermediate Category 1 chemical weapons destruction deadlines.

Turning to industry inspections, the Director-General stated that the Secretariat would seek to increase the annual number of inspections and discussed the possibility of repeat inspections and their deterrent effect in preventing proliferation. It was added that a CWDF inspector had been hired under a Special Service Agreement and that nine more would follow this year. Training in non-destructive evaluation and the need for a training facility, which has been provided by the Netherlands, were also discussed.

With regard to universality, the Director-General noted that Rwanda, the Marshall Islands, and Saint Kitts and Nevis have joined the Organization but that there are still 30 states not party to the Convention. Other universality activities, further to the universality plan of action, were discussed, including a workshop on the implementation and universality of the Convention in Addis Ababa in April, attendance by the Director-General at the third summit of the African Union, and efforts in respect of the Middle East, including a recent workshop in Malta. Pfirter mentioned other universality-related activities including a meeting on the implementation and universality of the Convention during the Pacific Islands Forum in June and a visit to the Organisation of American States in April, during which he met with representatives of states not party.

The Director-General addressed outreach by the OPCW to other international bodies and organisations including the Organisation of American States, the European Union with respect to its strategy against the proliferation of weapons of mass destruction, and the United Nations. Pfirter also addressed, in particular, UN Security Council Resolution 1540 – regarding, *inter alia*, the criminalisation of proliferation activities and preventing access to weapons of mass destruction by non-state actors – and its importance with respect to the action plan for the implementation of Article VII obligations.

Several bilateral visits were discussed including trips to Ethiopia, India, Sweden and Romania. Turning to international cooperation, Pfirter stated that the Secretariat has organised for the first time a two-week course on analytical skills development for qualified analytical chemists in member states with developing economies or economies in transition. Pfirter also thanked the Japanese and UK governments for their contributions to the Associate Programme. The preparation of a new exercise on the delivery of assistance, ASSISTEX 2, was discussed as well as a Memorandum of Understanding with the Secretariat of the Basel Convention on working-level cooperation, including exploring synergies between each organisation's international cooperation projects and capacity-building activities.

Finally, turning to administrative matters, the Director-General noted that consultations were continuing on proposed amendments to the Financial Regulations and Draft Financial Rules. The Director-General also confirmed that he would report again on the implementation of the tenure policy in 2004 and that he was committed to achieving balanced and equitable geographical distribution of staff in the Secretariat

while ensuring staff excellence.

Eighteen states parties made statements during the General Debate. One issue that provoked considerable discussion was Security Council Resolution 1540 (2004) concerning, *inter alia*, the importance of implementing the CWC in order to help prevent the proliferation of chemical weapons by non-state actors. Its role vis-à-vis the plan of action for the implementation of Article VII obligations was also noted. Most states parties made comments in respect of the importance of ensuring universal adherence to the Convention and a few stressed the importance of implementing Article VII obligations through national legislation. Many states parties expressed their concerns regarding extensions of deadlines for the destruction of chemical weapons stockpiles. A number of states parties also discussed, and expressed their support for, Libya's request to convert its chemical weapons production facility (CWPF) at Rabta into a pharmaceutical factory. On administrative matters, the 2005 budget and, in particular, the introduction of results-based budgeting, were major topics of discussion among the states parties. Amendment of the Financial Regulations and Rules and a decision on the late receipt of Article IV and V income and the Working Capital Fund were also discussed. Finally, Norway noted that it would be contributing EUR 500,000 over a three-year period towards assistance and protection programs in Asia.

Status of implementation of the Convention

The Council considered and noted the highly protected 2003 *Verification Implementation Report (VIR)*. The Council also noted the highly protected comments and views received on the report as well as the Chairman's summary of the informal consultations held on this issue on 11 June. The Chairman's summary reflects the delegations' appreciation of the Secretariat's efforts to improve the structure and substance of the VIR. It was noted, in particular, that it had become more accessible and useful. The release of an electronic version of the report was also welcomed by the delegations. The summary reflected that the Secretariat would follow an established practice of issuing a corrigendum to the report and a compilation of written comments from states parties. One delegation requested that the VIR be translated into the OPCW's six official languages, especially because this would be useful to officials in the National Authorities. Finally, the summary noted that the suggestion was made to individually classify each paragraph and table in the report.

Another report before the Council was on the status of implementation of Articles X and XI of the Convention and on national implementation measures for the period from 1 January to 31 December 2003. The Council considered and noted the report and decided that, in future, these status reports should be discussed between regular Council sessions. For the period under review, the report stated that 29 states parties had provided the required annual information on their national programmes related to protective purposes. Between entry into force of the Convention and 31 December 2003, 45 states parties had made these declarations, as required under Article X, paragraph 4, of which six states parties had declared they had no programmes for protection against chemical weapons. In respect of making these declarations, two formats for a standard reporting template were discussed

at the annual Protection Network meeting last November.

The report detailed the activities of the Secretariat under Article X, paragraph 5, in terms of establishing and maintaining a data bank on protection against chemical weapons and providing advice to states parties on developing and improving their protective capacity against chemical weapons. In addition to the Protection Network, workshops, lectures, contributions from consultants to the work of the Secretariat, and numerous courses, the Secretariat responded to several requests by states parties for advice and assessments with regard to their protective capacity against chemical weapons use and assisted in the planning of several long-range projects and programmes related to building national and regional response capacities. The report also detailed steps taken by the OPCW in terms of its obligation under Article X to coordinate and deliver effective means of protection in the event of a request for assistance.

Two states parties were reported to have contributed to the Voluntary Fund for Assistance during the reporting period, with the balance standing at the end of 2003 at just over EUR 1.1 million. The fund had not been utilised by the end of the reporting period.

The report also described several offers of assistance from states parties under Article X, paragraph 7(c), including offers of facilities, equipment, personnel, and services. Courses concerning international assistance operations and an international assistance mechanism were discussed including CITPRO, SEF-LAB and the annual civil protection course.

The Article X and XI implementation report detailed the activities carried out under Article XI, specific programmes for which include the Associate Programme, the Conference Support Programme, the Internship Support Programme, the Equipment Exchange Programme, a programme which supports research projects, the Laboratory Assistance Programme, an information service, and a new internship programme for the development of analytical skills. During the period under review, the Secretariat cooperated with other organisations, including the Intergovernmental Forum on Chemical Safety, the International Foundation for Science, VERIFIN, and the Spiez Laboratory. The report notes that a review of the Article XI programmes discussed above took place at a workshop during the Fifth Annual Meeting of National Authorities last October. The requirement for states parties to review their existing regulations in the field of trade in chemicals was also reiterated. This requirement is now one of the action items in the action plan for the implementation of Article VII obligations.

In terms of implementation support, the report outlined National Authority-related activities, including training courses (basic and advanced), National Authority Day, thematic workshops (e.g., controlling transfers of scheduled chemicals, Article VI industry verification, the role of the chemical and other relevant industries in the implementation of the Convention, and the Network of Legal Experts), and regional and subregional meetings. National training courses for individual states parties were also discussed.

Destruction issues

The Council had before it three decisions on plans for the verification of destruction of chemical weapons. The decision

on one such plan for the Aberdeen Chemical Agent Disposal Facility was again deferred by the Council until its next session. This plan was first introduced at the thirty-second session of the Council.

A detailed plan for the verification of destruction of Category 2 chemical weapons at the Al-Jufra CWDF (Al-Jufra CWDF-001) in Libya was approved. The Council also approved a plan for the verification of destruction of chemical weapons at Explosive Destruction Systems (EDS), Phase 1, Unit 2/3, at Dugway Proving Ground, the United States. EDS is designed to destroy Category 1 chemical weapons (usually those in a hazardous condition), by using a detonation-type destruction technology combined with the subsequent neutralisation of released chemical fill and the munition's body metal fragments. The destruction operation is performed in a trailer-mounted containment vessel equipped with chemical reagent supply and a transfer system, which are dispatched in a vapour containment structure.

The Council approved recommendations to the forthcoming 9th session of the Conference of the States Parties regarding extensions of intermediate deadlines for the destruction of Libya's and Albania's respective Category 1 chemical weapons stockpiles. In the case of Libya, it would have been unable to meet the Phase 1, 2 and 3 destruction deadlines (i.e., 29 April 2000, 29 April 2002 and 29 April 2004, respectively) as the Convention had only entered into force for Libya on 5 February 2004. Accordingly, the Council recommended that the Conference grant Libya, in principle, extensions of its 1 per cent, 20 per cent and 45 per cent destruction deadlines for its Category 1 chemical weapons stockpiles. This recommendation was qualified, however, by the following requirements: (i) Libya's obligation to destroy all of its Category 1 chemical weapons within 10 years after entry into force of the Convention was not modified; (ii) Libya must submit by 31 December 2004 information supplementing its plan of destruction including proposed dates for the intermediate deadlines; (iii) Libya must keep the Council informed at alternate sessions of the status of its plans; (iv) the Director-General must periodically report to the Council on Libya's progress in destroying its weapons; (v) the Chairman of the Council must report to the Council periodically on the matter; and (vi) the Conference would authorise the Council to set dates for Libya's intermediate deadlines, with the intention of the Council taking this decision at its next regular session subsequent to receiving information from Libya regarding its plan of destruction and the Chairman's report for the Conference at its tenth Session.

Albania would have also been unable to meet its intermediate deadlines as its Category 1 chemical weapons stockpiles were declared on 21 February 2003 — after the Convention entered into force for it. Accordingly, the Council recommended that the Conference also grant Albania, in principle, extensions of its 1 per cent, 20 per cent, and 45 per cent destruction deadlines for its Category 1 chemical weapons stockpiles. The requirements are almost identical to those relating to Libya except for point (ii) under which Albania must submit by 31 March 2005 information supplementing its plan of destruction including proposed dates for the intermediate destruction deadlines. Both states parties were requested to inform the Executive Council at its thirty-eighth

session of the status of their plans in respect of their obligations to destroy their chemical weapons stockpiles.

Conversion and verification of chemical weapons production facilities

The Council noted that no objections had been raised by any of its members within 30 days of receipt of notification and evaluation of changes to chemical-process equipment at a former CWPF in a state party of withheld identity. The Council also noted that no objections had been raised with respect to changes in the production activity at the former CWPF Open Joint Stock Company (OJSC) "Khimprom" in Novocheboksarsk, Russia (loading chemical submunitions into munitions).

The Council noted information submitted by the Director-General, in a restricted document, on the progress made at CWPFs where conversion is still in progress. The Council had asked the Director-General at its thirty-third session to inform the Council at its first regular session following the conduct of an annual inspection by the Secretariat of progress made at such facilities.

Facility agreements

The Council again deferred a decision until its next session on the facility agreement relating to on-site inspections at the Aberdeen Chemical Agent Disposal Facility in the United States. This decision was first introduced at the thirty-second session of the Council. A facility agreement for the Explosive Destruction System, Phase 1, Unit 2/3, at Dugway Proving Ground, Utah in the United States was approved by the Council.

In respect of on-site inspections at Schedule 1 facilities for protective purposes, the Council approved a facility agreement with Singapore and a facility arrangement with Australia. Further to standing instructions from the Council, the Secretariat separately indicated the differences between the text of the model agreement for Schedule 1 facilities and the agreed texts of the facility agreement and arrangement with Singapore and Australia, respectively.

The Council also took note of the Secretariat's note informing the Council of further agreed changes to a facility agreement with the United States for a chemical weapons storage facility (CWSF) at Pine Bluff Arsenal.

Chemical industry issues

The Council recommended that the Secretariat carefully consider the need for each Schedule 2 facility agreement and that this be done in a consistent and non-discriminatory way. The Council added that this assessment should be based on information from the Secretariat's verification activities, including declarations and inspections, and give due consideration to the concerned state party's opinion on the matter. The Council's recommendation was further to Part VII, paragraphs 17 and 24, of the Verification Annex, including the provision that Schedule 2 facility agreements are to be concluded between inspected states parties and the OPCW unless it is agreed that one is not necessary. The Council was also guided in its recommendation by paragraph 7.39(i) of the Report of the First Review Conference requesting the Secretariat "to continue its efforts to optimise verification measures".

Technical issues

The Council adopted a decision on lists of new validated data for inclusion in the OPCW Central Analytical Database (OCAD).

Draft report of the Organization for 2003

The draft report of the Organization on the implementation of the CWC in 2003 was considered by the Council and referred to the forthcoming 9th session of the Conference. The draft report reflected the significance of the First Review Conference held last year and of the Council's adoption of the action plan on universality and the Conference's approval of the action plan on the implementation of Article VII obligations. The report was also introduced with an overview of the OPCW's efforts in respect of international cooperation and assistance, administrative matters and fighting global terrorism.

Concerning universality, the report reflected that eleven new states parties had joined the OPCW in 2003, for a total of 158. Progress in chemical weapons disarmament and non-proliferation was also discussed. During 2003, over 1,100 metric tonnes of chemical-warfare agents were verified as destroyed and, by the end of the year, 11.4 per cent of Category 1 chemical weapons stockpiles and all Category 2 stockpiles had been destroyed. It was also reported that nine CWDFs operated during 2003 in Russia, the United States, India, and in a state party of withheld identity. However, extensions of intermediate or final destruction deadlines were granted to a state party of withheld identity, Russia and the United States during the period under review. The destruction and conversion of CWPFs was also noted: by the end of 2003, 31 out of 61 declared CWPFs had been destroyed while 10 had been converted; of the remaining CWPFs, 10 are to be destroyed and 10 to be converted. With regard to Article VI inspections, the report indicated that 46.15 per cent of inspections during the period under review took place at Schedule 1, 2 and 3 facilities and at other chemical production facilities (OCPF).

With respect to declarations, the report stated that by the end of the reporting period 150 out of 158 states parties, or 95 per cent, had submitted either an initial declaration or an indication of no declarable activity. The report added that the five possessor states in 2003 (i.e., Albania, India, Russia, the United States, and a state party of withheld identity) had declared some 70,000 metric tonnes of Category 1 and 2 chemical warfare-agents, 8,200,000 munitions and containers, and 410,000 Category 3 chemical weapons located at 33 CWSFs. One additional state party declared riot control agents during the period under review resulting in a total of 103 states parties which have declared such agents. With respect to Article VI declarations, 5,466 inspectable facilities had been declared including 27 Schedule 1 facilities, 432 Schedule 2 facilities, 511 Schedule 3 facilities, and 4,496 OCPFs. Transfers of scheduled chemicals and the declaration assistance project were also discussed.

As in previous years, the majority of inspection activities were carried out at chemical weapons-related facilities. However, because of a decrease in the number of operating CWDFs over what had been predicted by state parties, only 286 of the planned 319 inspections of any type took place. The report also described the Secretariat's technical support

for its verification activities including the proficiency tests and OCAD.

The draft report reflected the OPCW's activities in respect of international cooperation under Article XI, including the Associate Programme, the Conference Support Programme, the Internship Support Programme, a programme to support research projects, a laboratory support programme, and the Equipment Exchange Programme. Assistance and protection activities were also discussed including programmes to strengthen national capacities against the use or threat of use of chemical weapons, to strengthen the Secretariat's capacity to manage an international response in the event of a chemical weapons attack, and on the coordination and provision of assistance.

Concerning implementation support, the draft report reflected the practical support that had been provided to states parties during the period under review including advice on establishing National Authorities, enacting national implementing legislation, identifying declarable facilities, and submitting accurate declarations. The report also described other implementation-related activities undertaken by the Secretariat in 2003 including giving expert advice to states parties, technical workshops, training courses, regional seminars, regional and subregional meetings, and the annual meeting of National Authorities. The role of the action plan on the implementation of Article VII obligations was emphasized.

The draft report described the major activities of the policy-making organs in 2003 as well as those of the OPCW's subsidiary bodies. The Organization's external relations activities were also reflected in the report including efforts to promote universal adherence to the Convention such as the adoption of an action plan on universality. The Organization's increased public outreach through the launch of several new publications targeting regional and international audiences was also noted.

Finally, the draft report described the various activities undertaken by the Secretariat during the period under review in respect of management and administration. The draft report discussed, *inter alia*, the introduction of results-based budgeting (RBB), the implementation of the tenure policy, procurement and services, and staff training. The report also discussed activities undertaken by the Office of Internal Oversight (OIO) and the Office of the Legal Adviser. Particular attention was drawn to legal activities related to national implementation of the Convention, including preparation of the *National Legislation Implementation Kit*, expansion of the legal module on the OPCW website, and obtaining information from states parties on the status of implementing their Article VII obligations. Finally, the report reflected issues concerning confidentiality and security and health and safety.

Report of the Office of Internal Oversight for 2003

The annual report of the Office of Internal Oversight for 2003 was considered by the Council and transmitted with comments, along with the related note from the Director-General, to the Conference at its November session. The Council also received an oral report from the facilitator on informal consultations on this report and on the Director-General's note.

Delegations made several comments on the report

including an affirmation of the importance of promptly implementing the OIO's accepted recommendations; urging continued efforts to enhance internal oversight; calling attention to the OIO's comments with respect to methods of preparing the Organization's programme and budget, including implementing RBB; suggesting that the OIO's audit plan should be based on analysing risks associated with the proper functioning of the OPCW and using a more qualitative means to report on the implementation of OIO's recommendations; and recommending that the Organization develop an effective performance management and appraisal system (PMAS) in the context of tenure. One state party, in particular, indicated that it was regrettable that the recruitment and appointments audit for 2002 would only be made available in the 2005 report.

The note from the Director-General highlighted several issues raised in the report including the general management of OIO, especially the monitoring of the implementation of OIO recommendations in the Human Resources Branch and in respect of RBB; the management of human and financial resources, including the reduced pace of improvements in areas affected by staff resignations; assessing the implementation of the confidentiality regime; and maintaining and extending the quality assurance system. In sum, the note indicated that progress had been made on implementing recommendations with respect to confidentiality and security, finance, insurance, travel, the development of RBB, the timely submission of documents to the policy-making organs and ABAF, and implementation of the confidentiality regime by the Chemical Demilitarisation Branch and the Verification Division. Matters that are still being addressed include the development and review of procedures in the Human Resources Branch such as the issuance of administrative directives and improvement of the PMAS; OIO's recommendations with respect to programming and budgeting; improvements to the workings of the disbursements and treasury sections; and OIO's observations in respect of the OPCW Laboratory.

Financial issues

The Council received reports on the OPCW's income and expenditure for the months of February, March, April and May 2004. As at 31 May, 64.1 per cent of the assessed contributions for 2004 had been received. Sixty-one states parties had fully paid their assessed contribution, and fifteen had paid in part. The amount outstanding was EUR 24,630,221.

With regard to Article IV and V verification costs for 2004, EUR 3.9 million in reimbursements had been budgeted for. As at 31 May, EUR 1,440,521 had been invoiced by the OPCW. Of that, EUR 0 had been paid by the possessor states parties concerned.

A decision recommending that the ninth session of the Conference approve proposed amendments to the OPCW Financial Regulations was adopted by the Council. These amendments were initially proposed by the Advisory Body on Administrative and Financial Matters (ABAF) at its eleventh session and reiterated during its thirteenth session. The Council also approved a decision with respect to new Financial Rules.

The Council adopted a decision recommending that the Conference approve certain measures in respect of the Working Capital Fund (the Fund) and the late receipt of Article

IV and V income. These include increasing the Fund to EUR 9.9 million for 2005 and 2006, allocating the remainder of the 2001 cash surplus as an advance from states parties to the Fund, and amending Financial Regulation 6.6 so as to ensure the reimbursement of any transfers from the Fund within the financial period which follows the period in which they are made.

Finally, the Council noted the report submitted to it by the Secretariat on the phasing out of the system of non-service incurred death and disability insurance in effect through 1 June. In the report, the Secretariat indicated that, as from 1 June 2004, coverage under the policy for newly recruited staff members would be optional with the premiums to be paid by them. For staff working at the Secretariat before this date, on the other hand, only coverage additional to their mandatory coverage would be optional. Finally, it was noted that the premiums would remain unchanged for 2004 for all staff members but that they may be revised for 2005 given the different risks involved in voluntary and compulsory insurance schemes.

Privileges and immunities agreements

The Council concluded agreements on the privileges and immunities of the OPCW with Mauritius and Malta. The Director-General was requested to enter into these agreements on the OPCW's behalf.

Advisory Body on Administrative and Financial Matters

The Council renewed the appointments of Anna Hynkova and Michal Szlezak to the ABAF. These appointments were made retroactive to the effective dates of renewal of their three-year terms of office, or 17 December 2003 and 20 May 2004, respectively.

Further to a recommendation by ABAF at its sixteenth session and information from the Secretariat on the matter, the Council adopted a decision temporarily reclassifying the posts of Special Assistant, Verification Division and Special Adviser, Administration Division from grade P-5 to D-1 in both cases.

The report of the ABAF at its sixteenth session was considered and noted by the Council. This report is discussed further below in the section on Subsidiary Bodies. A note by the Director-General on the status of implementation of the recommendations in the ABAF report was also noted by the Council. It was stressed in the Note, in particular, that the Director-General should be able to once again exercise classification authority. It was added that a report on compliance with the recommendations will be submitted to the Council at its thirty-eighth session.

Other business

The Council requested that the matter of late submissions of declarations be included on the plan of activities for consultations during the intersessional period.

Libya announced that it would soon present its request for the conversion of a former CWPF at Rabta into a pharmaceutical factory.

A provisional agenda for the ninth session of the Conference was considered and adopted by the Council. Additionally, the following Council sessions were approved

for next year — EC-40: 15-18 March; EC-41: 28 June–1 July; and EC-42: 27-30 September. A decision on the date for EC-43 was deferred, however, until the Council's October session.

New Member States

No new states acceded or ratified the Convention during the period under review. The OPCW's current membership stands at 164 member states.

The Office of the National Security Adviser of the Interim Government of Iraq stated in a press release, dated 11 July, that it "is committed to all international norms related to non-proliferation, including prohibition of the development, production and acquisition of nuclear, chemical, and biological weapons and their delivery systems". In an OPCW press release, the Director-General responded that he welcomed this statement and expressed the full support and readiness of the Secretariat to assist Iraq in adhering to the Convention.

Technical Secretariat

Declaration processing

As at 31 July, 155 member states had submitted initial declarations, with Afghanistan, Cape Verde, Marshall Islands, Mozambique, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Timor-Leste, Tonga and Tuvalu yet to do so. Nine states parties had submitted incomplete initial declarations: Côte d'Ivoire, Kiribati, Nepal, Seychelles, Suriname, Turkmenistan, and Yemen having failed to submit their Article VI initial declarations; and Nauru and Senegal, having yet to submit their initial declarations under Article III. Seventy-three states parties have submitted annual declarations of past activities for 2003, and forty-three states parties have submitted declarations of anticipated activities for 2004.

Inspections and verification

As at 3 September, 226 inspections had been completed at a total of 169 sites since 1 January 2004. The breakdown of completed inspections is as follows: 64 at CWDFs, 18 at CWPFs, 31 at CWSFs, 49 DOC inspections, 2 at old chemical weapons sites, 13 at Schedule 1 facilities, 31 at Schedule 2 facilities, and 18 at Schedule 3 facilities. Also as at 3 September, 13 CWDF and 2 CWSF inspections were ongoing.

As at 3 September, 1,840 inspections at 756 sites had been completed since entry into force. The breakdown of completed inspections is as follows: 22 at ACW sites, 444 at CWDFs, 316 at CWPFs, 251 at CWSFs, 8 at destruction of hazardous chemical weapon sites, 212 DOC inspections, 1 at an emergency destruction of chemical weapons site, 52 at old chemical weapons sites, 1 'other', 136 at Schedule 1 facilities, 264 at Schedule 2 facilities, and 133 at Schedule 3 facilities.

It was reported that 100,000 inspector days had been completed on 13 July since entry into force of the Convention.

Destruction

Official destruction figures reflect that, as at 31 July, 9,309 metric tons of chemical agents, out of a declared total of 71,375 metric tons, had been destroyed. Some 2,107,770 munitions/containers, out of a declared total of 8,679,550, had

also been destroyed.

The number of CWDFs in operation in July was seven: five in the United States, one in Russia and one in a state party of withheld identity.

The number of declared CWPfFs as at 31 July, sixty-four, reflects three new CWPfFs declared by Libya.

Implementation of Article X

As part of the Central Asian Project (2003-2005) for the development and improvement of national and regional response capacity against chemical weapons, an Emergency Management Training Course took place in Tashkent, Uzbekistan during 21-25 June.

The first international basic course on assistance and protection took place in Kruševac, Serbia and Montenegro during 5-9 July (see CBWCB64). An Advance Chief Instructor Training Course, as part of a regional cooperation project, took place in Bishek, Kyrgyzstan during 5 to 9 July. An advanced training course on protection for Central Asian member states took place in Almaty, Kazakhstan during 23-27 August. TRIPLEX 2004, an exercise in civil protection and emergency measures, took place in Starum, Norway during 6-10 September.

In June, an invitation was issued for participation in the first assistance and protection course for Latin American and Caribbean states parties, which will take place in Madrid during 13-23 September. Jointly organized by the OPCW and the Spanish government, the course will provide training for up to 20 participants involved in planning for and building support teams in civilian protection and defence and rescue operations in contaminated areas. The course will cover how to respond to incidents involving chemical weapons as well provide an overview of available international assistance. In addition to discussing the implementation of Article X, the participants will also be introduced to using protective equipment and to monitoring, detection, decontamination and sampling techniques.

A training course on chemical weapons protection is scheduled to take place during 27 September-1 October at the Institute of Civil Protection in Slovenska Lupca, Slovakia (see CBWCB64). The Eighth Annual workshop to coordinate assistance and protection under Article X will be held in Plovdiv, Bulgaria during 4-8 October. A course on the medical aspects of defence against chemical weapons will take place in Tehran during 9-13 October. A protection training course for first responders, with a focus on capacity-building in civilian protection, is scheduled to take place in Kruševac, Serbia and Montenegro during 18-22 October.

The Swiss Emergency Field Laboratory (SEFLAB) training programme is scheduled to take place in Spiez, Switzerland during 8-12 November. The fourth annual meeting of the Protection Network and Workshop is scheduled to take place at OPCW Headquarters during 16-19 November. Additionally, a regional seminar on civil protection for member states in Latin America and the Caribbean will take place in Lima, Peru from 7 to 10 December.

Implementation of Article XI

An analytical skills course took place from 25 June to 9 July at the Technical University Delft and other institutions in the

Netherlands. The course was designed to enhance the skills and experience of analytical chemists from member states with economies in development or transition.

The fifth Associate Programme will end on 1 October. The programme provides qualified chemists and chemical engineers from developing member states, or from countries whose economies are in transition, access to the skills and experience needed to operate effectively in the modern chemical industry, with particular emphasis on chemical safety. At the same time, the programme advances knowledge about the requirements of implementing the Convention, with particular emphasis on provisions related to the chemical industry.

Proficiency testing, sampling and analysis

In late August, the Director-General released a Note evaluating the results of the Fifteenth Official OPCW Proficiency Test, held during 12 April-16 July. Twenty laboratories, representing sixteen member states, were nominated to participate in the test, however, only fourteen laboratories submitted reports of their results. The Laboratory of Analytical Chemistry, Research Institute of Chemical Defence in China prepared the test samples and Protechnik Laboratories Ltd in South Africa evaluated the results. Twelve of the fourteen laboratories that submitted reports met the adopted criteria and qualified for scoring. Eight laboratories identified all of the spiked chemicals and reported them with sufficient analytical data. Four laboratories failed the test either because they did not submit a report or because they reported one or more false positives.

An international workshop on the analysis of chemicals related to the CWC (CW-LABEX) was held at the University of Helsinki during 6 to 10 September. The workshop was particularly aimed at those laboratories active or planning to become active in the analysis of CWC-related chemicals and that participate or plan to participate in the OPCW proficiency tests.

Implementation support

The second subregional meeting of National Authorities in Central America took place in Managua, Nicaragua from 12 to 13 July (see CBWCB64).

An advanced course for personnel involved in national implementation of the Convention was held in The Hague during 27-30 July. The course was designed to focus, more than advanced courses have in the past, on scenarios and tabletop exercises with the objective of increasing states parties' ability to comply with their obligations under the Convention.

A technical meeting of National Authorities took place in Buenos Aires during 6-8 September on customs-related aspects of the Convention's regime, including regulating the international transfer of certain toxic chemicals (see CBWCB64).

The second regional meeting of National Authorities in Asia will take place in Beijing from 20 to 22 September.

The second regional workshop for National Authorities of states parties in Central Asia will take place in Almaty, Kazakhstan during 13-15 October. Matters to be discussed include implementing legislation and privileges and immunities

agreements, administrative requirements for successful National Authorities, identifying declarable industry sites and activities, Article VI declarations, and implementation-support projects in Central Asia. Participants will also be required to give presentations on the status of implementing legislation and of privileges and immunities agreements in their respective jurisdictions, on mechanisms that are in place for coordination and enforcing implementation of the Convention, and on specific problems and any implementation-support requirements.

The second regional meeting of National Authorities of states parties in Africa will take place in Harare, Zimbabwe during 19-20 October. Following the tradition of similar meetings in Latin America and the Caribbean, Asia and Eastern Europe, the participants will discuss the role of National Authorities in implementing the Convention, administrative requirements for successful National Authorities, declarations, implementing legislation, and implementation support and international cooperation projects in Africa. Participants will also be required to give presentations on the status of implementing legislation in their respective jurisdictions, on mechanisms that are in place for coordination and enforcement of the Convention's verification provisions, and on specific problems. Additionally, the meeting will be an opportunity to identify regional priorities and requirements for technical assistance, to identify common areas for national implementation support, and for consultations on implementation.

The sixth annual meeting of National Authorities will take place in The Hague during 26-28 November.

Universality

A note by the Director-General, issued in late June, provided additional information on the implementation of the universality action plan during 2004. In addition to providing an update on new states parties, the note described workshops on universality in Ethiopia during 20 to 22 April, Malta during 5-7 May, and Fiji during 14-15 June. Visits by the Director-General to the League of Arab States and the Organisation of American States as well as contact in The Hague with representatives of Egypt, Israel, Lebanon and Syria were also discussed. A bilateral visit to Cambodia and a meeting with representatives of African member states and states not party in Brussels were noted. A visit to Myanmar in August and possible activities with the European Union as well as activities and visits to states not party in Africa, Asia, and Latin America and the Caribbean were also noted.

Implementation of Article VII

A note by the Director-General, issued in late June, provided additional information on the implementation of the Article VII obligations action plan during 2004. It was noted that, as at 22 June, 128 out of 164 states parties, or 78 per cent, had notified the Secretariat of the designation or establishment of a National Authority; 97 states parties, or 59 per cent, had submitted information regarding their legislative and administrative measures taken while 64 member states had submitted the actual text; and only 53 states parties, or 32 per cent, had comprehensive implementing legislation. The report added that over the past three years there had been an 18 per cent increase in the number of National Authorities established

or designated by member states, a 21 per cent increase in the number of states parties that submitted information regarding their legislative and administrative measures taken, a 6 per cent increase in the number of states parties with comprehensive implementing legislation, and a 37 per cent increase in the number of Article VI declarations made by states parties.

In addition to noting the impact that UN Security Council resolution 1540 would have on the implementation of states parties' Article VII obligations, the report discussed recent national training courses, subregional and regional meetings, and workshops held by the Secretariat on implementation. It also noted that there are sufficient budgetary resources for additional implementation support activities in 2004 for all states parties that formally requested them. The report added that several informal requests would only be met in 2005 once formal requests were received, however, it was noted that states parties that had made offers of assistance would be asked if they could assist beforehand.

The report indicated that states parties had been providing voluntary financial contributions, providing resource personnel and experts, and offering and providing assistance on a bilateral basis. However, it emphasised the Secretariat's limited resources, financial and human, for sustained and targeted follow-up once implementation support had been provided. Accordingly, the report called on states parties able to do so to consider assisting with follow-up efforts, in addition to their initial implementation support activities.

New validated data

The nineteenth Validation Group meeting took place during 30-31 August.

Technical issues

An invitation was issued by the Secretariat in July for National Authorities to familiarise themselves with newly procured inspection equipment.

A note was issued by the Secretariat in early July regarding the training of the first half of a group of new inspectors (Group C), which took place during a seven-week period in February and March. It was noted that Group C consists of some 40 inspectors who joined the OPCW in 2004 due to normal attrition since 1998, implementation of the tenure policy in 2003, and additional departures in 2004. Groups A and B were trained in 1997 and 1998, respectively.

The report indicated that the training, which has been significantly modified since 2003 due to financial constraints, would apply to all new inspectors after they have been hired on three-year contracts. Most training would take place at the OPCW and be conducted by staff from the Inspectorate and Verification Divisions with member states providing less hands-on training than in the past. The training period would last only seven weeks and hands-on training would be specialised or come in the form of particular assignments. The report also indicated that training in respect of challenge inspections or investigations of alleged use would take place at a later stage.

It was indicated in the report that the first half of the group consisted of inspectors with skills in chemical-production technologies, chemical weapons munitions, analytical chemistry, and health and safety. The focus of the training

was on the OPCW's operating procedures as well on industry and chemical-weapons related verification. To this effect, the seven-week course consisted of general training, initial hazardous-waste operations and emergency response (HAZWOPER) training, field training, training in the inspectors' skills mentioned above, and advanced medical-training and communications.

Financial figures

As at 31 July, 69.4 per cent of the assessed contributions for 2004 had been received. Seventy-two states parties had fully paid their assessed contribution and eleven had paid in part. The amount outstanding was EUR 20,985,311.

With regard to Article IV and V verification costs reimbursements for this calendar year, EUR 3.9 million in reimbursements has been budgeted for. Based on the most recent official information available, EUR 2,386,418 has been invoiced by the OPCW. Of that, EUR 0 has been collected from the possessor states parties concerned.

Legal issues

A letter from the Permanent Representation of Brazil, dated 30 July, was presented to the Secretariat. It included a letter from the former Director-General of the OPCW, José Mauricio Bustani, to the Chairperson of the 8th session of the Conference. Further to decisions by the International Labour Organisation's Administrative Tribunal regarding the former Director-General's dismissal from the Organisation (nos. 2232, 2327 and 2328), Bustani stated in the letter that he would transfer his award of EUR 50,000 for moral damages, including interest thereon, to the OPCW for the international cooperation programme and renounce his right to the material damages awarded to him along with compensation for legal costs.

The Office of the Legal Adviser issued a questionnaire on the implementation of trade measures under the Convention in late August. In light of the Article VII action plan item regarding the review of existing regulations in the field of trade in chemicals in order to render them consistent with the Convention, the questionnaire had the objective of gaining further insight into the factors that are impeding the ability of states parties to submit accurate Article VI declarations.

Official visits

The Director-General met with the following during the period under review: the Minister of Foreign Affairs of the former Yugoslav Republic of Macedonia at OPCW Headquarters on 9 June, the Minister for Foreign Affairs of Ukraine at OPCW Headquarters on 1 July, representatives of states not party and OPCW member states during a visit to Ethiopia from 6 to 8 July for the Third Ordinary Session of the Assembly of Heads of State and Government of the African Union, senior-level officials during a visit to the Republic of Korea from 11 to 15 July, and the Iranian government and senior-level officials during a visit to the Islamic Republic of Iran from 24 to 25 July. The Director-General also visited the International Medical Centre for Training and Treatment Against Chemical Weapons in Tehran.

Staffing

The Secretariat's actual personnel strength as at 10 September

was reported as 499. Of these, 435 are on fixed-term contracts and 282 are P-level staff. It was also reported that between 7 June and 10 September there will be a new Director of the Inspectorate (grade D-2), Ichiro Akiyama, and 2 P-3 and 1 P-2 appointments. During the same period, the Special Adviser to the Director of the External Relations Division (grade D-1), Mikhail Berdennikov, separated from the Organisation and there were or will be 3 P-5, 5 P-4, and 5 P-3 separations.

Subsidiary Bodies

Advisory Body on Administrative and Financial Matters

The final report of the Sixteenth Session of ABAF was issued just after the session which took place during 14 to 18 June under its Chairman, Hadi Farajvand. The Director-General addressed the opening of the ABAF session and discussed, in particular, the 2005 draft programme and budget and the proposed 4.8 per cent increase over last year's budget.

ABAF reviewed the report of the fifteenth session and noted its appreciation of the Secretariat's compliance with ABAF's previous recommendations. The report also reflected that ABAF reviewed and made recommendations on, *inter alia*, the budget status report for 30 April, the audited financial statements for the Organization for 2003, the report of the External Auditor, and the financial statements of the Provident Fund. ABAF decided to defer consideration of the draft medium term plan, however, until its next session. The report reflected ABAF's review of the 2005 draft programme and budget, including the implementation of results-based budgeting, and its related recommendations. Requests by the Director-General to reclassify two posts and to return classification authority to him were also considered by ABAF. ABAF recommended approval of the first request but questioned the necessity and urgency of the latter issue.

ABAF elected Hadi Farajvand as Chairman and Bernhard Brasack as Vice-Chairman. It was reported that the next session of ABAF would take place during 27 September-1 October.

Commission for the Settlement of Disputes Related to Confidentiality

The sixth meeting of the Commission for the Settlement of Disputes Related to Confidentiality is scheduled to take place at OPCW Headquarters from 1 to 2 November.

Future Work

The ninth session of the Conference of the States Parties will take place from 29 November to 3 December. The thirty-eighth session of the Executive Council is scheduled to take place some weeks after publication of the September *Bulletin*, accordingly, the outcomes of this session will be discussed in the December issue.

This review was written by Scott Spence, the HSP Researcher in The Hague

The Biological Weapons Convention New Process

As reported in *Bulletin 61* (September 2003) and *Bulletin 62* (December 2003), the States Parties to the Biological and Toxin Weapons Convention (BWC) had during 18-29 August and 10-14 November 2003 made a start on the new process agreed by decision of the resumed Fifth Review Conference in November 2002. In the report in *Bulletin 62*, it was noted that the Meeting of States Parties had barely managed to reach agreement on a short statement of substance and thus failed to fulfil the promise which had been apparent at the end of the Meeting of Experts in August 2003. The Final Report of the Meeting of Experts only just managed to avoid paralleling that of the Meeting of Experts which comprised a procedural report and an annexed, but unanalyzed, collation of all the presentations, statements and contributions. While there is significant value in maintaining a full record of the contributions made by States Parties, the lack of analysis and distillation, together with the short period of time, two months, between the Meeting of Experts and the Meeting of the States Parties contributed to the limited outcome of the Meeting of States Parties. It could not be said to have successfully promoted *common understanding and effective action* as required by the mandate for the new process. The report concluded that the States Parties had set a standard in their 2003 Meetings which was far too low. For the Meetings in 2004 under the chairmanship of South Africa, it was urged that the States Parties should demonstrate a more effective outcome through the promotion of *common understanding and effective action*.

The two topics to be considered in 2004 are, as agreed in the Final Document of the Fifth Review Conference (BWC/CONF.V/17) (This and other such official BWC documentation mentioned in this report is available at <http://www.opbw.org>):

- iii. *Enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological and toxin weapons or suspicious outbreaks of disease;*
- iv. *Strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants;*

The Meeting of Experts to consider these topics was held in Geneva from 19 to 30 July 2004.

Preparations for the Meeting of Experts, 2004

During the spring of 2004, Peter Goosen of South Africa as Chairman of the 2004 meetings wrote to the representatives of the States Parties to the BWC first on 10 March 2004 and then three months later on 1 June 2004. In his letter of 10

March 2004 he said that the approach which was being followed was for the Secretariat for the meetings to prepare:

- A background paper on current mechanisms being implemented for disease surveillance as well as investigations of, and assistance in cases of, outbreaks of disease by international intergovernmental organizations (World Health Organization (WHO), Food and Agricultural Organization (FAO), International Organization Epizootic (OIE))
- A background paper on current (significant) mechanisms being implemented for disease surveillance by non-governmental organizations.
- A background paper on the existing mechanisms available to States Parties to investigate alleged use of biological weapons and to provide assistance in such cases.

The letter went on to say that the approach would be for inter-governmental organizations and non-governmental organizations identified in the background papers to be invited to make presentations at the meeting of Experts and for relevant inter-governmental and non-governmental organizations to be identified to participate in the meeting (special meeting set aside) as well as on its fringes. Furthermore, an indicative programme was to be prepared which would allow for the effective coverage of both of the topics for 2004 (i.e. one topic morning, one topic afternoon – Monday to Thursday. Last Friday for agreeing any outcome.) The letter concluded by saying that it was the Chairman's belief that these arrangements would provide the States Parties with a framework for the successful consideration of their work during 2004 and that "by following such an approach, also in the preparations of States Parties, it is furthermore my hope that we will be placed in a position where States Parties can consider, and possibly agree on identified elements relating to discussing, and promoting common understanding and effective action" on the two topics for 2004.

In the later letter of 1 June 2004, Goosen advised the States Parties of further developments and planning for the Meeting of Experts. In this he proposed that the two topics should be considered sequentially during the two weeks rather than as initially proposed in parallel. Furthermore, he proposed a more logical approach, which would also be a reflection of the order in which States Parties would in fact be confronted by such outbreaks of disease, in which the topic "surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants" would be addressed during the first week and then the topic dealing with "responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease" addressed in the second week. In a proposed programme of work, the opening day would be for general statements and then for briefings by the International

Governmental Organizations on the first afternoon as these briefings by the WHO, FAO and OIE would provide a useful background against which the States Parties could begin consideration of the issues related to the first topic. The Friday afternoon of the first week was set aside for an informal meeting for presentations by non-governmental organizations with the first presentation being made by the Program for Monitoring Emerging Diseases (ProMED) which is the NGO particularly active in the area of the first topic. The second week would then address the second topic with the Thursday afternoon and Friday set aside for general discussion and consideration of the factual report describing the work of the Meeting of Experts.

The letter concluded by Goosen encouraging “States Parties to *inter alia* focus their preparations for the meeting of experts on the particular mandate that was provided for the 2004 meetings. That is to say on proposals on the central question of **what the States Parties can agree to do to** (a) enhance international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease, and to (b) strengthen and broaden national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants. It is understood that States Parties may want to address what they are doing nationally or in broader contexts on these issues, but it would be important for States Parties to utilise these experiences to address the particular focus of the abovementioned mandate.” [Emphasis in original]. The letter also said that the Secretariat was working on three background papers which would be distributed well before the meeting so as to be available as a resource for States Parties.

The three background papers on current mechanisms for disease surveillance (46 pages) (BWC/MSP/2004/MX/INF.1), current mechanisms for response to outbreaks of disease (18 pages) (BWC/MSP/2004/MX/INF.2) and existing mechanisms to investigate the alleged use of biological or toxin weapons and to provide assistance in such cases (17 pages) (BWC/MSP/2004/MX/INF.3) were issued on 1 July 2004 with summaries of the first two documents issued on 18 June 2004 and the third on 23 June 2004.

Meeting of Experts, 19 to 30 July 2004: Opening Plenary Session

The Meeting of Experts began on Monday 19 July 2004 in a plenary session where Peter Goosen welcomed the representatives and experts from the States Parties. 87 States Parties participated in the Meeting of Experts – four more than in the corresponding 2003 Meeting of Experts – as twelve (Belarus, Bolivia, Congo, Costa Rica, El Salvador, Iraq, Mauritius, Nicaragua, Portugal, Singapore, Sudan, and Togo) participated whilst eight (Afghanistan, Benin, Bhutan, Cyprus, Ghana, Jordan, Mongolia, and Yemen) did not. Four signatory States also participated: Egypt, Madagascar, Myanmar and United Arab Emirates. Two States, Israel and Kazakhstan, participated as observers. The Food and Agriculture Organization (FAO), the World Health Organization (WHO) and the World Organization for Animal Health (OIE) made presentations and also participated throughout the meeting as

they had participated through the invitation of the Chairman. This was a distinct step forward over the arrangements at the corresponding 2003 Meeting of Experts when several Intergovernmental Organizations (IGOs) were invited to make presentations which were outside the normal times of the Meeting and the IGO representatives were unable to be in the room.

Four Signatory States participated: Egypt, Madagascar, Myanmar and United Arab Emirates. Two States not Party, Israel and Kazakhstan were granted Observer status. The Convention now has 151 States Parties and 16 Signatory States (BWC/MSP.2004/MX/INF.4 dated 15 July 2004) as Sudan had recently acceded. It has subsequently become known that Azerbaijan has also acceded but this has not yet been reflected in an official BWC List of States Parties. Representatives from four Intergovernmental Organizations (FAO, ICRC, WHO and OIE) participated as observers, as did UNIDIR and 11 NGOs (BWPP, CACNP, CSIS, CBACI, HSP, INES, ProMED, SIPRI, University of Bradford, University of Sussex and VERTIC). Over 450 individuals participated which was more than at the Fifth Review Conference and included over 200 scientific and other experts from capitals.

The plenary session then adopted the provisional agenda (MX/1) and the revised provisional programme of work (MX/2/Rev.1). The provisional programme of work included a session on the afternoon of Friday 23 July 2004 for informal consultations. This had been arranged to enable ProMED and a number of NGOs to make short statements, as had been done at both the Fourth and Fifth Review Conferences and at the 2003 Meetings, by setting aside some time to suspend the formal sessions to allow such statements to be made in informal session.

A number of States Parties (Germany, Libya, Japan, Venezuela, Russia, Iran, Cuba, China, Republic of Korea, India, Canada, UK, Pakistan, US, Malaysia, Peru (on behalf of the Andean Community), Hungary, Nigeria and the Netherlands (on behalf of the EU) then made statements before the end of the plenary session.

Germany noted that following the failure in 2001 to achieve a legally binding instrument to verify compliance with the Convention, the States Parties took a pragmatic decision at the Fifth Review Conference to launch a new process to strengthen the Convention. The statement went on to say that “the many productive results of the 2003 meeting of Experts demonstrated that States parties from all Groups – Non-aligned Movement, Eastern Group and Western Group – had seized the opportunity to contribute valuable expertise on the full range of topics scheduled for 2003.” And Germany was very keen to continue this constructive multilateral process. Insofar as investigations are concerned, Germany believed that there was “no need to re-invent the wheel”. However, given recent technological developments, Germany considered that we certainly do need to consider whether the available guidelines and procedures set out in UN document A/44/561 should be updated. The statement concluded by saying that “it would be a most beneficial result of this new process if States Parties could report to the 6th Review Conference that they have taken action to remedy any shortcomings identified at the 2003 to 2005 meetings or to improve their national strategies for addressing such issues.”

Japan said that strengthening of the BWC has become essential in the face of the growing threat of bioterrorism. It was noted that the importance of the BWC has also been highlighted in the recently adopted Security Council Resolution 1540 (2004) and the G8 Action Plan on Nonproliferation. Japan encouraged States Parties to make every effort to promote the BWC process in the lead-up to the 2006 Review Conference, based on the programme of work, and to demonstrate to the international community the progress which is being made in its implementation. In regard to the 2003 meeting, Japan noted that a wealth of information and experiences were shared, greatly contributing to the success of the Meeting of States Parties held in November 2003. Japan said that “it is our hope that, during this meeting, common understandings will be developed between States Parties ... to identify effective measures to address the topics of ‘disease surveillance’ and ‘preparedness and response’, notwithstanding different national legal systems among States Parties.” Japan also noted that the “strengthening of the BWC process is of particular importance in the Asian region, where the potential for countries to become suppliers of dual-use materials and technologies, which could be used to develop BW, is increasing in light of its rapid economic growth and expansion of industrial infrastructure.”

The Russian Federation said that “our forum is the principal platform of today for continuation of collective search for concrete ways to strengthen the BWC regime taking into account new challenges and threats. The need and urgency of this work has been confirmed by UN Security Council resolution 1540 which, to promote international stability, calls upon all the states to confirm by practical deeds their commitment to multilateral cooperation in nonproliferation, to adopt relevant effective national rules and regulations aimed *inter alia* at preventing the proliferation of biological weapons.” Russia drew attention to the G-8 Sea Island documents which showed that the BWC is a “critical foundation against biological and toxin weapons’ proliferation, including to terrorists.” At the same time, Russia said that they “are still convinced of the need to renew negotiations on the control mechanism for the Convention. The time has only confirmed that such a mechanism will seriously enhance our potential to prevent proliferation of biological weapons.” The statement went on to say that “We would like to recall here of the fact that for a long time the mechanism to investigate an alleged use of biological weapons has been the subject for negotiations on the development of a control mechanism under the Convention. We consider it necessary to use the results achieved during these negotiations and being supported by a majority of States Parties to the BWC, including on types of investigation and volumes of information provided on the spot. I would like to underscore the following: the consideration of this issue at our meeting cannot be an adequate replacement for elaboration of the BWC control mechanism. This is only an intermediate stage.” In regard to the agenda item on combating infectious diseases, Russia said that “we think it necessary to separate clearly the spheres of competence and responsibility of the said organizations [WHO, OIE and FAO] and the BWC ...”.

Iran said that “after failure and suspension of seven years

negotiations on the Protocol to the Convention, the world has faced rapid development of biotechnology and escalation of bioterrorism threats thus it has become more imperative and important to discuss, within a multilateral legally binding frameworks, the concrete measures to strengthen the effectiveness of the Convention. The preference of a certain country for unilateral actions to combat weapons of mass destruction including biological weapons cannot obliterate the primacy of the principles and rules of multilateralism on this matter. The lack of multilateral coordination will result in the failure of the regime established by the BWC. Legitimate action in the area of international security must be founded on multilateral agreements.” In regard to the surveillance of infectious disease, the statement went on to say that “although the BWC lacks a verification mechanism, we do believe that assigning security and politically oriented responsibilities, such as investigation of suspicious cases of use of biological weapons, to certain international organizations such as WHO, puts the humanitarian and fundamental objectives and mandate of these organizations in jeopardy.” In regard to the issue of alleged use of biological or toxin weapons, Iran noted that “even though according to the Geneva Protocol of 1925, the ‘Use’ is prohibited, but [...] regrettably some States Parties have still kept their reservations to that effect, that is keeping the right of retaliation for any case of use against them.”

China said that “as an important component of international arms control treaty system and global collective security framework centered on the United Nations, the Biological Weapons Convention has all along played a critical role in the cause of complete prohibition, through destruction and non-proliferation of biological weapons. The Meeting of Experts serves as an important forum for States Parties to explore measures of strengthening the effectiveness of the Convention within multilateral framework. This endeavor helps States Parties to formulate and improve national implementation systems based on distinct national situation, and hence contributes to the comprehensive and effective implementation of the Convention.” China noted with pleasure that the States Parties benefited in 2003 from exchanging experiences among themselves and the meetings achieved tangible progress. The statement concluded by noting that “the practical and potential threats posed by bioterrorism make peace-loving people realize that strengthening the effectiveness of the Convention has great significance in preventing biological weapons falling into wrong hands. It is the common task for all States Parties to ensure the effectiveness and promote the implementation of the Convention.”

The Republic of Korea said that recognizing that the goal of the Convention and the States Parties’ implementation of this goal have become increasingly important under the new security circumstances of the present time, they again welcomed the new process that started last year as a valuable opportunity to strengthen the implementation of the Convention. The two issues being considered “are of vital importance for the implementation of the Convention in the sense that enhanced capabilities ... will greatly contribute to the more comprehensive implementation of the Convention.” The statement went on to say that the Meeting of Experts has two basic functions in regard to the implementation of the

Convention. One is information sharing of implementation measures and experiences and the other is the subsequent discussion of best practices and lessons both at national and international levels. Korea added that they did not object, in principle, to the idea of the Chairman of attaching a list of proposals to the factual report of the Meeting. In addition, Korea noted that “the new process we started last year is qualitatively different from the Review Conferences that had preceded it; therefore, the outcome that we achieve will set the stage for subsequent work leading to the 6th Review Conference.”

India said that in their assessment, the Meetings in 2003 were productive. India went on to say that “we are all acutely conscious of the circumstances that led to evolution of the present process, which seeks to strengthen implementation of the BWC provisions by States Parties.” It was noted that the 5th Review Conference had clearly spelt out the mandate and that “it was left to the sixth Review Conference in 2006 to consider the work of these meetings and decide on further action required. It is pertinent to note that the purpose of the present process is to promote common understanding and effective action and not to reach a common understanding, as sometimes extrapolated. Reaching a common understanding includes an element of negotiation amongst the States Parties, which is not the purpose of the present process.” The statement went on to note that adoption of resolution 1540 by the Security Council in April 2004 has provided an impetus and to hope that the 2004 meetings will achieve similar positive results to those achieved in 2003. In regard to investigations of alleged use, the statement noted that the UN Secretary-General’s report A/44/561 contains guidelines and procedures and that the background paper (MX/INF.3) specifically notes that the list of experts and facilities available to the Secretary-General has not been updated since 1990. Consequently, “it may be useful to update and revise this list and to make it more broad-based to benefit from state-of-the-art technologies and expertise available in different parts of the world.” In regard to disease surveillance, India noted recent development by the WHO and added that “WHO has been guided, in its efforts, by the World Health Assembly, of which all the States Parties to the BWC are members. We expect that the States Parties to the BWC, through WHO’s World health Assembly, will continue to recommend further steps to enhance the role and effectiveness of the WHO in strengthening and broadening national and international institutional efforts and existing mechanisms.”

Canada said that “we have been very encouraged by the success of the intersessional proceedings thus far.” The statement went on to note that Canada had provided a CD-ROM Guide to completing the BWC Confidence Building measures, which has been distributed to all States Parties, and observed that Measure B of the CBMs calls on States Parties to report suspicious or unusual outbreaks of disease that may occur within their territories. The statement went on to say “I therefore reiterate Canada’s request that all States parties make every effort to complete their annual submission in a thorough and timely way. We stand ready to provide further assistance as appropriate.” The statement added that one of our main purposes here is to find ways that States

Parties can work together and that Canada would be presenting two papers on this type of cooperation.

The UK statement outlined the organizational structure for disease control with the UK and then outlined the presentations that would be made during the Meeting of Experts.

Pakistan said that it placed the utmost importance on the protection of humans, animals and plants from all kinds of diseases including infectious diseases and went on to say that “Pakistan strongly believes that concrete and effective measures should be taken to strengthen biosafety and biosecurity, but at the same time these measures should not hamper the scientific development in biotechnology and genetic engineering.” The statement concluded by saying that “we envisage a very fruitful two weeks of deliberations by the experts and look forward to their recommendations which will hopefully form the ‘best practices’ to be followed by States Parties on voluntary basis, taking into consideration their particular state of development, technical and financial resources available to them.”

The US said that after some reflection on the 2003 Meeting of Experts, “my Government – and we understand others from all regional groups – considered the 2003 Work Program on pathogen security and national implementation measures to be very successful.” It went on to say that “Regional groupings of States Parties have also made political commitments and taken initiatives to combat the threat posed by biological weapons by adopting many of the measures discussed throughout last year’s Work Program. We are hopeful that all States Parties will be able to report in 2006 that they have fully implemented the Convention.” The statement concluded by saying that “it is important that we would take this occasion to reiterate the importance we attach to the BWC and these efforts to strengthen the international community’s ability to detect, diagnose and communicate about disease outbreaks. We continue to work towards universality and to monitor and encourage compliance. Indeed, implementation of national measures, whether they be of a legal nature or involving surveillance of disease outbreaks, is a central component of compliance, which serves, to stem the BW threat.”

Malaysia said “globalization has contributed to rapid industrialization, movement of populations of people, livestock and goods across the regions. Air travel now makes it possible for a disease to arrive in countries even before symptoms of the outbreak have been recognized at the country of origin. This may well be one of the side effects of modernization.” In regard to preparedness for threats, Malaysia noted that in the case of chemical weapons, the OPCW can always be approached for technical training. “However, in the case of biological weapon such organization does not exist. It is left to countries’ own charm and ingenuity to approach other countries and intergovernmental organizations for trainings to improve their national capacity building.”

Peru in its statement on behalf of the Andean Community noted that on 12 July 2004 the Presidents of the five countries

(Bolivia, Colombia, Ecuador, Peru and Venezuela) had agreed to establish a peace area in the Andean Community “as a nuclear, chemical and biological weapons-free area, in which the necessary conditions will be developed to enable a peaceful and agreeable solution of conflicts of any nature whatsoever, as well as the causes thereof.”

Nigeria in its statement outlined the action being taken nationally to implement the BWC. This included the drawing up of “an Action Plan to monitor the use of biological materials within the country”, “a code of conduct for scientists/users of biological materials” and undertaking a “census of laboratory facilities in the country with a view to monitoring and regulating their activities.”

The Netherlands on behalf of the EU welcomed the Chairman and said that the EU would not be making a statement.

The Meeting of Experts then moved on to have presentations from the three IGOs – the WHO, FAO and OIE. However, before these were made, representatives from non-governmental organizations were asked to leave, as one State Party (the United States) had objected to the Chairman about their presence.

Intergovernmental Organization Presentations

The IGOs – WHO, FAO and OIE – made the following presentations giving an overview of the relevant activities of these organizations:

- WHO “Epidemic Alert and Response”.
- FAO “Emergency Prevention System for Trans-boundary Animal and Plant Pests and Diseases (EMPRES)”
- FAO “Current Mechanisms for Pest Surveillance, Monitoring and Outbreak Response under the IPPC”
- OIE “The Challenge of International Biosecurity; The OIE Standards and FAO/OIE Actions”

These presentations are available at <http://www.opbw.org>

NGO Activities

As already noted, the opening plenary session agreed that non-governmental organizations (NGOs) could make short statements in informal session on the afternoon of Friday 23 July 2004. A presentation was first made by Lawrence Madoff outlining the activities of ProMED and this was then followed by short 6 to 8 minute statements made by the following NGOs:

- Angela Woodward, Verification Research, Training and Information Centre (VERTIC)
- David Atwood, Quaker United Nations Office on behalf of Malcolm R. Dando and Graham S. Pearson, Department of Peace Studies, University of Bradford
- Kathryn Nixdorff, International Network of Engineers and Scientists for Global Responsibility (INES)
- Jean Pascal Zanders, BioWeapons Prevention Project (BWPP)
- Richard Guthrie, Stockholm International Peace Research Institute
- Michael Moodie, The Chemical and Biological Arms Control Institute (CBACI)/The International Institute for Strategic Studies – US (IISS-US)

As at the Fourth and Fifth Review Conferences and at

the 2003 Meetings, the NGO speakers spoke from seats in the room whilst their statements were distributed to all those present. There were over 200 people present in the room during the NGO statements which with simultaneous translation into the six official UN languages enabled the NGOs to communicate their views to all present.

A lunchtime seminar entitled ‘Civil Society Thoughts on Dealing with Natural and Deliberate Outbreaks of Disease’ organized by the BWPP was held on Tuesday 20 July 2004. Presentations were given by Jean Pascal Zanders (Generic Policy Measures to prevent and Counter the Effects of Disease Outbreaks), Chandré Gould (Civil Society: Contribution to Strengthening the Norm against BW: The BWPP One Year On) and Barbara Hatch Rosenberg (BW Investigations and the United Nations).

Outcome of the Meeting of Experts

The Meeting of Experts met in private working sessions during the period from 19 July to 30 July 2004. In accordance with the programme of work (BWC/MSP.2003/MX/2/Rev.1), the first week of 19 to 23 July 2004 was devoted to the consideration of strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants, and the second week of 26 to 30 July was devoted to the consideration of enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological and toxin weapons or suspicious outbreaks of disease.

During the first week, the Meeting of Experts heard 15 statements, presentations and interventions from States Parties on general surveillance of infectious diseases, 47 statements, presentations and interventions on human diseases, 28 statements, presentations and interventions on animal diseases and 9 statements, presentations and interventions on plant diseases. During the second week, the Meeting of Experts heard 57 statements, presentations and interventions on outbreak response in/for humans, 16 statements, presentations and interventions on outbreak response in/for animals, 5 statements, presentations and interventions on outbreak response in/for plants and 36 statements, presentations and interventions on investigations.

By the end of the Meeting of Experts, 83 Working Papers had been submitted by States Parties (some 17 more than the 66 Working Papers submitted to the corresponding 2003 Meeting of Experts). These were submitted by Australia (10), Canada (8), China (2), Cuba (2), France (3), Germany (10), Hungary (1.5), India (2), Iran (4), Italy (5), Japan (2), Netherlands (6), Norway (1.5), Poland (1), Russian Federation (3), South Africa (5), Spain (1), Sweden (2), Thailand (1), Ukraine (4) and United Kingdom (9). In addition, two MISC papers were circulated: Misc.2 comprising the presentations made by the United States and Misc.3 comprising information submitted by Argentina on national and regional institutions and mechanisms for disease surveillance.

It is also evident that some general statements were made by some of the States Parties during the private sessions of the Meeting of Experts. One such statement by the US (available on the State Department website) addressed the topics to be considered during the second week. In this the US noted that “although not explicitly prohibited by the BWC,

States Parties at the Fourth Review Conference recognized that use is ‘*effectively prohibited*’. As any predicate act by a State Party resulting in the use of a biological weapons is prohibited by the Convention, it is not legally permissible to use biological weapons for hostile purposes or in armed conflict without in some respect violating the prohibitions of Article I.’ [Emphasis in original]. The statement goes on to note that the BWC itself provides means under Article V and Article VI for pursuing any concerns a state may have that an attack has occurred. It notes also that outside of the context of the BWC is the UN Secretary-General’s authority to investigate allegations of use. It points out that this “mechanism exists outside the auspices of the BWC and it would, therefore, not be the place of the BWC States Parties to revise it. States Parties could make a national contribution to the existing mechanism, however, by updating their contributions to the list of qualified experts and laboratories which, to our knowledge, has not been updated since 1988. For our part, we will provide in the near future an updated list of experts and laboratories to the World Health Organization and to the Secretary-General. It would be useful, in our view, if other States Parties in a position to do so would also provide their own national updates.” The US statement concludes by noting that “the expert discussions this week serve to underscore and promote understandings of the international processes available for addressing allegations of BW use and suspicious outbreaks of disease: resorting to the UN Security Council under Article VI, convening a formal consultative meeting under procedures developed to implement Article V, and conducting international investigations authorized by the UN Secretary-General. The United States believes that all three of these mechanisms remain viable and that revisions to their scope or procedures are neither necessary nor appropriate.”

All the Working Papers, except for one, address one or other of the two topics for Meeting of Experts; the exception is WP.83 submitted by Hungary entitled ‘Challenges of the Second Year of the Follow-up Process.’ This says that “the Fifth Review Conference created through the follow-up process an opportunity for a fresh start for the BWC regime. The existence of the new process in itself is a major achievement. Such an achievement should be assessed against the earlier critical challenges to the prohibition regime:

- the major disagreement between States Parties which surfaced in summer-autumn 2001 on the usefulness of multilaterally codified, legally binding implementation norms;
- the autumn 2001 anthrax attacks coupled with the impact of 9/11 significantly changed threat perceptions and damaged the deliberate disease taboo;
- Fifth Review Conference – close to collapse, had to be suspended;
- during the most critical stage: December 2001 – September 2002 there was a danger of a complete shut-down of the multilateral prohibition regime until 2006.’

WP.83 goes on to say that ‘the overall expectation is to build on the firm basis of the follow-up process achieved so far. Therefore the:

- deliberations should be focused, substantial, relevant vis-à-vis the challenges;
- participation again expected to be higher than technical level, more representative than at review conferences;

- an increased awareness of the norm against BW should be promoted;
- links between States Parties and between relevant IGOs and States Parties should be created again this year.’

After noting that the 2004 topics are extremely topical, WP.83 concludes by saying that ‘the meeting should and will contribute to the further steps needed in the new BWC process:

- to consolidate and further develop the achievements of the new BWC process;
- assist in further national implementation effort;
- raise awareness about on-going activities outside the BWC framework and further needs;
- promote implementation related assistance between interested countries;
- prepare the ground on carrying forward the process towards of further strengthening the BWC regime.”

In a significant step forward compared to the 2003 meeting of Experts, after the informal session on the Friday July 23 afternoon at the end of the first week, the Secretariat made available to delegations a chronological listing of considerations, lessons, recommendations, conclusions and proposals that had emerged from the considerations during the first week of the topic on surveillance of disease.

During the second week, on Thursday 29 July, the Secretariat again made available to delegations a chronological listing of considerations, lessons, recommendations, conclusions and proposals that had emerged from the considerations during the second week on the topic of outbreak response and investigation of alleged use of biological or toxin weapons.

Consideration was given to the draft report on Thursday 29 July and again on Friday 30 July. Although there was, as is usual, some tension between delegations as to the form of the factual report of the meeting, with some States Parties being unenthusiastic over producing any more than the undigested collation that had been attached as an untranslated Annex to the report of the Meeting of Experts in 2003, and other States Parties expressing concern about the precise words which had been used by the Secretariat to identify the considerations, lessons, recommendations, conclusions and proposals that had emerged, agreement was reached that the factual report should include an Annex II containing the “considerations, lessons, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions made by Delegations on the topics under discussion at the Meeting.” This Annex would be translated and issued in the six official UN languages. The items listed under Agenda item 5 (surveillance of disease) and Agenda item 6 (investigation of alleged use) in Annex II were clustered and thus developed from the initial chronological listings provided to delegations by the Secretariat. There was also much discussion about the precise language to appear in the body of the factual report. The first proposal on 29 July 2004 was for three paragraphs:

18. Many of these statements, presentations and interventions were descriptive in nature, primarily focusing on the current functioning of existing efforts, mechanisms and capabilities. Views were expressed that greater

attention should be paid to the need, in accordance with the decision of the Fifth Review Conference, to “discuss, and promote common understanding and effective action on” these topics at the Meeting of States Parties in December 2004.

19. The Chairman prepared a document listing the considerations, lessons, recommendations, conclusions, and proposals made by delegations on the topics under discussion. The Meeting of Experts noted that this document had no particular status; that it had not been discussed; that it could not be considered as being complete; and that the appearance of any consideration, lesson, recommendation, conclusion or proposal on the list did not in any way indicate or imply that States Parties agreed with it. The Meeting of Experts noted that the Chairman had provided the document to assist delegations in their preparations for the Meeting of States Parties in December 2004 and in their consideration of how best to “discuss, and promote common understanding and effective action on” the two topics in accordance with the decision of the Fifth Review Conference.

20. The document prepared by the Chairman listing the considerations, lessons, recommendations, conclusions and proposals made by delegations on the topics under discussion is attached as Annex II to this Report.

This was then revised in a second version issued on 30 July 2004 with the modifications highlighted in the version reproduced below:

(old para 18 deleted)

19. The Chairman, *under his own responsibility and initiative*, prepared a *paper* listing the considerations, lessons, *perspectives*, recommendations, conclusions, and proposals *drawn from the presentations, statements, working papers and interventions* made by delegations on the topics under discussion *at the Meeting*. The Meeting of Experts noted that this *paper* had no particular status; that it had not been discussed; that it could not be considered as being complete; and that the appearance of any consideration, lesson, *perspective*, recommendation, conclusion or proposal *in the paper* did not in any way indicate or imply that States Parties agreed with it. The Meeting of Experts noted that *it was the Chairman’s view that the paper could* assist delegations in their preparations for the Meeting of States Parties in December 2004 and in *its* consideration of how best to “discuss, and promote common understanding and effective action on” the two topics in accordance with the decision of the Fifth Review Conference.

20. The *paper* prepared by the Chairman is attached as Annex II to this Report.

The final version that appeared in the Report (MX/3) of the Meeting with further modifications highlighted in bold in the version reproduced below:

19. The Chairman, under his own responsibility and

Table: Analysis of contributions by States Parties as itemized in Annex II of the Meeting Report

	Agendum 5 Disease Surveillance	Agendum 6 Investigation of alleged use	Total
State Party	No. of Items	No. of Items	No. of items
Australia	17	13	30
Brazil	--	5	5
Canada	8	11	19
China	16	20	36
Cuba	--	2	2
Czech Republic	1	--	1
France	--	18	18
Germany	8	13	21
India	9	2	11
Iran	23	13	36
Japan	1	2	3
Nigeria	9	3	12
Nether- lands	3	16	19
New Zealand	3	--	3
Norway	--	4	4
Pakistan	5	--	5
Romania	--	2	2
Russian Federation	1	6	7
South Africa	19	25	44
Sweden	1	13	14
Thailand	1	1	2
UK	16	17	33
USA	31	36	67
FAO/OIE	7	--	7
WHO	3	--	3
Total	182	222	404
(Number of SPs)	18	20	23

initiative, prepared a paper listing the considerations, lessons, perspectives, recommendations, conclusions, and proposals drawn from the presentations, statements, working papers and interventions made by delegations on the topics under discussion at the Meeting. The Meeting of Experts noted that this paper had no status; that it had not been discussed; that it could not be considered as being complete; and that the appearance of any consideration, lesson, perspective, recommendation, conclusion or proposal *on the list* did not in any way indicate or imply that States Parties agreed with it; *and that it should not necessarily form a basis for future deliberations*. The Meeting of Experts noted that it was the Chairman's view that the paper could assist delegations in their preparations for the Meeting of States Parties in December 2004 and in its consideration of how best to "discuss, and promote common understanding and effective action on" the two topics in accordance with the decision of the Fifth Review Conference.

20. The paper prepared by the Chairman is attached as Annex II to this Report.

In an interesting intervention, the Netherlands on behalf of the EU said that they could accept the earlier 30 July 2004 version of these paragraphs. Although the wording in the report about the list of considerations, recommendations and proposals is heavily caveated to make it clear that the list was produced by the Chairman at his initiative, the fact remains that there will be a far better starting point for the Meeting of States Parties in December 2004.

An analysis of the States Parties who had put forward items listed in the drafts of Annex II is shown in the Table.

This shows that some 23 States Parties out of the 87 participating in the Meeting of Experts put forward items listed in the Annex. 13 States Parties put forward 10 or more items: United States (67), South Africa (44), China (36), Iran (36), UK (33), Australia (30), Germany (21), Canada (19), Netherlands (19), France (18), Sweden (14), Nigeria (12) and India (11).

Peter Goosen pointed out in his closing remarks on 30 July 2004, that much that had been presented during the Meeting of Experts was descriptive. He therefore urged all States Parties "to focus on what we have agreed to do and on what the Review Conference mandated us to do" namely *to discuss, and promote common understanding and effective action*. It is evident that the list of items in Annex II will form a basis for the States Parties to prepare for the December meeting by considering in advance what language might be used at the one-week Meeting of States Parties to express the common understandings and effective action that could be taken by the States Parties.

A further welcome innovation was the inclusion for the first time, as Annex III of the factual report, of a draft agenda and indicative schedule for the Meeting of States Parties to be held in Geneva on 6 to 10 December 2004. The schedule shows a General Debate on Monday 6 December followed by an informal session on the morning of Tuesday 7 December for statements by NGOs. Whilst the agenda and the programme of work will be formally adopted at the opening of the Meeting of States Parties, the indicative schedule provides a valuable opportunity to plan for participation at the

Meeting of States Parties in December 2004.

Finally, in the closing session, the United States, on behalf of the Depositaries, announced that the dates for the 2005 Meeting of Experts would be 13 to 24 June 2005 and the Meeting of States Parties would be 5 to 9 December 2005.

Reflections

It was noted that in the opening statements a number of States Parties made reference to the success of the 2003 meetings. Whilst a lot of information was exchanged at the 2003 meetings, as already noted in the introduction above, the Meeting of States Parties in 2003 had barely managed to reach agreement on a short statement of substance and thus failed to fulfill the promise which had been apparent at the end of the Meeting of Experts in August 2003. The 2003 meetings when examined against the mandate from the Fifth Review Conference can hardly have been said to have been a great success.

It was also evident from the opening statements by some States Parties (such as Germany, Russia and Iran) that the failure in 2001 of the negotiations of a legally-binding instrument to strengthen the effectiveness of the Convention and improve its implementation is still prominent in the minds of some States Parties. It is clear that some resolution will need to be found prior to the Sixth Review Conference in 2006 to prevent a recurrence of the difficulties encountered at the Fifth Review Conference.

As might be expected, there was considerable attention given during the first week to the ways in which national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals and plants might be strengthened and broadened. Equal time was given to disease surveillance of humans, animals and plants which was sound, given the tendency all too often to focus almost exclusively on human disease surveillance, with far less attention being given to animal and plant surveillance. The point was rightly made by a number of States Parties that the role of the Intergovernmental Organizations such as the WHO, FAO and OIE was to protect health, and that such IGOs should not become involved in security issues and questions relating to possible violations of the BTWC.

In regard to the topics for the second week of enhancing international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological and toxin weapons or suspicious outbreaks of disease, several States Parties considered that the existing guidelines and procedures set out for the Secretary-General's investigations of alleged use set out in A 44/561 should be reviewed and revised since, for example, the list of experts and facilities available to the Secretary-General have not been updated since 1989. Moreover, the Secretary-General procedures predate the agreement of the Chemical Weapons Convention which includes procedures for the investigation of the alleged use of chemical weapons, including *toxin* weapons. There appeared to be a curious unwillingness by the Meeting of Experts to recognize that the Chemical Weapons Convention includes agreed procedures for the investigation of the alleged use of toxin weapons; this was not mentioned in the background paper on investigations (MX/INF.3) nor is it mentioned in the lists of items in Annex II to the Report.

Whilst it can be pointed out that the list of the States Parties to the BTWC are not identical to the list of States Parties to the CWC, a similar difference applies between the lists of States Parties to the BTWC and the lists of the Member States of the WHO, FAO and OIE. It would seem probable that if there were to be an alleged use involving a toxin, then if the State wishing to request an investigation was a State Party to the CWC as well as to the BTWC, such a request would be made to the OPCW. In any event, it would probably be unknown at the time of the alleged use whether it had been caused by a toxin or by a chemical.

It was also somewhat surprising that the United States in its opening remarks for the second week concluded by noting the international processes available for addressing allegations of BW use and suspicious outbreaks of disease were threefold: "resorting to the Security Council under Article VI, convening a formal consultative meeting under procedures developed to implement Article V, and conducting international investigations authorized by the UN Secretary-General", and then saying that "The United States believes that all three of these mechanisms remain viable and that *revisions to their scope or procedures are neither necessary nor appropriate.*" [Emphasis added].

The experience gained since 1990 from the implementation of the Chemical Weapons Convention and from the work of UNSCOM and UNMOVIC have demonstrated the *vital* importance, if results are to be obtained that will stand up to international scrutiny, of using trained qualified experts who have worked together in exercises under trained and designated chief inspectors as well as of an elaborated sampling and analysis procedure involving a chain of custody from the point of sampling to sample analysis, using validated techniques in accredited and proven international laboratories. The existing Secretary-General procedure of 1989, in which States are invited to simply nominate experts and facilities is

outmoded in the world of today. It also has to be recalled that investigations of alleged use can only take place within a State that has invited the UN Secretary-General to mount such an investigation.

In regard to Article V and Article VI of the BTWC, the procedures elaborated for Article V were invoked by Cuba in 1997. Because of the failure of the Fifth Review Conference in 2001/2002 to agree a Final Declaration, there has been no consideration by the States Parties of the adequacy or otherwise of the procedures followed under Article V in 1997. It could be argued that it would indeed be timely for the States Parties to review the adequacy of these procedures to implement Article V, in the light of the experience gained in 1997. Article VI has never been used and there are no procedures that have been elaborated by the States Parties. As was suggested by at least one State Party during the Meeting of Experts, there could be advantages in consideration being given to what procedures might be appropriate for the implementation of Article VI.

In summary, the Meeting of Experts in July 2004 made significant progress, especially through its decision to annex to its report the list of "considerations, lessons, recommendations, conclusions and proposals" prepared by the Chairman. This provides the States Parties with an excellent starting point from which to develop language to meet the requirement of the mandate for the Meeting of State Parties in December 2004 to '*discuss, and promote common understandings and effective action*'. It will be interesting to see whether the outcome of the December 2004 Meeting of States Parties lives up to the expectation that common understandings and effective action will be identified.

This review was written by Graham S. Pearson, HSP Advisory Board.

Forthcoming Events

7 October

The Royal Society, London, UK
Meeting with The Wellcome Trust: *Do No Harm: Reducing the Potential for the Misuse of Life Science Research*

12-13 October

Lillestrøm, Norway
Norwegian International Defence Seminar, NIDS-II, *Defence Against WMD - International Co-operation and National Preparedness*
Contact: Ellen Foss on nids@ffi.no

19-20 October

Dublin, Ireland
Jane's Less-Lethal Weapons 2004 Conference,
Details: www.conference.janes.com

10-11 November

Moscow, Russia
6th National Dialogue Forum: *Russian Implementation of the CWC - Status and Perspectives as of Year End 2004*
Details: www.gci.ch/Communication/

16-19 November

OPCW headquarters, The Hague
Annual Meeting of the Protection Network

4-5 December

Geneva, Switzerland
21st Workshop of the Pugwash CBW Study Group: *The BWC New Process and the 6th Review Conference*

6-10 December

Singapore
4th International Symposium on Protection against Toxic Substances Registration: www.dso.org.sg/sispat/

17-20 January 2005

Wiston House, UK
Wilton Park Conference 772: *NATO: What Place for the Enlarged Alliance in Dealing With New Threats*
Details: www.wiltonpark.org.uk

28 February-1 March 2005

Lyon, France
Preventing Bioterrorism: 1st Interpol Global Conference to Strengthen Law Enforcement Preparedness and Develop Effective Police Training
Contact: bioterrorism@interpol.int

What follows is taken from issue 65 of the Harvard Sussex Program CBW Chronicle, which provides a fuller coverage of events during the period under report here, and also identifies the sources of information used for each record. All such sources are held in hard copy in the Sussex Harvard Information Bank, which is open to visitors by prior arrangement. For access to the Chronicle, or to the electronic CBW Events Database compiled from it, please apply to Julian Perry Robinson.

May The US Army Medical Research and Materiel Command releases the *Final Programmatic Environmental Impact Assessment* of the Chemical and Biological Defense Program. It states: "Numerous environmental documents – environmental impact statements (EISs) and environmental assessments – have been prepared by DoD components and the military services to analyze and assess the potential impacts associated with different segments of the CBDP [Chemical and Biological Defense Program]. With few exceptions, these environmental documents have been site specific, focusing on the potential environmental impacts of the activities at a particular location or facility. Despite this rather extensive portfolio of NEPA [National Environmental Policy Act] documents analyzing the potential environmental consequences of various CBDP elements, no single document analyzes the potential environmental impacts of the full range of CBDP activities. In keeping with NEPA purposes, DoD has now determined to prepare such a document... The Proposed Action (Preferred Alternative) and subject of this PEIS [programmatic environmental impact statement] is the execution of an integrated CBDP designed to protect our soldiers, sailors, marines, and airmen from evolving chemical and biological threats they may encounter on the battlefield... One alternative to the Proposed Action was considered – continuation of the current CBDP operations as described in and covered by existing environmental analyses (the No Action Alternative)... This PEIS characterizes the reasonably foreseeable environmental impacts, including impacts on human health, that might result from implementing either the Proposed Action or the No Action Alternative... The technical approach to gauge the environmental impacts of the CBDP was to demonstrate how the environmental compliance programs within the CBDP are actually working, via detailed analyses for selected example sites. On that basis, the PEIS finds that the most severe potential effects associated with CBDP RDA [research, development, and acquisition] activities are predicted to be minor; to date, all observed effects have been insignificant. Potential risks to CBDP laboratory workers, public health, and the environment are and will be mitigated by adherence to the benchmark guidelines and regulations identified in this PEIS and by developing and following appropriate standard operating procedures similar to those identified for the selected example sites in this PEIS."

May From the USA, Sandia National Laboratories and the Arab Science and Technology Foundation release *International Initiative to Engage Iraq's Science and Technology Community: Report on the Priorities of the Iraqi Science and Technology Community*. The report states: "[T]he survey teams [collecting data for the report] were careful to involve all Iraqi scientists and engineers, with no exclusions... Specifically, we recommend that this initiative be extended to

those who were detained because of being associated with WMD programs or restricted because of their earlier relation to Ba'athism. For the most part, these persons have valuable experience and should be allowed to be engaged in peaceful activities stated in this report."

1 May In the UK, the *Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003* and the *Trade in Goods (Control) Order 2003* enter into force [see 31 Oct 03]. They establish new controls on trade in military goods between overseas countries, transfers of technology for military goods by electronic means, transfers of technology, by any means, for use in connection with weapons of mass destruction and provision of technical assistance for use in connection with weapons of mass destruction. The parent Act for both statutory instruments is the *Export Control Act 2002* [see 24 Jul 02].

2 May In Khost, eastern Afghanistan, three girls are in a critical condition in hospital after having been poisoned by militants as punishment for having attended school, so reports *The (London) Guardian*. Afghan President Hamid Karzai responds to news of the incident thus: "I will not call anyone an Afghan or a Muslim who poisons an eight-year-old child because she is schoolgoing." No details are released as to the substance used in the attack.

4 May The Iranian Society of Victims of Weapons of Mass Destruction intends to bring before the International Court of Justice (ICJ) a claim against the USA for its having supplied Iraq with chemical weapons during the 1980-1988 Gulf War [see also 28 Apr], according to the Iranian IRNA news agency. "The US government issued over 780 licences allowing American companies to export sensitive weapon components," the group states in a letter delivered to the Swiss Embassy, which covers US interests in Tehran. [Note: Only states and the United Nations General Assembly may be parties to cases before the ICJ. Furthermore, the USA has withdrawn from the 'optional clause' of the ICJ Statute].

4 May In Iraq, a US bomb-disposal team uncovers an artillery shell containing mustard agent residue which, according to a US military report, is from a "very old stockpile" and is not considered to constitute evidence that Iraq possessed an illegal stockpile of unconventional weapons. Further tests on the shell are ongoing.

4 May US Undersecretary of Defense for Policy Douglas Feith says that preventing the acquisition by terrorists of Iraqi WMD was the primary reason behind the US invasion of Iraq and that the weapons continue to pose a potential threat. Speaking at the American Enterprise Institute, Feith says: "One of the great problems with proliferation of weapons

of mass destruction is ... there is always the danger they could get into the hands of terrorists or other people you don't want to acquire them. It's a serious problem worldwide and it's obviously a problem in Iraq."

4 May In Houston, Texas, William J Krar is sentenced to eleven years and three months imprisonment for having stockpiled, amongst other things, 800 grams of sodium cyanide [see 7 Jan]. His partner, Judith L Bruey, is sentenced to four years and nine months. Bruey had pleaded guilty to conspiracy to possess chemical weapons [see 7 Jan]. District Judge Leonard Davis also orders Krar to pay the federal government \$29,600 to reimburse costs connected with the investigation. Krar, an arms dealer with links to white supremacists, was arrested after he tried to send fake documents, including United Nations and Defense Department identification cards, through the mail, which were subsequently delivered to the wrong address [see 28 Aug 03].

5 May Indonesian Research and Technology Minister Hatta Rajasa announces a plan to create an agency to monitor the use of chemical, biological and nuclear materials and examine ways of dealing with WMD attacks. "Research in the life sciences industry can be misused to develop biological weapons but the same research [is] needed to develop medicine, vaccines and technology needed to deal with the threat of bioterrorism as well as natural diseases," says Rajasa.

5 May In Russia, a scientist at the Vektor State Scientific Centre of Virology and Biotechnology, Department of Dangerous Viral Pathogens of the Molecular Biology Scientific Research Institute, accidentally pricks her finger with a syringe containing the Ebola virus whilst conducting experiments on guinea pigs. Antonina Presnyakova dies two weeks later in a specialist hospital in the dangerous infections department of the centre. A week following her death, a spokeswoman for the centre, Natalia Skultetskaya, says that Vektor had been conducting research on the Ebola and Marburg viruses with a view to vaccine development. A press release from the centre reads: "We kept the Russian Ministry of Health informed about the development of the situation daily from the day of the accident. And we had hoped that the disease would not develop. WHO was informed on Mon 17 May 2004 after confirmation of the diagnosis."

Four weeks subsequently, Yury Belous, a public prosecutor in Novosibirsk, says that a special commission is looking into the case and that a decision would be made on launching an investigation following receipt of the commission's conclusions. "We want to carry out a thorough analysis of this case to define what measures need to be taken to avoid similar cases in the future", says Belous.

The incident is the third case of accidental infection by a deadly virus at Vektor. In 1988, and again in 1990, a scientist died after exposure to the Marburg virus. In a 1996 incident at another Russian biological research center, the Defense Ministry's Virology Center in Sergiyev Posad near Moscow, a worker died after exposure to Ebola virus.

5 May In Trowbridge, Wiltshire, a new inquest commences into the death of Ronald Maddison who had been administered sarin under a voluntary testing programme at Porton Down [see 23 Apr] in 1953 [see 28 Nov 03]. At the original inquest – held *in camera* ten days after Maddison's death – the coroner recorded a verdict of death by misadventure, giving the cause as asphyxiation. However, this verdict was recently quashed [see 18 Nov 02] and a new

inquest ordered after evidence was adduced that the substance administered to Maddison and five others with him had been sarin in doses of 200 mg.

The inquest hears that on the day of Maddison's arrival, scientists were conducting experiments to establish the lethal dose of sarin. Wiltshire coroner, David Masters, states that the governments of the countries involved – UK, Canada and the USA – are still sensitive about revealing details of their nerve gas programmes from the time in question. He says that the Pentagon had retained five documents relating to its programme and that the papers, which it had reluctantly released, could only be discussed in closed session. The coroner's hand-written records from the original inquest are disclosed and reveal that one scientist at Porton Down, John Rutland, had told the hearing the levels of sarin used in the Maddison test were "well above the normal limits". The Porton Down Veterans Association, many of whose members attend the hearing, is demanding an apology from the MoD and a full public inquiry. The inquest is expected to last for up to eight weeks and to hear from around fifty witnesses.

6 May In Libya, a court sentences five Bulgarian nurses and a Palestinian doctor to death by firing squad for having intentionally infected more than four hundred children with HIV as part of an experiment to find a cure for AIDS. Twenty-three of the children have since died from AIDS. Libya originally had claimed that the operation had been part of a CIA and Israeli plot, but later backed off from the claim. Bulgarian government spokesman Dimitar Tsonev says the verdict was "unacceptable", adding that "the verdict not only will be appealed, but we will make every possible effort to declare the medics not guilty". The defendants, who were arrested in 1999, claim to have been jolted with electricity, beaten with sticks and repeatedly jumped on while strapped to their beds while in custody. Two of the women say they were raped.

7 May In London, a roundtable – convened jointly by the International Committee of the Red Cross and the British Red Cross – on *Preventing Hostile Use of the Life Sciences* brings together around forty representatives from the UK life-science community, government agencies, industry, scientific and medical associations and academic researchers. The purpose of the meeting is to engage participants from the various sectors on the issues raised by the ICRC appeal on *Biotechnology, Weapons and Humanity* [see 23-24 Sep 02].

8 May In Ajaria, Georgia, law-enforcement agents uncover a cache of weapons, including poison gas, belonging to armed groups of the former leader of the autonomous province, Aslan Abashidze, according to unidentified interior ministry officials.

8 May The UK is in the advanced stages of planning for "the world's first 'rapid response' vaccine factory, designed [amongst other things] to identify and mass produce emergency antidotes for 'category three' and 'category four' pathogens," according to *The (London) Times*. At a cost of £50 million, it is envisaged that the facility – likely to be based at Porton Down – will have a permanent staff of up to twenty scientists. Phil Luton, a microbiologist with the Health Protection Agency at Porton Down, says: "We have designed this facility to be as flexible as possible so we are covered for all eventualities. We are aware of most diseases bioterrorists may deploy but Mother Nature remains the biggest terrorist."

10 May In Paris, two Algerians who may have been planning attacks against Russian interests in France with "toxic

gas” are arrested, according to the Associated Press, quoting unidentified judicial officials. The pair are suspected of having been members of a dismantled terrorist network that had links to Chechen separatists. The officials say that investigators consider the heart of the network was dismantled with the arrest of nine suspects in the Paris suburbs of La Courneuve and Romainville [see 16 Dec 02].

10 May In, Russia, the Center of Virology of the Institute of Microbiology of the Russian Federation, Koltsovo, releases a statement announcing that it has developed a new Ebola fever vaccine. Director of the centre Colonel Vladimir Maximov says: “We’ve created a defense medication that provides short-term defense (which lasts only several days) to be used when entering the epidemic epicenter.”

10 May The US Pacific Command has launched the ‘Regional Maritime Security Initiative’ – which seeks to prevent terrorist attacks in the Indian and Pacific Oceans with particular focus on terrorists planning attacks using weapons of mass destruction – according to the *Washington Times*.

11 May US President George Bush signs an executive order imposing sanctions on Syria in response to its occupation of the Lebanon; and allegations that it supported terrorism and was secretly pursuing chemical and biological weapons programmes. In addition to prohibiting the export of military and dual-use items to Syria, the sanctions ban all US exports to Syria except food and medicine; prohibit Syrian aircraft from entering US airspace; sever banking relations between US banks and the Commercial Bank of Syria; and freeze the assets of Syrians and Syrian entities suspected of involvement in terrorism or developing weapons of mass destruction. The order is issued under the *Syria Accountability Act 2003* and the *Lebanese Sovereignty Restoration Act 2003* [see 16 Mar]. Last year, US exports to Syria totalled \$214 million, whilst Syrian exports to the USA amounted to \$259 million, much of it fuel oil and other petroleum products.

11 May The US Senate Judiciary Committee conducts a hearing into *Bioterrorism Detection and Response* [see also 6 Nov 01]. Testifying are: Harvey Meislin of the Arizona Emergency Medicine Research Center; David Relman, Associate Professor of Medicine at Stanford University; and Paul Keim, Director of Affiliation at Northern Arizona University.

11 May The US State Department posts on the internet its latest BWC Confidence Building Measure, dated 15 April, as submitted to the UN Department of Disarmament Affairs.

11-14 May In Valletta, Malta, officials from fifteen states in Europe, the Middle East, south-east Asia, and south America convene for a workshop on *Global Transshipment Control*. Co-organized by Malta and the USA, the workshop focuses on identifying ways in which states can strengthen their export control systems to prevent the spread of weapons of mass destruction, their delivery systems, related dual-use items, and advanced conventional arms. US Principal Deputy Assistant Secretary of State for Nonproliferation Susan Burk delivers the keynote address.

12 May The US Department of State releases a fact sheet on the *Bio-Chem Redirect Program*, which forms part of its BioIndustry Initiative [see 15 Sep 03]. The programme is designed to engage former Soviet biological and chemical weapons scientists in open and sustainable

civilian research projects with US collaborators. Amongst other things, the fact sheet states that the programme has “received from Congress a total of \$85 million from its inception through Fiscal Year 2004”.

12 May Panamanian Minister of Government and Justice Arnulfo Escalona, and US Under-Secretary of State for Arms Control and International Security John Bolton sign the US-Panamanian Ship-Boarding Agreement – in support of the Proliferation Security Initiative (PSI) [see 19-22 Apr] – in Washington, DC. Following signature of the agreement, President George Bush says: “More ships sail under the Panamanian flag than that of any other nation... This is the second bilateral ship-boarding agreement signed to support PSI. The United States and the Government of Liberia signed a similar agreement ... [see 11 Feb]. Together, Panama and Liberia account for roughly 30 percent of the world’s commercial shipping tonnage. We welcome this historic decision by the Government of Panama. And we urge other nations with large commercial shipping registries to follow the lead of Panama and Liberia to make a stand against proliferation.”

13 May In Bucharest, NATO Secretary General Jaap de Hoop Scheffer says NATO is examining the possibility of increasing its co-operation with countries in the Caucasus and in Central Asia to help combat WMD proliferation and terrorism. Speaking before the Romanian Parliament, de Hoop Scheffer says: “Terrorism and proliferation are global challenges... To combat them, we require coalitions even bigger than NATO.”

13 May Libya declares – in a statement read out by US Under-Secretary of State for Arms Control and International Security John Bolton in Washington, DC – that it will “not deal in military goods or services with countries that it considers of serious weapons of mass destruction proliferation concern.” Bolton says that Libya included North Korea, Syria and Iran as countries with which it had renounced all military trade. Subsequent to Bolton’s comments, in a statement carried by the official Libyan news agency JANA, the Libyan Foreign Ministry says: “The Libyan statement was clear, it cited no country and was not aimed at Syria... Tripoli cannot say that Syria has WMD since it is a peaceful country whose land is occupied and is threatened by Israel.”

13-14 May In London, VERTIC convenes a workshop on *Strengthening Tools and Mechanisms for Verifying BW Compliance*, which brings together around twenty participants. Topics of discussion include BWC non-compliance scenarios; verification challenges; on-site investigations: the Trilateral experience, UNSCOM / UNMOVIC, and trial inspections; BWC mechanisms; UN Secretary-General investigations; and alternative mechanisms for verifying compliance with BW norms.

14 May The UK Home Office releases *The Decontamination of People Exposed to Chemical, Biological, Radiological or Nuclear (CBRN) Substances or Material: Strategic National Guidance – Second [see 3 Feb 03] Edition*. The purpose of the document is to provide an agreed set of principles, common terminology, and a shared understanding of the roles and responsibilities of organizations, with a view to helping responders deal more effectively with releases of dangerous material.

14 May In the UK, the Office of the Deputy Prime Minister releases *Strategic National Guidance: The Decontamination of Buildings and Infrastructure Exposed to*

Chemical, Biological, Radiological or Nuclear (CBRN) Substances or Material. The guidance – to be updated periodically – forms part of a series of CBRN guidance developed under the CBRN Resilience Programme led by the Home Office. It complements in particular *The Strategic National Guidance for the Decontamination of the Open Environment Exposed to Chemical, Biological, Radiological or Nuclear Substances or Material* released by the Department for the Environment, Food and Rural Affairs [see 25 Mar].

The department also releases *Precautions to Minimise Effects of a Chemical, Biological, Radiological or Nuclear [CBRN] Event on Buildings and Infrastructure*. This document provides generic guidance to building and infrastructure owners and managers on pre-planning measures for minimizing the contamination effects of a CBRN event whether deliberate or accidental and to facilitate the decontamination process.

14 May From London, *Nature* reports that a strategy of ring vaccination may be preferable to mass vaccinations for containing smallpox in the event of a biowarfare attack. “Our results suggest that outbreaks can be contained by a strategy of targeted vaccination combined with early detection without resorting to mass vaccination of a population”, says Stephen Eubank of the Los Alamos National Laboratory in New Mexico. Using models of a smallpox outbreak in a city similar to Portland, Oregon, Eubank and his team of researchers tested several strategies to restrict the spread of the disease. They concluded that the time it takes for people to get home is an important factor, followed by any delay in response to an outbreak.

14 May The US General Accounting Office transmits to the Senate and House Armed Services Committees *Chemical and Biological Defense: DOD Needs to Continue to Collect and Provide Information on Tests and on Potentially Exposed Personnel* [see 00 Feb]. The report says: “[A]lthough DOD performed a reasonable investigation of service members potentially exposed to agents employed in these tests, in view of the fact that many records were unavailable owing to the passage of time, DOD likely has not identified all potentially exposed military or civilian personnel... Because of its extensive comparison of test and other documents in conjunction with other actions, we believe that DOD’s methodology and efforts to identify potentially exposed military personnel as required by the mandate appear sound... [W]e believe that it is likely that service members and civilian personnel who participated in these tests have not been identified for the following reasons: DOD had limited success in identifying service members exposed to land-based tests because it was unable to locate the needed records... DOD did not specifically search for civilian personnel ... in its investigation. [T]he [Defense Authorization Act 2003] requires DOD to report the number of civilian personnel potentially exposed, and following our inquiries, DOD reported that an additional 350 civilian personnel (250 identified in records and 100 more estimated) might have been exposed; DOD did not exhaust all possible sources of information during its investigation, and additional potentially exposed personnel continue to be identified... We are recommending that the Secretary of Defense direct the appropriate DOD office(s) to (1) determine the feasibility of addressing unresolved issues associated with Project 112, such as identifying and contacting potentially exposed service members and civilian personnel; (2) finalize and implement a plan for identifying DOD projects and tests conducted outside Project 112 that might have exposed service members to chemical or biological agents; and (3) designate a single point of contact to provide

information relating to tests and potential exposures in and outside of Project 112 to VA, individuals, and other interested parties such as foreign countries, as appropriate. The report contains no recommendations for VA.”

15 May In Baghdad, a roadside bomb containing sarin nerve agent explodes in the vicinity of a US military convoy, resulting in two persons requiring treatment for “minor exposure”. Recounting the incident two days later, US military spokesman in Iraq Mark Kimmitt says: “The Iraqi Survey Group confirmed today that a 155-millimeter artillery round containing sarin nerve agent had been found. The round had been rigged as an IED (improvised explosive device) which was discovered by a US force convoy. A detonation occurred before the IED could be rendered inoperable. This produced a very small dispersal of agent... Two explosive ordnance team members were treated for minor exposure to nerve agent as a result of the partial detonation of the round.” The Associated Press quotes Kimmitt as saying that the round in question was an old ‘binary-type’ shell. Kimmitt says he believes that insurgents who rigged the artillery shell as a bomb were unaware that it contained the nerve agent, and that the dispersal of the nerve agent from such a rigged device was very limited. Terence Taylor, a former UN weapons inspector, reportedly says the fact that the shell had two separate chambers was unusual, since it was not known that Iraq had developed such munitions. He says that his teams had uncovered evidence that Iraq had conducted research into such ‘binary’ warheads, but none that they had actually existed.

Eleven days subsequently, US joint staff deputy director for operations David Rodriguez tells a Pentagon press briefing that the shells were manufactured before 1991 and were thus in a different category to those being searched for by the Iraqi Survey Group. He says that hitherto the shells were the only ones of their kind to be found in Iraq.

16 May US Secretary of State Colin Powell says that the intelligence upon which he based his presentation to the UN Security Council last year [see 5 Feb 03] on Iraqi possession of mobile biological weapons facilities was “inaccurate and wrong and in some cases, deliberately misleading”. He says: “[The presentation] was based on the best information that the Central Intelligence Agency made available to me. We studied it carefully; we looked at the sourcing... There was multiple sourcing for that...”

17 May In Brussels, the Council of the European Union adopts the following statement without discussion: “The EU is fully committed to the implementation of the UN Security Council resolution 1540 [see 28 Apr] on non-proliferation, which, *inter alia*, recognizes the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to this serious challenge and threat to international security... The European Union and its Member States note that the principal purpose of the Proliferation Security Initiative (PSI) complements well the objectives set out in its own Strategy against the proliferation of WMD. The European Union and its Member States fully endorse and subscribe to the Statement on Interdiction Principles of 4 September 2003. It can provide an effective basis, consistent with national legal authorities and relevant international law and frameworks including the UN Security Council, on which to impede and stop trafficking in weapons of mass destruction and their means of delivery.”

17 May In Brussels, at a foreign ministerial meeting, the EU and the Gulf Cooperation Council reaffirm their

determination to support all efforts to stem proliferation of WMD and call for, amongst other things, the creation of a verifiable zone clear of WMD in the Middle East including the Gulf region.

17 May In the USA, the Russian-American Nuclear Advisory Council (RANSAC) publishes an analysis of the impact of Russian government restructuring on international WMD threat reduction and nonproliferation issues. It details key developments including the fact that the Ministry for Industry and Energy has been given substantial power over biological weapons threat reduction activities and that the Federal Industry Agency now has responsibility for meeting Russia's obligations under the CWC and BWC.

18 May Lebanese security forces and Hezbollah have cracked an Israeli-backed spy ring which, amongst other things, was planning to assassinate the head of Hezbollah, Sheikh Hasan Nasr Allah by using high explosives and "poisonous chemicals", according to the Lebanese daily *Al-Safir*, quoting "informed sources". An unidentified Palestinian woman says that she had been requested by Israeli agents in Tunisia to establish the spy ring, comprising Arab workers, in Lebanon. In relation to the planned use of poison, she is said to have confessed that it was to be applied to a tracksuit that would be slipped to the target's wardrobe. The woman reportedly told investigators that preparations for the assassination were going well. "The operation had a 90 percent chance of success", the paper quotes her as saying.

18 May In Aktyubinsk, western Kazakhstan, a light aircraft carrying a group of researchers from the Kazakh Institute of Plague Studies to Vozrozhdeniye Island [see 7 Jan] crashes injuring all twelve persons on board; three seriously. The researchers were flying to the island to undertake an investigation thereof as part of a programme relating to its rehabilitation. "The plane ... fell on the ground several seconds after takeoff from the village of Bozoi in the Shalkar district ...", says Tamara Gataulina of the Aktyubinsk regional emergency situations department. She says it is still not known why the plane started to descend after reaching an altitude of fifty metres.

18 May In the UK House of Commons, the Quadripartite (Defence, Foreign Affairs, International Development, and Trade and Industry) Committee publishes *Strategic Export Controls: Annual Report for 2002, Licensing Policy and Parliamentary Scrutiny*. The report states: "We are concerned about how the Government seeks to ensure that equipment is not misused by those to whom it has been provided... Export controls are only a effective tool against proliferation if they are applied internationally. A further diplomatic effort should be made to ensure that international export control regimes work as channels for sharing information. If they cannot be made to work, they should be rethought. A proposal for an international arms trade treaty to address the very real problem of proliferation, and small arms proliferation in particular, has not attracted support from governments. If it is not the right solution to this problem, another needs to be found urgently... The British export control system is complex and often misunderstood, even by industry. It should impose no more burdens on British industry than necessary. Changes have recently been made, but other European countries seem to have simpler systems, which appear to give their industries a competitive advantage on the export market. The British system has been made even more complicated with the introduction of controls on trade between second and third countries and on intangible (electronic)

transfers of military technology [see 1 May]. We are not convinced that the new system targets as accurately as it should those activities of most proliferation concern... We recommend that the Government should re-examine the drafting of the secondary legislation in the light of comments from industry, to ensure that the Orders [see 1 May] have the intended legislative effect. If they do not, amending legislation should be urgently made and laid before Parliament."

18 May In La Salina, north-east Colombia, government forces seize eight hundred bullets soaked in liquid cyanide following clashes with fighters of the Revolutionary Armed Forces of Colombia (FARC), according to an army general [see also 12 Jan]. Speaking on local radio the following day, General Luis Antonio Coronado says that using the poisoned ammunition was strategy aimed at causing "certain death to whomever comes into contact with this substance". Colombian officials have in the past accused the FARC of targeting troops with cyanide-tipped bullets. Three years ago four police died in what was alleged to be a poison gas attack blamed on the FARC [see 2 Sep 01]. A US Defense Department investigation found traces of cyanide in one of the corpses [see 16 Aug 02].

19 May The Marshall Islands deposits its instrument of ratification to the CWC with the UN Secretary-General. In thirty days it will become the 163rd party to the convention.

20 May The UK Department of Trade and Industry publishes *Guidance on the Export Control Act for Academics and Researchers in the UK* [see also 1 and 18 May], which aims "to help the scientific and academic communities understand the potential impact of the controls contained in the export control legislation."

20 May The US House of Representatives approves a White House request for \$409.2 million under the Cooperative Threat Reduction (CTR) Program for FY 2005, which is \$41.6 million less than the current funding. The House version of the bill contains a provision granting the president authority for one year to waive conditions set by Congress on providing CTR funding. The Senate version of the bill, however, would grant the president a permanent CTR authority to waive conditions such as the requirement that Russia detail its full chemical weapons stockpiles.

20 May Before the US Senate Appropriations Subcommittee on Labor, Health and Human Services, Secretary of State for Health and Human Services Tommy Thompson announces a \$55 million re-allocation of funds from state bioterrorism projects to a new federal 'Cities Readiness Initiative'. The initiative, he says, is designed to assist twenty-one cities in preparing for and responding to a biological attack through the training of postmen to deliver antibiotics or antidotes within forty-eight hours of a biological attack; installing disease surveillance equipment; purchasing vaccines; and building new quarantine stations at US airports. Opponents of the scheme claim that the redirection of funding will ultimately undermine national biodefense measures.

20 May In the USA, the Congressional Research Services releases *Small-scale Terrorist Attacks using Chemical and Biological Agents: An Assessment Framework and Preliminary Comparisons*. Focusing on small-scale, targeted chemical and biological attacks, the report is intended to present a means of assessing the relative threat from

terrorist use of individual chemical and biological agents. The report says agents that are effective for small-scale attacks are not necessarily the agents of choice for massive-scale attacks. This, it says, is in part explained by the higher availability of commercial equipment to prepare, store, and disseminate an agent, and in part explained by the less restrictive safety and logistical requirements of a small attack in comparison to a large attack.

21 May In Tokyo, US customs and border protection personnel commence the screening of high-risk cargo containers destined for the USA as part of the Container Security Initiative (CSI) [see 5 Nov 02]. Tokyo is now the nineteenth port to join the CSI. US Customs and Border Protection Commissioner Robert Bonner says that officers are already deployed at the port of Yokohama under a reciprocal bi-lateral agreement, and that Japanese customs officials are operating at the US port of Long Beach, Los Angeles.

21 May In Yerevan, Armenia, defence ministers from the majority of the Commonwealth of Independent States (CIS) support a Russian proposal to co-ordinate their positions on WMD nonproliferation. The ministers “unanimously back proposals on concerting positions of our countries on such a pressing international problem”, says Russian Defense Minister Sergei Ivanov. Representatives from all CIS member states attend the meeting, with the exception of Azerbaijan and Turkmenistan.

21 May UK military officials considered sending flocks of homing pigeons armed with, amongst other things, biological warfare agents such as anthrax against enemy targets immediately following the Second World War, according to newly released MI5 files. The re-evaluation of the use of pigeons is documented in three *Pigeon Policy* files, which record inter-departmental disputes over budgets. Wing Commander WEL Rayner, the then head of the Air Ministry's pigeon section, circulated a paper on the *Future Uses of Pigeons*. Drawing on studies suggesting birds used electromagnetic fields as guides, he declared: “We can now train pigeons to home to any particular object. All we need is a model of the small target and three weeks for special training by experts. There are several possibly useful developments of this. Bacteria might be delivered accurately to a target by this means. [Pigeons] can be used against an enemy target in a distant theatre of war by release 100 or 200 miles away from enemy interference. They can carry a load of 2oz over such a distance. They are not detectable by radar. With the latest developments of explosives and bacterial science – this possibility should be closely investigated – a thousand pigeons each with a 2oz explosive capsule landed at intervals on a specific target might be a seriously inconvenient surprise.” It is noted in one MI5 document, however, that Rayner was a “menace in pigeon affairs”. Rayner's plan for a 400-pigeon loft where tests would be carried out was abandoned due to wrangling among the intelligence agencies over funding. A request in 1950 for additional funding for a pigeon loft, maintained since the end of the war, ultimately led to the Pigeon Committee being wound up on the grounds of the loft having hardly been used during the preceding five years.

21 May Saint Kitts and Nevis deposits its instrument of ratification to the CWC with the UN Secretary-General. In thirty days it will become the 164th party to the convention.

24 May In Qiqihar, in the north-eastern Chinese province of Heilongjiang, eight construction workers at a

construction site in the city's Fulaerji district are hospitalized after excavating a one-metre-high cylinder containing mustard gas, abandoned by Japanese troops during the Second World War, according to chemical experts from the Shenyang Military Command. The following day, an official, surnamed Song, at the Qiqihar Medical University says of the workers affected: “They have no special symptoms, they are in stable condition and under observation”. [See also 4 Aug 03]

Six days later, a villager, Dong Liyan, unearths fifty-two shells during the laying of a foundation for a building in the Ang'angxi district of the city. The shells – reported by *China Daily* to be “loaded with toxic gas” – vary in size and shape, are between twenty and forty centimetres long with diameters measuring between eight and ten centimetres. According to local residents, Ang'angxi district used to be a military airport and residence for the Japanese troops.

A week later, a Japanese embassy official describes the incident as “not big” given that nobody was hurt and there being no proof that the munitions were chemical weapons.

24 May In Biopolis, Singapore, the Regional Emerging Diseases Intervention Centre (Redi Centre) – a joint initiative between Singapore, the US Centers for Disease Control and Prevention and the US Food and Drug Administration – opens. Proposed a year ago by Singapore Prime Minister Goh Chok Tong to US President George Bush, the purpose of the centre, according to Health Minister Khaw Boon Wan, is to “strengthen infectious disease surveillance and outbreak response capabilities”. [See also 13 May 02]

24 May US Department of Health and Human Services Secretary Tommy Thompson announces \$498 million in awards to states, territories and four major metropolitan areas to strengthen the ability of hospitals and other health care facilities to respond to bioterror attacks, infectious diseases, and natural disasters that may cause mass casualties. “These grants are an important addition to national security because hospitals play such a critical role in identifying and responding to a terrorist attack, an infectious disease outbreak, and natural disasters,” says Thompson.

24 May The US General Accounting Office transmits *Homeland Security: DHS Needs a Strategy to Use DOE's Laboratories for Research on Nuclear, Biological, and Chemical Detection and Response Technologies* to the Senate Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services. The report states: “DHS [Department of Homeland Security] has not yet completed a strategic plan to identify priorities, goals, objectives, and policies for the R&D of homeland security technologies, and some gaps remain in its coordination with other federal agencies... DHS's research program has concentrated on funding projects at five DOE laboratories. These five laboratories – Los Alamos, Sandia, Lawrence Livermore, Pacific Northwest, and Oak Ridge National Laboratories – received over 96 percent of the \$57 million DHS invested in research at DOE's [Department of Energy] laboratories in fiscal year 2003 and will receive almost 90 percent of the \$201 million for fiscal year 2004... We are concerned that DHS's approach to funding R&D efforts may hinder its ability to use the full capabilities of the entire DOE laboratory system... GAO recommends that the Secretary of Homeland Security (1) complete a strategic R&D plan, (2) ensure that this plan is integrated with homeland security R&D conducted by other federal agencies, (3) develop criteria for distributing annual funding and for making long-term investments in laboratory capabilities, and (4) develop guidelines that detail how DOE's laboratories would compete for funding with private sector and academic entities.

24 May In New Orleans, Louisiana, during the 104th General Meeting of the American Society of Microbiology, Tony Williams, of the Defense Threat Reduction Agency, discusses the *Development of an Integrated, Sustainable Disease Surveillance System in the Independent States of the Former Soviet Union*.

25 May The Russian Emergencies Ministry commences searching and surveying ships sunk in the Gulf of Finland during World War II. "As of now, we know only approximate coordinates of 33 ships, which, according to archives, may have substances dangerous for people and ecology, including the disappeared chemical weapons developed by the fascist Germany to destroy Leningrad," says Deputy Chief of Public Relations of the Emergencies Ministry Viktor Beltsov. The expedition is expected to compile a preliminary report on the state of the ships surveyed and the ecological situation in the waters of the Gulf of Finland. "During the latest, August-September 2000, expedition in the Baltic Sea, specialists of the Emergencies Ministry discovered a burial of German World War II chemical agents within the area of about 10 sq km at the Skagerrak Strait," recalls Beltsov. He says that many objects from ships or fragments of ships were found at depths ranging from 190 to 215 metres and they have exact co-ordinates for 69 such objects. Hydrochemical tests, he says, showed that the ratio of heavy metals (copper, zinc, iron and so on) is sometimes two times higher than the normal level, while that of arsenic is from 50 to 100 times higher than normal.

25 May In Vienna, the UNMOVIC College of Commissioners convenes for its sixteenth [see 24 Feb] regular session. As on previous occasions, observers from IAEA and the OPCW are in attendance.

25 May In Washington, DC, a federal judge finds there to be significant doubts relating to evidence that the anthrax vaccine administered to military personnel is either safe or effective, according to the *Washington Post*. During a hearing relating to a claim by six military personnel that the vaccine posed insufficiently studied health risks, District Judge Emmet G Sullivan criticizes the government's review of the vaccine as "one of the most jumbled, confusing" processes he had ever seen. He also questions why the Food and Drug Administration did not formally issue a ruling that the vaccine was safe and effective against inhalation anthrax until late last year [see 7 Jan]. The FDA ruling came eighteen years after it proposed use of the vaccine against inhalation anthrax, but just a week after Sullivan had temporarily halted the military inoculation program [see 22 Dec 03].

25 May In Vancouver, a transit bus driver and two other passengers are taken ill following the discovery by the driver of what police describe as "some kind of brown pellets" which may be "phosphine", according to CBC News. In addition, nineteen persons are quarantined. An unidentified woman on the bus is reported as having said that as a man was alighting from the bus he asked the driver how his day was going; the driver said it was fine; to which the reply was that it wouldn't be for long. Vancouver police spokeswoman Sarah Bloor says that reporters covering the incident had been released from the quarantine by early evening while others were being put through a decontamination process.

One month subsequently, the police reveal that pieces of material taken from the front of the bus tested positive for traces of methyl chloride. Inspector Chris Beech says the discovery ends speculation that illness on the bus was the result of mass anxiety. "It is very clear now that ... whatever the

motivation was, the attack was real". Beech says it is still not known how the suspect – who had been sitting at the front of the bus – released the chemical or what kind of container was used.

25-27 May In St Petersburg, Russia, there takes place the *International Chemical Weapon Demilitarisation Conference 2004*, hosted by the UK Defence Science and Technology Laboratory (DSTL), ICF Consulting, and Science Applications International Corporation (SAIC). As on previous occasions [see 20-22 May 03], the conference aims to promote co-operation between governments, organizations, industry and the world research community, with a view to providing technical and practical solutions to key problems associated with chemdemil.

26 May *The New York Times* publishes a notice "from the editors" which acknowledges flaws in its coverage on Iraqi possession of weapons of mass destruction before the US-led invasion last year [see 20 Mar 03]. The notice reads thus: "We have found a number of instances of coverage that was not as rigorous as it should have been. In some cases, information that was controversial then, and seems questionable now, was insufficiently qualified or allowed to stand unchallenged. Looking back, we wish we had been more aggressive in re-examining the claims as new evidence emerged – or failed to emerge." The paper blames its "problematic articles", in part, on the use of information coming from Iraqi defectors and exiles who supported the overthrow of Saddam Hussein. "Administration officials now acknowledge that they sometimes fell for misinformation from these exile sources. So did many news organizations – in particular, this one", write the editors.

26 May In Arlington, Virginia, the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction [see 2 Feb] convenes for its first meeting. It hears briefings from, amongst others, current and former officials from the Iraq Survey Group, including David Kay, and from representatives of the National Intelligence Council.

28 May Tokyo High Court increases, from life imprisonment to death, the sentence handed down to the convicted former intelligence chief of the Aum Shinrikyo cult. Yoshihiro Inoue had previously been given a life sentence [see 6 Jun 00] for the cult's 1995 sarin attack on the Tokyo subway [see 20 Mar 95]. While acknowledging his involvement in the attack, Inoue claimed that he had not actually released the nerve agent. Presiding, Judge Toshio Yamada concludes, however, that Inoue played an important co-ordinating role in the attack. "His responsibility is as serious as those who actually carried out the subway sarin attack," says Yamada. Inoue's lawyers say the ruling will be appealed to the Supreme Court. Inoue is the thirteenth Aum member to have received a death sentence [see 27 Feb], though the first has yet to be executed.

28 May In Tbilisi, the official representative of the rebel Chechen president, Aslan Maskhadov, is poisoned by "some kind of nerve-paralyzing substance", according to rebel Chechen web site Kavkaz-Tsentr. Khizri Aldamov, his son, Zelimkhan, and his nephew, Ruslan (driving) had stopped in their car; on returning to continue their journey home, Ruslan complained of heart pains and a spinning head. He is also said to have had severe colic in his eyes. Shortly after returning home he passed out and was taken to hospital. Doctors diagnose acute poisoning by an unknown substance and

damage to the nervous system and the respiratory tracts. By the time Khizri is taken to hospital, Zelimkhan loses consciousness. Doctors subsequently establish that all three suffered acute poisoning by "some kind of nerve-paralyzing substance containing a large amount of phosphorus". The web site quotes the head of the toxicological department, Soso Kotobidze, as saying that the poisoning had probably been intentional, there having been no contact between themselves and any other persons and they had not eaten together.

28 May At UN headquarters, Secretary-General Kofi Annan transmits to the UN Security Council the seventeenth [see 27 Feb] quarterly report on the activities of UNMOVIC. Covering the period from 1 March to 31 May 2004, the report states: "During the period, no official information was made available to UNMOVIC on either the work or the results of the investigations carried out in Iraq by the Iraq Survey Group ... nor did the Survey Group request any information from UNMOVIC. While the Commission has examined the publicly released portion of the testimony given by Charles Duelfer, the head of the Survey Group ... before the United States Senate's Armed Services Committee [see 30 Mar], it has not had access to the full text. The provision of detailed supporting information relating to the public testimony would assist UNMOVIC and the [IAEA] in discharging their mandate to continue to assess Iraq's weapons of mass destruction activities... The Commission's experts are conducting an investigation in parallel with the IAEA Iraq Nuclear Verification Office regarding the discovery of items from Iraq that are relevant to the mandates of UNMOVIC and IAEA at a scrapyard in the Netherlands... The existence of missile engines originating in Iraq among scrap in Europe may affect the accounting of proscribed engines known to have been in Iraq's possession in March 2003. [I]t was not possible to determine how many other engines and other material previously subject to monitoring in Iraq may have passed through this scrapyard (or others). It should also be noted that the scrapyard that was visited by UNMOVIC deals in high-quality stainless steel. Items and equipment made of dual-use materials subject to the provisions of the monitoring plan may also be coming out of Iraq to other destinations. The Commission is continuing its investigation. In addition, the Commission is aware from comparative analysis of recent satellite imagery that a number of sites previously known to have contained equipment and materials subject to monitoring have been either cleaned out or destroyed. An example of such imagery is provided in the appendix to the present report. It is not known whether such equipment and materials were still present at the sites during the time of coalition action in March and April of 2003. However, it is possible that some of the materials may have been removed from Iraq by looters of sites and sold as scrap... With regard to staffing, there has been no change in the numbers since the previous report [see 27 Feb]."

31 May In Moscow, at a meeting of the Defence Committee of the State Duma, Russian Munitions Agency Director-General Viktor Kholstov, and Head of the Federal Department for the Secure Storage and Disposal of Chemical Weapons Valery Kapashin report that a lack of funding from sponsor countries means that Russia is unlikely to meet its chemdemil deadlines under the CWC.

31 May In Vyskov, Czech Republic, the first twenty-four chemical weapons specialists from the Greek military arrive to attend a one-week chemical protection course in preparation for the Olympic Games in Athens [see also 1 Aug 03]. The remaining twenty-four will arrive in five weeks' time.

31 May In the UK, the London *Independent* reports "pen-like devices that can inject an antidote to nerve gas used in terrorist attacks" as having been distributed to police forces around England and Wales. Up to 7,000 syringes, known as "combo pens" and similar to those used by diabetics, will be issued to forces in the event of a biological terrorist attack. One of the antidotes in the combo pen is said to be atropine.

The syringes have been available to the armed forces for many years and have been given to the ambulance service to protect crews and possibly to treat civilian victims. The syringes will be added to the specialist CBRN equipment already issued to almost 6,000 police officers, which includes protective suits and detection and monitoring equipment.

31 May-1 June In Krakow, Poland, the First Anniversary Meeting of the Proliferation Security Initiative (PSI) takes place [see 31 May 03]. The meeting is attended by senior representatives of 62 countries and videotaped addresses by Polish President Aleksander Kwasniewski and US President George Bush are broadcast. In his address, President Bush says: "I proposed to expand the work of the PSI beyond the interdictions of shipments to disrupt and bring to justice the middlemen and financiers that enable this dangerous trade." US Undersecretary of State for Arms Control and International Security John Bolton tells Reuters: "You have to go after the complete life-cycle of WMD, beginning with the laboratories where it is developed, manufacturing, financial and shipment networks."

Also taking part for the first time as the 15th participant in the PSI 'core group' is Russia. In a statement, a Russian foreign ministry official says: "The threat of proliferation of weapons of mass destruction is global and accordingly requires a global response. We are sure that we can cope with the problem only through a collective effort." The statement continues: "We view the PSI as a supplement rather than replacement to the existing nonproliferation mechanisms. We assume that actions within this initiative should not and will not create obstacles to legal, economic, scientific and technical cooperation."

June In the southern Adriatic Sea, a team of Italian researchers from the Istituto centrale per la ricerca scientifica e tecnologica applicata al mare (ICRAM) in Rome begin field work under new European Commission-funded research on environmental damage caused by chemical ordnance dumped at sea (RED COD). The new project follows earlier projects which had located some 20,000 munitions on the Adriatic seabed. The aims of the new research are: to further study the environmental consequences of the dumped munitions, both chemical and conventional, by taking more samples of marine organisms; to identify more precisely the principle dumping areas; and to identify the best technologies available to clean up the seabed.

June From the USA, researchers at the Biosecurity Center of the University of Pittsburgh Medical Center report that the US government has spent almost \$14.5 billion in the years since 11 September on measures to combat bioterrorism. The report, published in *Biosecurity and Bioterrorism: Biodefense Strategy, Practice, and Science*, does not include federal spending by law enforcement agencies such as the FBI and most of the bioterrorism-prevention money spent by the Departments of Defense, Energy or Justice. Federal bioterrorism spending has increased 13-fold, from \$414 million in 2001 to an estimated \$5.5 billion in 2004, according to the report. Under President Bush's budget request for next fiscal year, bioterrorism spending would increase to \$7.6 billion.

1 June In Baghdad, an interim government is sworn in and the Iraqi Governing Council is dissolved. The new government is to be led by interim Prime Minister Iyad Allawi, the leader of the Iraqi National Accord who had been living in exile since fleeing Iraq in the 1970s. The new president is Ghazi Yawer, a moderate Sunni businessman and tribal leader with strong ties to Washington. The government is preparing to take power by the 30 June deadline set by the USA.

1 June In Moscow, Lt-Gen Valeriy Kapashin, head of the federal department for the safe storage and disposal of chemical weapons, tells the State Duma that terrorists have not stolen chemical weapons from Russian facilities, despite reports to the contrary. He says: "In Russia, there have been no cases of munitions loaded with toxic agents being stolen and no cases of theft of the toxic agents themselves." In answer to a question from a deputy, Kapashin adds: "There is a great deal of interest regarding the chemical weapons arsenal, but there have been no cases of actual theft. We take operative measures cooperatively with the Federal Security Agency and the Interior Ministry to prevent and investigate all attempts to infiltrate the places where chemical weapons are being stored. So far, there have been no successful infiltration attempts."

1 June In the USA, researchers have found toxin genes from *Bacillus anthracis* in the related bacteria *Bacillus cereus*, according to findings published in the *Proceedings of the National Academy of Sciences*. This is the first time that anthrax genes have been found in an organism other than *B. anthracis*. The discovery was made following DNA tests on three people who had died after suffering a severe inhalation anthrax-like illness but who were infected with *B. cereus* rather than *B. anthracis*. The authors of the research state that: "Identification of *Bacillus* spp. containing the *B. anthracis* virulence genes and able to cause severe respiratory illness that could potentially be confused with inhalation anthrax adds substantially to the complexity of clinical and laboratory diagnosis in general and particularly during a potential bioterrorism event. Given that pXO1- and pXO2-based genes and/or their encoded products are the most frequently used targets to detect and identify *B. anthracis*, false positive results could occur and result in unnecessary alarm. On the other hand, it may not be appropriate to consider *B. anthracis*, as currently defined, as the only species capable of causing inhalation anthrax-like disease." They conclude: "The discovery of a pathogen such as *B. cereus* G9241 also emphasizes the challenges of creating lists of potential biothreat agents. Although it is not practical to include every pathogenic species on such lists, it should be noted that depending on the extent of lateral gene transfer, nature could produce an unlimited number of variations and combinations. We must not only be able to quickly recognize the clearly identified select agents but be flexible enough to rapidly identify and respond to other agents."

1 June In the US House of Representatives, the Subcommittee on National Security, Emerging Threats and International Relations of the Committee on Government Reform conducts a hearing on *Examining the Status of Gulf War Research and Investigations on Gulf War Illnesses*. Testifying are: Jim Bunker, Chairman of the Veteran Information Network and a Gulf War veteran; Derek Hall, a British Gulf War veteran; Dr Janet Heinrich, the Director of Health Care-Public Health Issues at the General Accounting Office; Dr Keith Rhodes, the Chief General Accounting Office

Technologist; Jim Binns, the Chairman of the Research Advisory Committee on Gulf War Veterans Illnesses; Steve Robinson, the Executive Director of the National Gulf War Resource Center; and Dr Jonathan Perlin, the Acting Under Secretary for Health and Acting Chief Research and Development Officer at the Department of Veterans Affairs.

In his testimony, Dr Rhodes presents the results of the GAO report *Gulf War Illnesses: DOD's Conclusions about US Troops' Exposure Cannot Be Adequately Supported*, which is also released today. Through its investigations, the GAO has found that "DOD's and MOD's conclusions about troops' exposure to CW agents, based on DOD and CIA plume modeling, cannot be adequately supported. The models were not fully developed for analyzing long-range dispersion of CW agents as an environmental hazard. The modeling assumptions as to source term data—quantity and purity of the agent—were inaccurate because they were uncertain, incomplete, and nonvalidated." The report continues: "DOD's and VA's conclusions about no association between exposure to CW agents and rates of hospitalization and mortality, based on two epidemiological studies conducted and funded by DOD and VA, also cannot be adequately supported because of study weaknesses. In both studies, flawed criteria—DOD's plume model and DOD's estimation of potentially exposed troops based on this model—were used to determine exposure. This may have resulted in large-scale misclassification."

2 June In Tampa, Florida, prospective Democratic presidential candidate John Kerry announces his plans to prevent bioterrorism. A fact sheet released at the same time as Senator Kerry's speech to first responders and public health officials states: "As the initial steps in a broader program, Kerry will reconstitute international negotiations to strengthen the bioweapons ban, building on lessons from United Nations inspections, visits to bioweapons facilities in the former Soviet Union and new trial inspections at government, university, and industrial facilities. He will push for implementation of a sensible and enforceable international law criminalizing the development, acquisition, possession, and use of biological weapons. To prevent terrorists from acquiring dangerous pathogens, he will work with the international scientific community to construct and implement international standards for biosafety and biosecurity."

2 June The journal *Nature* reports that researchers from the New Mexico Institute of Mining and Technology have devised a way to analyse the publications of particular laboratories for signs of covert biological weapons research. The method is based on studying the networks of scientific collaborations and literature citations produced by laboratories and analysing whether the results match predetermined 'good' or 'bad' patterns. As reported in *Nature*, the researchers applied the technique to the State Research Centre for Applied Microbiology at Obolensk in Russia from the early 1970s to the mid-1990s. The researchers found that Obolensk became a very good match for the 'bad' pattern around 1980 but that its published papers converged again with the 'good' pattern after 1990. Rich Colbaugh is quoted as saying that the technique "would increase international confidence that treaties are being respected."

2-6 June In Gothenburg, Sweden, there is the *Eighth International Symposium on Protection against Chemical and Biological Warfare Agents (including bioterrorism)* [see 15-19 Jun 01]. King Carl Gustaf XVI opens the symposium. Crown Princess Victoria presents Graham Pearson (of the HSP Advisory Board and Visiting Professor at Bradford

University Department of Peace Studies) with an award for his "remarkable efforts in the area of CBW protection and disarmament". Former Executive Chairman of UNMOVIC Hans Blix gives the keynote address. The symposium comprises two hundred oral presentations and seventy poster presentations by more than a hundred exhibitors. The presentations cover, e.g., detection of BW agents, new personal protection and respiratory equipment, and treatment of people exposed to sarin, soman, VX or biological agents.

3 June In Turkey, Minister of Foreign Trade and Customs Kursad Tuzman says that an arms shipment has been seized in the western port of Ambarli. The shipment was discovered in a Maltese-flagged vessel en route from Ukraine to Egypt. The weapons are described as "sophisticated" and reported to include missiles, warheads and launchers. Asked whether the shipment also included chemical weapons, Tuzman replies: "The inspections are ongoing."

3 June In Paris, the fiftieth session of the Assembly of Western European Union adopts resolution 746 on chemical, biological and radiological terrorism. The resolution notes that "the risk of chemical, biological and radiological terrorism is real, although difficult to evaluate in specific terms", "that it is also important to continue to strengthen and extend international regimes for controlling and eliminating chemical, biological and nuclear weapons and preventing their proliferation" and "the utmost need for the Biological Weapons Convention to have an inspection and verifications system similar to that for chemical weapons under the Chemical Weapons Convention". The resolution also notes "that the states of Europe are directly responsible for the major thrust of European research in the fields of biotechnology, pharmacy, human genetics, genetically modified organisms and nanotechnology, all of which contribute to human progress but whose effects can be dangerous to humans and to the animal and vegetable kingdoms; ... that this question is one which should also be dealt with at international level, through the creation of partnerships between the principal nations with capabilities in those fields and the major multinational companies within the sector, and also the relevant international and non-governmental organisations". Furthermore, the resolution recommends the WEU Council to "determine whether a terrorist attack on a member country, using weapons of mass destruction, particularly of a chemical, biological and radiological nature, constitutes an armed attack within the meaning of Article V of the modified Brussels Treaty, and define the practical implications this may entail for the signatory states and for the Council".

The Assembly's Defence Committee had earlier adopted a report on *Chemical, Biological and Radiological Terrorism*.

3 June From Philadelphia, worries about the security of pathogens such as SARS in laboratories particularly in Asia are the subject of an article in the current issue of *The Scientist*. Microbiologist John MacKenzie is quoted as saying: "What SARS has shown us is that we do have problems, and that we don't have international standards. European countries, the US, and Australia have standards, but they don't in Asia nor in many other parts of the world." Ingegard Kallings, of the Swedish Institute for Infectious Disease Control and a member of the WHO Biosafety Advisory Group, says that she believes the problem is much wider than SARS. Global travel and fears of bioterrorism mean laboratories worldwide "are starting to handle a lot more dangerous, hazardous pathogens" In the article, MacKenzie calls for the WHO to have a greater role in monitoring laboratory biosafety around the world.

3 June In the US House of Representatives, the Select Committee on Homeland Security conducts a hearing on *Towards a National Biodefense Strategy*. Testifying are: Major General Lester Martinez-Lopez, the Commanding General of the US Army Medical Research and Materiel Command at Fort Detrick, Maryland; Dr Penrose 'Parney' Albright, the Assistant Secretary for Science and Technology at the Department of Homeland Security; Dr Anthony Fauci, the Director of the National Institute of Allergy and Infectious Diseases at the Department of Health and Human Services; Dr Shelley Hearne, the Executive Director of the Trust for the America's Health; and Dr Anna Johnson-Winegar, a private consultant and formerly Deputy Assistant to the Secretary of Defense for Chemical and Biological Defense Programs.

3 June In the USA, the Department of Homeland Security issues a notice of intent to prepare an Environmental Impact Statement for the National Biosecurity Analysis and Countermeasures Center (NBACC) at Fort Detrick [see 23 Apr]. The notice states that the EIS will analyse a number of issues, including: safety of laboratory operations; public health and safety; handling, collection, treatment, and disposal of research wastes; and analysis of other risks, as well as concerns for pollution prevention and impacts of the proposed action on air quality, biological resources, cultural resources, water resources, land use, and socioeconomic resources. The EIS will also address several alternatives, including siting the proposed NBACC facility at another location on the grounds of Fort Detrick; locating the proposed NBACC facility on other existing government-owned property outside of Fort Detrick; siting the proposed NBACC facility on privately-owned property outside Fort Detrick; and a no-action alternative, under which the proposed NBACC facility would not be built. The notice of intent states that: "The research conducted at NBACC will be solely defensive in nature, serving to understand and attribute the threats that may be used against the United States in a biological attack."

During June, criticism of the proposed activities of the NBACC's Biothreat Characterization Center is published in *Politics and the Life Sciences*. The commentary, by Milton Leitenberg of the University of Maryland, Ambassador James Leonard, the head of the US delegation to the BWC negotiations in 1972, and Dr Richard Spertzel, a former deputy director of USAMRIID and senior UNSCOM biologist, states: "The rapidity of elaboration of American biodefense programs, their ambition and administrative aggressiveness, and the degree to which they push against the prohibitions of the Biological Weapons Convention (BWC), are startling. The production and stockpiling of biological-weapons agents are not the only criteria by which an offensive biological weapons (BW) program is defined. They are only such a program's most obvious terminal expressions. Taken together, many of the activities detailed above—most particularly the "Store, Stabilize, Package, Disperse" sequence and the "Computational modelling of feasibility, methods, and scale of production" item—may constitute development in the guise of threat assessment, and they certainly will be interpreted that way. Development is prohibited by the Biological Weapons Convention."

4 June In Dushanbe, Russian and Tajik border troops exercise dealing with chemical attacks by terrorists. In the exercise scenario, terrorists attack a chlorine facility near to a Russian border guard compound. The commander of the Russian Federal Security Service Border Directorate in Tajikistan, combat general Aleksandr Baranov, says: "Since there are international terrorist forces, including Al-Qa'idah, in

Afghanistan, there will be a real potential threat of their breakthrough into Tajikistan. We must not rule out the possibility of their launching chemical attacks. Servicemen should take this into account and keep their powder dry.”

4 June In the United Nations Security Council, during the ongoing negotiations on the restoration of sovereignty to Iraq, Russia's deputy permanent representative, Alexander Konuzin, raises the future of UNMOVIC. Konuzin asks the newly-appointed Iraqi foreign minister Hoshiyar Zebari about the situation regarding the WMD file, seeing as none had been found so far, and argues that the new resolution must clearly state who bears responsibility for continuing the search. Zebari replies that: “We understand that this issue is still really outstanding and leftover from previous resolutions, and we have discussed that among ourselves and the new administration; but it's too soon really to address it at this stage.”

4 June In the USA, the Centers for Disease Control and Prevention report that anthrax contamination from the October 2001 postal attacks seems to have been spread further than previously reported. A report in the current *Morbidity and Mortality Weekly Report* states that US Capitol Police may inadvertently have spread the contamination beyond the Hart Senate Office Building: “Off-site contamination by equipment and clothing occurred when members of the US Capitol Police Hazardous Device Unit who had responded to the letter returned to their office. Environmental sampling located contamination in vehicles and office-space surfaces where equipment was handled.”

5 June In the UK, BBC Radio 4's *Today* programme broadcasts an interview with former Iraq Survey Group leader David Kay during which he says that “there are not actual stockpiles of newly produced weapons of mass destruction” in Iraq. Kay goes on to say: “Anyone out there holding - as I gather Prime Minister Blair has recently said - the prospect that, in fact, the Iraq Survey Group is going to unmask actual weapons of mass destruction, are really delusional.” He continues: “There is nothing there. There is a programme there. There was an intention of Saddam Hussein at some point to reconstitute it. There were clearly illegal activities, clear violations of UN Security Council resolutions. We have accumulated that evidence and really have accumulated that evidence to a considerable degree four months ago. We simply got it wrong. Iraq was a dangerous country, Saddam was an evil man and we are better off without him and all of that. But we were wrong in our estimation.”

Three days later, British Prime Minister Tony Blair tells the *Today* programme that the security services “very rarely get wrong a whole development or pattern of intelligence”. He adds: “The basic pattern, ie, this was someone who still retained complete determination to pursue this WMD business, I would be surprised if that turned out to be wrong.”

6 June In France, world leaders gather in Normandy to commemorate the sixtieth anniversary of the D-Day landings during the Second World War. The country is on its second-highest level of national alert and the security and emergency services are prepared for chemical or biological attacks by terrorists although the authorities have no information to indicate that such an attack is likely.

6-9 June In San Francisco, there is *BIO 2004*, the annual convention of the Biotechnology Industry Organization, attended by 16,901 people from over 60 countries. Under its BioIndustry Initiative, the US State Department has sponsored

around 100 scientists from Russia, Ukraine and Uzbekistan to attend the conference. The scientists later visit the University of California at Santa Cruz.

7 June In Milan, Italian police arrest Rabei Osman Sayed Ahmed, an Egyptian believed to have been involved in the 11 March train bombings in Madrid. Two days later, it is reported that Milan prosecutor Maurizio Romanelli has passed transcripts of intercepted phone calls between Ahmed and other terrorist suspects to US authorities as one conversation reportedly refers to a woman ready to carry out a chemical attack in the USA. However, the next day, Romanelli and a colleague issue a statement categorically denying the reports of a chemical attack in the USA, as well as alleged attacks on the Paris Metro and a NATO base in Belgium.

7 June In Spain, Judge Fernando Grande-Marlaska files charges against two Algerians, Souhil Kaouka and Mohamed Amine Benaboura for their alleged links with the Algerian extremist organization, the Salafist Group for Call and Combat. The two were among 16 arrested in January 2003 in Catalonia [see 24 Jan 03] in possession of two barrels of toxic chemicals, initially suspected to be ricin but later identified as common detergents. All 16 were later released. However, four were re-arrested in March and also charged with membership of the Salafist Group. Those arrested are reported to have supplied logistical support to a French terrorist cell led by Algerian Merouane Benahmed, which intended to carry out attacks with chemical and bacteriological products against European targets.

7 June The UK government publishes its seventh annual report on strategic export controls, covering calendar year 2003. The report records that 116 Standard Individual Export Licences (SIELs) and Standard Individual Transshipment Licences (SITLs) were denied or revoked during the year (compared to 121 in 2002) because they risked “contributing to proliferation of weapons of mass destruction or ballistic missiles”. The total number of SIELs and SITLs denied or revoked for all reasons was 197. A total of 98 licences were refused or revoked under WMD catch-all controls for exports to China, India, Iran, Libya, Pakistan and the UAE. Like the previous annual report, but unlike earlier ones, the 2003 report again does not provide export control classification numbers for specific items, a change which is not explained.

Among the many other details presented is the information that export licences for “toxic chemical precursors” (a term not defined in the report) were issued for destinations in 36 countries, among them Egypt, Iran, Israel, Libya North Korea and Sudan. A footnote accompanying the entry for North Korea states: “This product (sodium sulphide GPR) was for use in water analysis by a public health body.” The report also introduces the new concept of “non-military toxic chemical precursors” which were licensed for export to three countries, Iran, Libya and Russia, in 2003.

A total of 41 countries imported what the report variously describes as “CS hand grenades”, “tear gas/riot control agents” or “tear gas/irritant ammunition” (the distinctions between which are not explained) from the UK during 2003. Licences for the export of items of, or components for, British NBC defence equipment were issued for destinations in 44 countries, including China, Egypt, Iran, Israel, Syria and Taiwan. Licences were issued in 2003 for the export of “corrosion resistant chemical manufacturing equipment” to 25 countries, among them China, Iran, Israel, Libya and Taiwan while licences for the export of toxins and human pathogens were issued for exports to 15 countries, including Israel. Licenses were issued

for the export of British anthrax vaccine in 2003 to Australia, Czech Republic, Denmark, Germany, Greece, Netherlands, Switzerland and USA.

7 June In the UK House of Commons, the Solicitor-General Harriet Harman deposits in the House library an account of the evidence considered by the Crown Prosecution Service (CPS) in deciding not bring charges in relation to experiments conducted on volunteers at Porton Down [see 8 Jul 03].

The account states that the enquiry focused on a number of episodes of testing: "(a) tests carried out in April 1958 on RAF servicemen designed to investigate the precise cause of tightness in the chest induced by exposure to Sarin nerve gas; (b) tests carried on in 1959 and 1960 on RAF servicemen, which involved the administration of irritant, blistering or disabling chemicals such as mustard gas and the irritant component in 'CS' riot control agent as well as pyrexal which induces a level of fever; (c) tests carried out in 1964 when the drug 'LSD' was administered to a number of '41 Commando' to evaluate its potential as an incapacitant on a fighting unit; (d) tests carried out in 1967 when a psychosis inducing incapacitant known as 'BZ' was administered orally to a number of men from the 16th/5th Queen's Royal Lancers; (e) tests carried out in 1969 when an irritant and solvent to be included in 'CS' riot control agent were administered to a number of Navy servicemen; (f) a range of tests carried out in 1971 when an incapacitant and mustard gas was administered to Army and RAF servicemen; (g) tests carried out in 1972 when a number of Royal Navy servicemen had mustard gas residue applied to their skin; (h) tests carried out in 1983 when servicemen were exposed to Sarin nerve gas."

The account states that "an honest belief that the subject had consented to the nature of an act of research remains a complete defence to the charges under consideration even when there was in fact no consent to the nature of the act." The account concludes: "Having considered all the evidence the CPS concluded that it did not provide a realistic prospect of conviction. The weight of the evidence revealed that the testing had been carried out in the public interest. The testing had also been carried out in accordance with the accepted professional standards of the day. Moreover, the observers volunteered to the nature of the act and there is no evidence to suggest that the testing was the cause of any subsequent ill health."

7 June At Fort Detrick, the US Army announces that the three-year decontamination of an old chemical dump is complete. The operation had begun after health officials found chemical contamination in private wells outside the base. Vials had also been discovered containing various agents used during the US offensive BW programme [see 9 Apr 02]. Workers used soil-freezing technology to excavate buried waste, removing more than 3,500 tons of hazardous material and soil from four pits covering about one-third of an acre. Authorities will soon choose a contractor to assess and contain contamination at 10 other sites, including a former ammunition storage area.

7 June From Boston, Immunetics Inc announces that it has been granted Food and Drug Administration approval for its Anthrax Quick ELISA blood test for *Bacillus anthracis*. The test, the first of its kind, can detect antibodies to anthrax in less than an hour, compared with four hours for previous tests, and can be used by any laboratory or hospital without the need for special equipment or training. The test can detect both inhalational and cutaneous cases of anthrax.

7-10 June In Paris, the Australia Group meets for its annual plenary session to "further strengthen participating countries' export control measures for preventing the production and spread of chemical and biological weapons" as described in a press release issued after the meeting. Reflecting the recent enlargement of the European Union, the Group welcomes five new participants (Estonia, Latvia, Lithuania, Malta and Slovenia) bringing its total membership to 38 countries plus the European Commission.

According to the press release, participants note the "growing acceptance of Australia Group measures as the international benchmark in relation to export controls directed at chemical and biological weapons, owing in large part to the Group's ongoing outreach activities." They therefore agree "strategies for better targeted training and assistance, particularly at a regional level, to assist key supplier and transshipping countries and other interested countries outside the Group to enhance their export controls." The participants also agree to consider the issue of brokering controls. The press release also states that "the work of the Australia Group will play a key role in international efforts" to implement the recently-adopted [see 28 Apr] United Nations Security Council resolution 1540 and that "discussions dealing with information sharing and enforcement provided clearer insights into proliferation behaviour by state and non-state actors and mechanisms for more effectively enforcing export controls."

Participants agree to add five plant pathogens to the Group's control lists. These are two viruses (Potato Andean latent tymovirus and Potato spindle tuber viroid) and three additional bacteria (*Xanthomonas oryzae* pv. *Oryzae* (*Pseudomonas campestris* pv. *Oryzae*); *Clavibacter michiganensis* subsp. *Sepedonicus* (*Corynebacterium michiganensis* subsp. *Sepedonicum* or *Corynebacterium sepedonicum*); and *Ralstonia solanacearum* Races 2 and 3 (*Pseudomonas solanacearum* Races 2 and 3 or *Burkholderia solanacearum* Races 2 and 3)). These are the first additions to the lists of plant pathogens since 1993.

The next plenary meeting will be held in Australia in 2005 to mark the Group's twentieth anniversary.

8 June In Russia, the Ministry of Industry and Energy's Federal Agency for Industry announces the creation of the "Centre of Convention Problems and Disarmament Programmes" Administration. The new agency replaces the former Russian Munitions Agency which had responsibility for Russia's chemdemil programme. The new body is directed by the former head of the Munitions Agency, Viktor Kholstov.

8 June In the UK, the Government publishes its response to the report of the House of Commons Defence Committee on *Lessons of Iraq* [see 16 Mar]. In response to the Committee's identification of "serious shortcomings in the supply and distribution system" for NBC equipment, the Government states: "The [National Audit Office] report on Operation TELIC states: 'Although overall protection against chemical agents was good there were shortfalls'. This is the position that the Department has set out consistently since the operation began. There were sufficient stocks on the shelf for all personnel who deployed into theatre, including contractors and embedded journalists. Notwithstanding this, owing to a mismatch between the sizes of the suits and individuals, a small number of troops crossed the Line of Departure with only one properly fitting suit." The Government response continues: "Commanders assessed that the risk posed to the Force by these shortages was low. The effect on morale was judged to be more serious than the practical impact."

8 June In Canada, the Ontario *National Post* publishes details of a government report which assesses that “the changing face of terrorism has made the potential use of chemical, biological, radiological or nuclear weapons in a terrorist attack feasible.” The report, entitled *Al Qaeda and the Sunni Islamic Extremist Threat*, was written by the Integrated National Security Assessment Centre and the *National Post* has obtained a declassified version under the *Access to Information Act*. The report also states that: “The possibility that a weapon of mass destruction (WMD) — chemical, biological, radiological or nuclear — could be acquired and used by terrorist groups must be given serious consideration.”

8 June At UN headquarters, the Security Council adopts resolution 1546 endorsing the formation of the interim Iraqi government [see 1 Jun] and welcoming the reassertion of full Iraqi sovereignty by 30 June. The resolution also “reaffirms [the Council’s] intention to revisit the mandates of the United Nations Monitoring, Verification, and Inspection Commission and the International Atomic Energy Agency”.

8 June In Quito, during its ongoing thirty-fourth regular session, the General Assembly of the Organization of American States (OAS) adopts a resolution on *The Americas as a Biological and Chemical-Weapons-Free Region*. Under the resolution, OAS member states resolve to “concretely fulfil the shared commitment of member states to make the Americas a region free of biological and chemical weapons” and “reaffirm member states’ commitment to arms control, disarmament, and the nonproliferation of all weapons of mass destruction”, particularly the CWC, BWC and Geneva Protocol. On the BWC, OAS member states welcome states parties’ efforts to “promote measures for national implementation and strengthen the Convention in order to stem the threat of biological weapons.”

8-10 June At Sea Island in the USA, heads of state and government from the G8 countries gather for their annual summit meeting [see 1-3 Jun 03]. On the second day of the summit, the leaders adopt a *G8 Action Plan on Nonproliferation* in which they state: “All states must fulfil their arms control, disarmament, and nonproliferation commitments, which we reaffirm, and we strongly support universal adherence to and compliance with these commitments under the relevant multilateral treaties. We will help and encourage states in effectively implementing their obligations under the multilateral treaty regimes, in particular implementing domestically their obligations under such treaties, building law enforcement capacity, and establishing effective export controls.” On the Proliferation Security Initiative, the action plan states: “We will further cooperate to defeat proliferation networks and coordinate, where appropriate, enforcement efforts, including by stopping illicit financial flows and shutting down illicit plants, laboratories, and brokers, in accordance with national legal authorities and legislation and consistent with international law. Several of us are already developing mechanisms to deny access to our ports and airports for companies and impose visa bans on individuals involved in illicit trade.”

On the Global Partnership Against Weapons and Materials of Mass Destruction the action plan recommends the G8 leaders to their 2002 target of raising up to US\$20 billion by 2012. The leaders welcome the decisions of Australia, Belgium, the Czech Republic, Denmark, Ireland, New Zealand and South Korea to join the Global Partnership. They also announce that the Global Partnership will be used to coordinate G8 efforts to address proliferation challenges globally, such as the retraining

of Iraqi and Libyan scientists, the strengthening of export controls and the reinforcement of biosecurity. During the summit, Canadian and Russian deputy foreign ministers, Sergei Kislyak and James Wright, sign an agreement providing the legal basis for implementing large-scale Canadian-Russian cooperation within the Global Partnership.

On the BWC and CWC, the action plan states: “In this context, we seek concrete realization of our commitments at the fifth Review Conference of the BWC. The BWC is a critical foundation against biological weapons’ proliferation, including to terrorists. Its prohibitions should be fully implemented, including enactment of penal legislation. We strongly urge all non-parties to join the BWC promptly. ... We support full implementation of the CWC, including its nonproliferation aspects. We strongly urge all non-parties to join the CWC promptly, and will work with them to this end. We also urge CWC States Parties to undertake national legislative and administrative measures for its full implementation. We support the use of all fact-finding, verification, and compliance measures, including, if necessary, challenge inspections, as provided in the CWC.”

9 June In Germany, the Cabinet adopts a decision allowing, for the first time, the Bundeswehr to use riot control agents in operations abroad. The decision will require parliamentary approval of an amendment to the *Chemiewaffenübereinkommensausführungsgesetz* (the CWC implementation law) which currently restricts the use of riot control agents to police and to army personnel within German borders to protect military facilities. The Cabinet decision follows media criticism of the Bundeswehr following an incident in Kosovo in March when troops were unable to stop a violent mob burning down monasteries. However, the Bundeswehr acknowledges that that it does not have any plan or scenario for the use of chemical agents.

10 June At Az-Zawiya in the Israeli-occupied West Bank, demonstrations continue against the construction of the controversial security barrier between Israeli and Palestinian areas which in this area will almost entirely encircle the village. As on previous days, the demonstration is dispersed by Israeli troops using, according to Voice of Palestine radio, “live ammunition, rubber bullets and poisonous gas”. At least 70 civilians have been injured during the demonstrations, many due to tear gas inhalation. A few days later, it is reported that some of the victims are still suffering the effects of their exposure leading observers to speculate that Israeli troops are using a new type of tear gas, or even nerve gas. The reported symptoms include amnesia or partial memory loss, cramps, severe pains in the joints and nausea. Bassam Abu Madhi, head of the local health department, is quoted as saying that the chemicals used occupy “an intermediate position between normal tear gas and chemical agents used in warfare.” According to the Palestinian National Authority international press centre: “Eyewitnesses recalled that the Israeli soldiers were keen on picking the empty tear gas canisters they fire during the confrontations, pointing out that they have been able to retrieve one of these canisters and examine it at a lab, and it turned out to contain internationally prohibited substances.”

10 June From Nizhny Novgorod, ITAR-TASS reports Sergei Kiriyenko, chairman of the Russian State Commission for Chemical Disarmament, as saying that implementation of Russia’s federal programme for the destruction of its chemical weapons stockpile is starting to fall behind schedule. This conclusion about the chemdemil programme

has been reached by specialists of the President's Main Monitoring Directorate who have completed a check of facilities in the Volga district. For example, the facility for the destruction of mustard gas and lewisite at Gorny has destroyed over 622 tonnes of mustard gas and 60 tonnes of lewisite, but has not yet started eliminating the resultant waste. Kiriyenko notes that interruptions in the funding of the programme are affecting the timely fulfilment of Russia's CWC commitments. The level of funding for the programme is only 40-42 per cent. Kiriyenko is quoted as saying: "We may have to increase the programme's funding from the federal budget, so as not to be dependent on political circumstances."

10 June In France, the Ministry of Defence announces the establishment of the Observatoire de la Santé des Vétérans. The new agency is intended to study the risks that veterans have been exposed to, to coordinate the collection of medical history data and to oversee epidemiological investigations.

10 June In Sea Island in the USA, at the conclusion of the G8 summit [see 8-10 Jun] President George Bush is asked by reporters whether Iraq possessed weapons of mass destruction. President Bush replies: "I haven't reached a final conclusion yet because the ... inspection teams aren't back yet. I do know that Saddam Hussein had the capacity to make weapons. I do know he's a dangerous person. I know he used weapons against his own people and against the neighborhood. But we'll wait until Charlie gets back with the final report, and then I'll be glad to report."

10 June In Oakland, California, officials at the Children's Hospital Oakland Research Institute announce that 10 workers have accidentally been exposed to *Bacillus anthracis* although none has developed symptoms of infection and all are being treated with antibiotics. It appears that the accident happened when the researchers were supplied with a live rather than a dead strain of the bacteria by a laboratory of the Southern Research Institute. They had been using dead Ames strain *B. anthracis* in order to develop an anthrax vaccine for children but became aware of the problem when mice injected with the bacteria supplied by SRI began to die. Thomas Voss from SRI says that the company is still investigating what went wrong as the institute only rarely sends out live agents. He says: "We aren't totally sure of the sequence of events." The accident sparks further criticism of the current proliferation of facilities working with select agents under the US biodefence research programme and of regulations covering the shipment and handling of such agents.

11 June From UN headquarters, the President of the Security Council announces that its members have chosen to elect Mihnea Ioan Motoc of Romania and Lauro L Baja, Jr of the Philippines as the chairman and vice-chairman respectively of the committee established pursuant to resolution 1540 [see 28 Apr].

13 June From Baghdad, Inter Press Service reports an interview with retired Iraqi Brigadier-General Zekki Daoud Jabber who was in charge of communication and radar for the Iraqi military during the Iran-Iraq war. Concerning the attitude of the Administration of recently-deceased former US President Ronald Reagan towards Iraqi chemical weapons use, Jabber says: "Everything we did was checked with America. They knew our policy was to use chemical weapons on the Iranian army when they entered our territory. We told them that and they continued to help us."

14 June From Pyongyang, the North Korean Committee for the Peaceful Reunification of the Fatherland releases a statement alleging that the USA has stocks of chemical and biological weapons in South Korea. The statement refers to "signs ... found in late April showing that chemical weapons are stored in the ammunition storehouse of a guard unit under the UN Command, which controls the DMZ Demilitarized Zone of Panmunjom." In response, the Committee's statement continues: "In the face of the grave manoeuvres for aggression by the United States, we have the due right to mobilize any means and deterrent force to defend the nation's right to existence. ... Resolutely responding by mobilizing nuclear weapons with mighty nuclear deterrence force and biological and chemical weapons with means of unlimited punishment that can overpower them is our military and people's indomitable will and their resolute stand." Three days later, KCNA broadcasts a statement that "the US should make a clean breast of its criminal storage of biochemical weapons in South Korea and immediately withdraw all its lethal weapons and the aggression forces from South Korea."

14 June In Brussels, the foreign ministers of the 25 European Union member states meeting as the General Affairs and External Relations Council take note of a progress report on implementation of the EU *Strategy Against Proliferation of Weapons of Mass Destruction* [see 13 Dec 03]. On EU support to the OPCW, the progress report states: "Following contacts between the Personal Representative on WMD and the OPCW Director General's Private Office, a Draft Joint Action has been put forward on support for OPCW activities under its Action Plan and in the framework of the implementation of the EU WMD Strategy. This draft Joint Action will be examined soon by the relevant Council bodies."

On support more generally for the BWC and CWC, the report states: "Reinforcing the BTWC and the CWC and, in this context, continuing the reflection on verification instruments. The BTWC does not contain at present a verification mechanism. The EU must find ways to strengthen compliance. A group of experts to give advice on how this could be done. The EU will take the lead in efforts to strengthen regulations on trade with material that can be used for the production of biological weapons. The EU will also take the lead in supporting national implementation of the BTWC (e.g. in providing technical assistance). The EU will consider giving support to states with administrative or financial difficulties in their national implementation of the Chemical Weapons Convention and the BTWC. The examination of information provided by Member States on bilateral assistance programme leads to the conclusion that EU Member States are not very active in the field of biological weapons. Consideration should be given to EU initiatives."

14 June In the UK, the Royal British Legion announces the establishment of an independent public inquiry into Gulf War illnesses to be chaired by Lord Lloyd of Berwick, a former Lord Justice of Appeal. Announcing the inquiry, Lord Morris of Manchester, the Royal British Legion's Honorary Parliamentary Adviser says: "Lord Lloyd's terms of reference will be to investigate the circumstances that have led to the ill health, and in some cases death, of over 5,000 British troops following deployment to the Gulf, and to report. He will call on Gulf veterans, bereaved dependants, and eminent physicians to assist in the inquiry, and hopes to receive the full cooperation of the relevant Government departments." Lord Lloyd says: "My intention is to open the inquiry as soon as possible, and to hold hearings in public."

A Ministry of Defence spokesman is quoted in the London

Independent as saying: "We do not believe that a public inquiry is appropriate at this time. [Only] scientific research is likely to be able to answer the basic question of why some Gulf veterans are ill." A few days later, the Under Secretary of State for Defence and Minister for Veterans, Ivor Caplin, writes, in response to a parliamentary question, that "at this stage we have insufficient detail about the investigation to form a decision about the approach the Ministry of Defence might take." Lord Lloyd insists that his inquiry will succeed whether or not government ministers cooperate but adds: "I hope very much that they will. As far as I can see, they have as much interest as anybody else in finding out what the facts actually are."

14 June From Anniston, Alabama, it is reported that over the past several weeks 20 M55 rockets containing GB nerve agents have been found with leaks and have accordingly been overpacked, removed from their locations and put in separate storage igloos. The rockets are among 778 from a specific production lot that are prone to vapour leaks. The leaking rockets will eventually be destroyed in the chemdemil facility at Anniston.

14-15 June In Berlin, the Deutsche Gesellschaft für Auswärtige Politik convenes a seminar on *Controls on Intangible Technology Transfer – Chances and Limits in the Age of Globalisation*.

15 June The London *Al-Sharq al-Aswat* reports that yesterday's meeting of EU foreign ministers [see 14 Jun] did not approve the contentious draft Association Agreement with Syria [see 8 Apr] because of "the absence of any new element that justifies returning to it or discussing it." The latest draft of the agreement, approved by all 25 EU member states, consists of a preamble and three clauses. It calls on Syria to implement the agreements on WMD it has signed and to sign the BWC and CWC. It also calls for setting up monitoring mechanisms and a commitment not to import, export or allow the transit of the components of such weapons. According to unidentified European diplomatic sources quoted by the newspaper, Syria had tried to intervene to achieve a more flexible paragraph but to no avail. The sources also state that Syria objects to the fact that the EU's Association Agreement with Israel does not include a similar paragraph and believes that the EU's stance is a result of pressure from Washington.

16 June In China, a joint team of Chinese and Japanese chemdemil experts arrive in the city of Qiqihar to recover and seal for storage Second World War-era chemical munitions discovered there last month [see 24 May]. It is later reported that 542 munitions are recovered, among them the 75 type, the 90 type and the 105 type, containing mustard gas and phosgene and that the Japanese team members have confirmed they are chemical weapons abandoned by troops of the Imperial Japanese Army. Of the 542 munitions, a Japanese embassy spokesman is quoted as saying that 424 are chemical shells, 107 are fire powder tins and 11 have not been identified.

16 June In Israel, the Security Council orders Israelis to return the gas mask kits that they were first issued prior to the 1991 Gulf War. In the run-up to the 2003 US-UK invasion of Iraq, Israeli civilians were advised to open the kits, install the masks' filters and carry them at all times despite the fact that the military assessed the threat of an Iraqi chemical attack as extremely low. Once opened, the filters only have a limited life, and with the decreased threat of an attack, the government has decided to recall the kits.

Deputy Defence Minister Zeev Boim tells Israel Radio that "the enormous economic benefit of this operation is clear".

16 June In Ankara, the Turkish government announces that it will put on standby in Turkey two nuclear, biological and chemical decontamination teams for possible deployment to Greece in the event of a terrorist attack on the forthcoming Olympic Games. The deployment is a part of a NATO-wide response to a Greek request for assistance [see 26 Mar]. A foreign ministry official states: "In light of its NATO solidarity, the responsibility it feels as a neighbouring country, and its determination in the fight against terrorism, Turkey is responding to Greece's request for support to the extent possible."

16-17 June In Washington DC, the National Commission on Terrorist Attacks Upon the United States or 9/11 Commission convenes its twelfth and final public hearing on "the 9-11 Plot" and the "US government's immediate response to the attacks".

At the hearing, the Commission issues another staff statement, the fifteenth, entitled "Overview of the Enemy". The report focuses on al Qaeda's history and evolution, and how it came to pose a threat to the USA. On "al Qaeda today" the report states: "Al Qaeda remains extremely interested in conducting chemical, biological, radiological, or nuclear attacks. ... Documents found in al Qaeda facilities contain accurate information on the usage and impact of such weapons. Al Qaeda had an ambitious biological weapons program and was making advances in its ability to produce anthrax prior to September 11. According to Director of Central Intelligence George Tenet, al Qaeda's ability to conduct an anthrax attack is one of the most immediate threats the United States is likely to face. Similarly, al Qaeda may seek to conduct a chemical attack by using widely-available industrial chemicals, or by attacking a chemical plant or a shipment of hazardous materials."

On alleged links between al Qaeda and Iraq, the report states: "Two senior Bin Ladin associates have adamantly denied that any ties existed between al Qaeda and Iraq. We have no credible evidence that Iraq and al Qaeda cooperated on attacks against the United States." Another staff statement issued during the hearing, the sixteenth, entitled "Outline of the 9/11 Plot" states: "We have examined the allegation that [Mohamed] Atta met with an Iraqi intelligence officer in Prague on April 9. Based on the evidence available – including investigation by Czech and US authorities plus detainee reporting – we do not believe that such a meeting occurred." Responding to the reports, President George Bush says: "The reason I keep insisting that there was a relationship between Iraq and Saddam and al Qaeda, because there was a relationship between Iraq and al Qaeda. This administration never said that the 9/11 attacks were orchestrated between Saddam and al Qaeda. We did say there were numerous contacts between Saddam Hussein and al Qaeda. For example, Iraqi intelligence officers met with bin Laden, the head of al Qaeda, in the Sudan. There's numerous contacts between the two."

17 June In South Korea, details of recent criminal cases relating to the export of toxic chemicals are provided in an article in the Seoul *Korea Herald* by Yi Son-chin, the deputy minister for policy planning and international organizations. The minister writes: "Both cases were related to the re-export of sodium cyanide – one of the chemical weapon precursors and items controlled by the Australia Group – to a country of concern without the permission of the Korean government."

The Korean government was able to withhold the goods from export and ordered the companies to redeem the sodium cyanide in question. Having found forgery and negligence in these cases, the Korean authorities brought the companies to trial. These cases clearly demonstrate the strong will of the Korean government to strictly implement export controls on strategic items." The minister adds that South Korea "reinforced its export control system by introducing the 'catch-all' system to deter the export of dual-use items which may be used to produce or develop WMD or missiles. Currently, Korea is revising export control regulations, such as the Foreign Trade Act, and its Enforcement Decree and Public Notice, to introduce clearer and better functioning control regulations."

17 June From Halabja, it is reported that local officials have petitioned the Iraqi government that the town be the venue for the planned trial of Ali Hassan al Majid [see 21 Aug 03] also known as 'Chemical Ali', who many hold responsible for the chemical attack there in 1988 [see 18 Mar 88].

17 June In the UK, the CWC National Authority transmits its statutory *Annual Report on the Operation of the Chemical Weapons Act 1996*, to Parliament. The report covers calendar year 2003, during which time the UK received six OPCW inspections: two at Schedule 2 industrial sites; one at a DOC industrial site; one at the Single Small Scale Facility at Dstl Porton Down; one at the old chemical weapons storage and destruction facilities at Dstl Porton Down; and one at the former CWPF at Rhydymwyn. The report provides a breakdown of the costs of CWC compliance in the UK and information on the discovery and destruction of old chemical weapons. The report also includes a section on the CWC general purpose criterion which, the report states, the UK "has taken a leading role in promoting". The section details measures which the UK has taken to "underpin the implementation" of the general purpose criterion.

17 June US Secretary of Health and Human Services Tommy Thompson announces an additional \$849 million in awards to states, territories, and four major metropolitan areas (New York City, Chicago, Los Angeles County and Washington, DC) to strengthen the ability of government and public health agencies to respond to bioterror attacks, infectious diseases and natural disasters. The money will be used to improve the readiness of the public health sector and other major health care providers to respond to bioterrorism and other public health emergencies. According to CIDRAP News, the announced total confirms a recent HHS decision to take about \$55 million that Congress had earmarked for ongoing state preparedness programs and shift it to three new programs; the Cities Readiness Initiative, a plan to help 21 large cities quickly distribute medicine and supplies in a public health emergency; BioSense, an automated system for detecting bioterrorist attacks and disease outbreaks by monitoring health data; and a plan to add more quarantine stations at international airports.

17 June In Milwaukee, Joseph Konopka, also known as 'Dr Chaos', who had earlier been sentenced to 13 years imprisonment for violation of the US Chemical Weapons Statute [see 13 Mar 03] is sentenced to an additional 10 years in prison for a spate of attacks against property across Wisconsin. Konopka recruited a group of teenagers known as the 'Realm of Chaos' that was responsible for about 28 power failures and 20 other service interruptions at power plants throughout Wisconsin and also set buildings on fire, disrupted radio and television broadcasts and disabled an air traffic control system.

17-18 June In Brussels, the heads of state and government of the 25 European Union member states convene for a summit during which the leaders adopt a statement on criminal sanctions for the illegal export, brokering and smuggling of WMD-related material. The short declaration includes the following: "The Council bodies should consider in particular the measures to be taken in order to more effectively prevent the spread of sensitive goods and technologies. They should also evaluate the existing sanctions under current Member States' legislation or regulations and, if necessary, make recommendations for their convergence."

19 June In Tehran, the Secretary-General of the Iranian Supreme National Security Council, Hasan Rowhani, is interviewed by Al-Jazeera television. During the interview, Rowhani says: "The decision made by the Islamic Republic of Iran not to possess weapons of mass destruction, including nuclear weapons, goes back to many years and not only the near past. Therefore, even during the eight-year war Iraq imposed on us and although Iraq used chemical weapons against Iran, we did not seek the production of nuclear, chemical, or biological weapons." [But see 17 Nov 98.] He continues: "Our decision not to possess weapons of mass destruction is strategic because we believe that these weapons will not provide security for Iran. On the contrary, they will create big problems. Iran exerted huge efforts during the past few years to build bridges of confidence with the states of the region. We absolutely do not want to blow up these bridges by mobilizing our resources to produce weapons of mass destruction. We are confident that our possession of these weapons will force these countries to seek the support of big powers. Consequently, regional security will worsen. This will not serve our national security. Therefore, our efforts focused and continue to focus on building bridges of confidence with the states of the region before focusing on the possession of weapons of mass destruction."

20 June The London *Observer* cites unidentified French investigators as saying that ricin produced by Menad Benchellali before his arrest in Lyon [see 10 Jan] 04] might have found its way to the UK. The newspaper says that Benchellali produced "dozens" of small containers of the toxin and cites French sources as claiming that samples of Benchellali's ricin have been found in the UK and that others are unaccounted for.

21 June In Ukraine, in the western Chernovsti region, construction workers uncover artillery shells, some of which contained chlorine. A statement from the Ministry of Emergency Situations notes that it is the first find of old chemical weapons in Ukraine for five years. The region saw intense fighting during the First World War, the Russian Civil War and the Second World War and chlorine shells were reportedly widely used during 1916-17.

21 June From Bern, the Swiss defence ministry announces that it is sending chemical protection equipment to Athens for the forthcoming Olympics and that it has trained Greek chemical weapons experts to respond to any attacks during the Games. The equipment to be sent is enough for the 18-strong Greek chemical warfare unit.

21 June In Brussels, the Bioterrorism Reporting Group of the New Defence Agenda, a debating and networking centre for defence-related research institutes around Europe, convenes a brainstorming meeting on *Countering Bioterrorism: Prevention and Protection*. The official sponsor of the meeting is smallpox vaccine manufacturer Acambis [see also 21-22

Oct 03]. The next meeting of the Group is scheduled for October with the launch of its Bioterrorism Policy Report in November.

21 June In the UK House of Commons, the Science and Technology Committee publishes a report on its 22 March introductory hearing with the new Director General for Higher Education in the Department for Education and Skills, Professor Sir Alan Wilson. In his report, the Committee criticizes Prof Wilson's apparent ignorance of the Voluntary Vetting Scheme [see 22 Jan]: "We are concerned that the Director General for Higher Education knew little about the Voluntary Vetting Scheme. A successful scheme that helps to prevent the UK becoming a training ground for terrorists needs a coordinated approach from UK universities and Sir Alan must play an active part. We recommend that he takes this up with the Foreign Office." During the hearing, Prof Wilson was also asked whether he was familiar with the impact of the Export Control Act [see 1 May] on science education in the UK. He responded: "I am sorry, that is not an area where I would claim any expertise."

In its subsequent response to the Committee's report, the Government states: "Sir Alan had been in post only 7 weeks at the time of the hearing so he could not be fully briefed on every area of his new responsibilities. However, the Voluntary Vetting Scheme is well known to the Department. Operated by the FCO, it is designed to counter the acquisition of technology by proliferators that would help their weapons of mass destruction and ballistic missile programmes. It does not, and cannot, work to counter terrorism. It is a voluntary scheme by which higher education institutions refer postgraduate students and researchers on courses of concern from countries of concern to the FCO. The FCO then provides a risk assessment to the HE institution concerned. The DfES regularly reminds HE institutions of the importance of compliance in the scheme. This, and awareness raising work undertaken by other Government departments including the FCO, has brought about an increase in the number of referrals made. But we believe more can be done to reform the scheme." The Government's response continues: "The Cabinet Office is leading a Government-wide review of the VVS, working closely with officials in the FCO, the Security Service and the DfES and involving discussions with bodies representative of higher education interests including Universities UK and the Association of Heads of University Administration. The Cabinet Office hopes to publish the outcome of the review in the next few months."

21 June At the National Press Club in Washington, DC, there is a *Project Bioshield Briefing* sponsored by vaccine manufacturer Aventis Pasteur and law firm McKenna Long and Aldridge. Flyers for the briefing state that it will provide "details of Project Bioshield legislation, details on the \$5.6 billion appropriated by Congress, business opportunities in new biodefense contracts and prospects for Bioshield II". The organizer's website states: "As the President prepares to sign Project BioShield (S. 15), we take the first steps towards creating a new industry in America, the BioDefense Industry. This industry will engage the scientific and entrepreneurial talents of America's preeminent life sciences research and development infrastructure to develop medical countermeasures - including diagnostics, therapeutics, and vaccines - to protect us in the event of a bioterror, chemical, or radiological attack."

21 June In the USA, the Marine Corps Systems Command issues a solicitation to determine industry's capabilities to design, develop, produce and support non-lethal mission payload modules for the Gladiator tactical unmanned

ground vehicle and other tactical vehicles and small watercraft. The solicitation defines non-lethal weapons as "weapons that are explicitly designed and primarily employed so as to incapacitate personnel or materiel, while minimizing fatalities, permanent injury to personnel, and undesired damage to property and the environment. Unlike conventional lethal weapons that destroy their targets principally through blast penetration and fragmentation, non-lethal weapons employ means other than gross physical destruction to prevent the target from functioning. Non-lethal weapons are intended to have one, or both, of the following characteristics: a) they have relatively reversible effects on personnel or materiel and, b) they affect objects differently within their area of influence."

21-22 June In Washington, DC, there is the 2004 Carnegie International Non-Proliferation Conference. Among the panels during the conference are ones on "Controlling Deadly Pathogens", "Enforcing Disarmament", "Global Threat Assessment", "Inspections After Iraq" and "The Iraq War's Impact on Proliferation Policy". During the first panel, Tara O'Toole of the Center for Biosecurity at the University of Pittsburgh Medical Center says that creating a new international oversight mechanism for dual-use biotechnology research will be an incremental process and that "it won't matter what the governments do if scientists don't agree to the oversight". Elisa Harris of the Center for International and Security Studies at the University of Maryland argues for a comprehensive, mandatory and global oversight programme with a global body to implement research rules modelled on World Health Organization oversight of smallpox research.

One of the keynote speakers is former UNMOVIC Executive Chairman Hans Blix. On the future of UNMOVIC Blix says: "Perhaps UNMOVIC, with a somewhat modified mandate and with a small core staff of — and a roster of trained inspectors, could become a permanent, relatively low-cost instrument for the Security Council. It might be able to set up and direct inspection teams at short notice, and assist the Council on a continuing basis by providing it analysis and surveys it may need in the more active role that the Council envisages for itself in the sphere of weapons of mass destruction." Blix's concluding remarks focus on his views on the utility of inspections: "Inspections constitute important and impartial search machines with broad rights of access to sites, documents and persons. Although their vision is not unlimited, what they see and report is a vital contribution to the knowledge on which governments and the international community, including the Security Council, must base their conclusions and actions."

21-25 June In Tashkent, the Uzbek government and the OPCW Technical Secretariat with financial assistance from Norway, organize a regional emergency management training course.

22 June In The Hague, visiting Czech Defence Minister Miroslav Kostelka and his Dutch counterpart Henk Kamp sign a document on their intention to cooperate in several areas, including chemical and biological defence. CTK news agency reports that the Dutch are interested in sending troops for training at the Czech chemical, biological and radiological defence centre at Vyskov.

22 June In the USA, the Council for Responsible Genetics launches a campaign for the peaceful development of the biological sciences. A petition, to which signatures are encouraged, begins: "We, the undersigned scientists, physicians, public health specialists, corporate officers, lawyers and peace advocates, are deeply concerned by the current

expansion of United States research on biological weapons agents. ... We believe that the current biodefense expansion has the potential to seriously threaten public safety, international security, and the vitality of open biomedical research, and to drain scarce resources from key public health programs." The signatories of the petition call for a moratorium on the current proliferation of new biological defence laboratories in the USA, a prohibition against the development of novel biological and toxic agents, or the modification of biological agents, to enhance virulence, pathogenicity, or transmission characteristics, for any purposes, including biological defence and a reaffirmation of commitment to the BWC and to the Nuremberg Principles.

22-24 June In Washington, DC, there is the FDA and Bioterrorism Summit organized by the FDA-and-Bioterrorism Institute. According to an Institute press release, the summit will assemble "leading experts in a wide range of terror-related fields, from government and private industry, as well as from law- and security-firms."

23 June In Civitavecchia, Italy, the Ministry of Defence organizes a conference on *Biological Weapons and the Protection of the Military*, sponsored by CL.com and pbinternational.

23 June In Boston, agents from the US Bureau of Alcohol, Tobacco, Firearms and Explosives find explosives and castor beans during a raid on an apartment owned by a man with what is described as "a significant criminal record". The agents had not expected to find the castor beans in Michael Crocker's apartment but subsequently evacuated the building and re-entered wearing biohazard suits. Crocker is held on charges of possession of firearms as a felon and shipping firearms in interstate commerce and prosecutors have reportedly filed no charges in connection with the substances seized in his apartment.

23 June In the US Senate, the Subcommittee on Financial Management, the Budget and International Security of the Committee on Governmental Affairs conducts a hearing on *International Smuggling Networks: Weapons of Mass Destruction Counterproliferation Initiatives*. Testifying before the subcommittee are: Peter Lichtenbaum, Assistant Secretary for Export Administration, Department of Commerce; Mark Fitzpatrick, Acting Deputy Assistant Secretary for Nonproliferation Controls, Department of State; David Albright, President and Founder, Institute for Science and International Security; Michael Moodie, President and Co-Founder, Chemical and Biological Arms Control Institute; Leonard Spector, Deputy Director, Center for Nonproliferation Studies; and Baker Spring, FM Kirby Research Fellow in National Security Policy, Heritage Foundation.

23 June At the Aberdeen Proving Ground in Maryland, US Army emergency responders seal the storage structure at Edgewood Area's Chemical Agent Storage Yard following the detection of mustard agent inside the building. The Army's Technical Escort Unit is investigating the nature of the release. Some days later, the *Baltimore Sun* reports that the cause of the leak has still not been found and that specialists will soon re-enter the building in order to narrow down the search for the leaking container. Once found, the leak will be sealed and the container taken to the nearby Aberdeen Chemical Agent Disposal Facility, where the mustard agent will be drained and neutralized. The leak is the first recorded release from the stored containers in the 60-year history of the chemical stockpile at the Edgewood Area.

23-24 June In France, there is Exercise Apse 04, a French-led simulated air interdiction exercise under the Proliferation Security Initiative.

23-24 June In Washington, DC, there is the third meeting of the joint National Research Council and Institute of Medicine Committee on Advances in Technology and the Prevention of their Application to Next Generation Biowarfare Agents.

23-27 June In Barcelona, there is a conference entitled *Towards a World Without Violence* organized by Fundació per la Pau, International Peace Bureau and Forum Universal de les Cultures Barcelona 2004. On 25 June, under the conference's disarmament strand, there are various panels including "Containing a Shadowy Threat: Reinforcing Biological and Chemical Weapons Treaties" and "Weapons of Mass Destruction: The Threat From States, Non-State Actors and Terrorists". John Borrie of the ICRC speaks at the former panel and Jean-Pascal Zanders of the BioWeapons Prevention Project speaks to both panels.

24 June In the UK, the London *Evening Standard* reports that Parliamentary authorities have confirmed new security measures for the Palace of Westminster following the recent flour bomb attack on Prime Minister Tony Blair on the floor of the House. The new measures allow for the evacuation of the Palace to places within or outside London, detailed procedures for dealing with contaminated mail, and measures to prevent contamination spreading if chemical or biological agents are released in the House of Commons chamber.

24 June In the US House of Representatives, the Subcommittee on the Middle East and Central Asia of the House International Relations Committee convenes a hearing on *Iranian Proliferation: Implications for Terrorists, their State-Sponsors and U.S. Counter-proliferation Policy*. Testifying are: John Bolton, Undersecretary of State for Arms Control and International Security; Peter Flory, Principal Deputy Assistant Secretary of Defense for International Security Affairs; Michael Eisenstadt, Senior Fellow, Washington Institute for Near East Policy; and Paul Leventhal, Senior Advisor and Founding President Nuclear Control Institute.

In his testimony, Undersecretary Bolton quotes from the most recent CIA report on Iranian acquisition of WMD technology [see 10 Nov 03] and adds: "We believe Iran has a covert program to develop and stockpile chemical weapons. ... Although Iran has declared a portion of its CW program to the OPCW, it is time for Iran to declare the remainder and make arrangements for its dismantlement and for the destruction of its chemical weapons." On biological weapons, Bolton also quotes from the recent CIA report, but adds: "Because BW programs are easily concealed, I cannot say that the United States can prove beyond a shadow of a doubt that Iran has an offensive BW program. The intelligence I have seen suggests that this is the case, and, as a policy matter therefore, I believe we have to act on that assumption. The risks to international peace and security from such programs are too great to wait for irrefutable proof of illicit activity: responsible members of the international community should act to head off such threats and demand transparency and accountability from suspected violators while these threats are still emerging. It would be folly indeed to wait for the threat fully to mature before trying to stop it. ... weapons. The overwhelming majority of States Parties abide by these obligations. We believe Iran is not abiding by its BWC obligations, however, and we have made this abundantly clear to the parties of this treaty. It is time for Iran to declare its biological weapons program and make arrangements for its dismantlement."

24 June In Washington, DC, US Undersecretary of State for Arms Control and International Security John Bolton speaks at the American Enterprise Institute on *The Bush Administration's Forward Strategy For Nonproliferation*. He highlights the "degree to which the Bush administration has launched initiatives that do not rely on cumbersome treaty-based bureaucracies, and that work cooperatively with other sovereign states to deny rogue nations and terrorists access to the materials and know-how needed to develop weapons of mass destruction (WMD)." Bolton continues: "Methodically, piece-by-piece, the administration is reinventing the nonproliferation regime it inherited, crafting policies to fill gaping holes, reinforcing earlier patchwork fixes, assembling allies, creating precedents, setting new limits, and changing perceived realities and stilted legal thinking. And it's still building. To this president must go the credit for many long-delayed but indispensable actions to reverse our slide into helpless gridlock and inaction." Bolton also describes US efforts to redirect former weapons scientists in Iraq and Libya. He says: "We have also learned that what we need to fear most in WMD proliferation are not pieces of metal and stocks of supplies, but intellectual capital. It is the capability and knowledge to create successful nuclear, chemical, biological and missile programs that is the hardest to cultivate but once gained, the more real danger. Coupled with money, like seeds and water, intellectual capital is what Saddam was preserving for the WMD-filled future he sought. Eliminating his regime, and redirecting his WMD scientists and technicians, also eliminated that future."

According to a report two days later in the Lebanon *Daily Star*, the Iraqi science ministry has hired 9,000 Iraqi scientists many of whom are being encouraged to submit proposals for projects. In charge of many of them is Alaa al-Saeed who reportedly managed VX work under Saddam and who has been "very cooperative" with the USA.

24 June In the USA, Iraq Survey Group leader Charles Duelfer tells Fox News that the Group has found about 10 or 12 sarin and mustard gas shells in various locations in Iraq. The shells all date from the time of the 1991 Gulf War and their contents have deteriorated. Duelfer also says that resistance fighters within Iraq are trying to recruit experts and acquire resources from Iraq's former weapons programmes for use against US and other occupying forces. Duelfer says: "When we have investigated certain labs and contacted certain former experts in the WMD program, we have found that they are being recruited by anti-coalition groups. They are being paid by anti-coalition groups. We're seeing interest in developing chemical munitions." Referring to the al-Qaeda-connected terrorist Abu Musab al-Zarqawi who it is believed is coordinating attacks on US and other forces, Duelfer says: "I'm just going to say that we're keeping a very close eye on some anti-regime people, and we know of course that Zarqawi has expressed an interest in chemical weapons in the past. So we want to follow that very closely. This is one bad apple. And if he gets his hands on it, he'll use it."

24 June In the USA, the case of the death of former Fort Detrick worker Frank Olson in 1953 re-emerges with claims that current Secretary of Defense Donald Rumsfeld and Vice-President Dick Cheney were involved in a subsequent government cover-up during the 1970s. At the time, Rumsfeld was Chief of Staff to President Gerald Ford and Cheney was a senior assistant to the President. Professor Kathryn Olmstead of the University of California, Davis has discovered documents in the Gerald Ford presidential library in which the men discuss the necessity to limit information about Olson's work on clandestine CBW weapons for the CIA at Fort Detrick.

In one memo, Cheney tells Rumsfeld that, if the truth emerged, "it might be necessary to disclose highly classified national security information." In another memo from Cheney, he says that Olson's job was "so sensitive that it is highly unlikely we would submit relevant evidence on the issue of his duties."

24-25 June In Vienna, the Austrian Ministry of Foreign Affairs hosts a European Union seminar on *Challenge Inspections in the Framework of the CWC*. The seminar is attended by EU member states and other EU partners. The EU member states are working to reach a common position on CWC challenge inspections [see 13 Dec 03].

25-26 June In Ireland, at Dromoland Castle outside Dublin, there is an EU-US summit meeting between US President George Bush, the President-in-office of the European Council, Taoiseach Bertie Ahern, and European Commission President Romano Prodi. During the meeting, the two sides adopt an *EU-US Declaration on the Non-Proliferation of Weapons of Mass Destruction* and an *EU-US Declaration on Combating Terrorism*. In the WMD non-proliferation declaration, the EU and USA reiterate that "the proliferation of weapons of mass destruction (WMD) and their delivery systems is a major threat to international peace and security. The risk that terrorists might acquire such weapons adds a new dimension to this threat." The declaration goes on to support recent non-proliferation initiatives such as UN Security Council resolution 1540 [see 28 Apr], the G8 Action Plan on Nonproliferation [see 8-10 Jun], the Proliferation Security Initiative [see 23-24 Jun] and adds that the EU and USA will "take concrete steps to expand and improve our capabilities to prevent and respond to bioterrorism." In the declaration on combating terrorism, the USA and EU agree to "open a dialogue ... on responding to terrorist attacks, including attacks using CBRN contaminants."

27 June In Bursa, northwestern Turkey, police arrest four men trying to sell what they claim to be mustard gas, so it is reported by Anatolia. Acting on a tip-off, the police posed as buyers and contacted the men. The undercover police agreed to buy 20 tubes of mustard gas, 16 tubes of osmium, and 420 grams of selenium – which had all reportedly been brought from the Nakhichevan Naxcivan area of Azerbaijan – in return for \$3 million. In a search of the men's vehicle following their arrest, Anatolia reports that the police found 20 test tubes full of liquids, solids and power, and a bottle of medicine with '60 ML Multiviton' written on it containing a dark and unidentified substance. All the seized material has been taken to the Turkish Nuclear Energy Research Centre in Cekmece to be analysed. After being questioned by the police, the four suspects are referred to the judiciary for fraud and smuggling.

28 June In Baghdad, the head of the Coalition Provisional Authority Paul Bremer hands over sovereignty of Iraq to the Iraqi interim government led by Prime Minister Iyad Allawi. The transfer comes two days earlier than required by UN Security Council resolution 1546, partly to pre-empt any terrorist attacks planned for 30 June and partly to coincide with the NATO summit in Istanbul which begins today. During the transfer ceremony, Bremer says: "Anybody who has any doubts about whether Iraq is a better place today than it was 14 months ago should go and see the mass graves at Hillah or visit Halabja where Saddam gassed thousands of people or see any of the torture chambers or rape rooms around this country."

28 June In Llandudno, Wales, the British Medical Association convenes its 2004 Annual Representative Meeting at which doctors agree that emergency planning in the National

Health Service is inadequate and urgent action is needed to prepare for a terrorist attack.

28 June US Deputy Secretary of Defense Paul Wolfowitz informs the military services that “to date, the Department’s immunization programs against anthrax and smallpox have been a success. Building on that success and the continued threat of biological attack, it is prudent to expand our immunization programs now.” The immunization programme will thus be extended to personnel in South Korea [see 30 Nov 00], additional personnel serving in US Central Command and selected other groups of individuals. The expansion reflects a recent review of the programmes and the increased amount of anthrax vaccine now available rather than a response to an increased threat. William Winkenwerder, Assistant Secretary of Defense for Health Affairs, tells a press conference two days later that “there is no substantial change to the threat situation.” At the same press conference, Brigadier General David Rodriguez, Deputy Director for Operations, J-3, Joint Staff, is asked whether the decision to include troops in South Korea is based on an assessment of North Korea’s possession of biological weapons. He responds as follows: “It’s a combination of things. You know, obviously, suspected capabilities information, as well as the capability to make this anthrax quickly. It’s not that relatively difficult to do it. So it’s a combination of all those things that led us to say that was a higher threat area.”

The Seoul *Chosun Ilbo* later reports that South Korea does not possess any anthrax vaccine for its troops or civilians. According to an unidentified defence ministry official quoted in the newspaper: “We have tried to purchase anthrax vaccines from the US for the last two or three years, but to no avail. So, at present, we do not have any anthrax vaccines.” An unidentified military official is quoted as saying: “The government is trying hard to develop vaccines. We may be able to produce smallpox vaccines by the end of this year, but as for anthrax vaccines, we are still in the process of development.” The military has only managed to acquire some anthrax antibiotics and smallpox vaccine, according to the newspaper.

28-29 June In Istanbul, the heads of state and government of the 26 NATO countries gather for a summit meeting. The leaders agree an enhanced set of measures to strengthen individual and collective contributions to the international community’s fight against terrorism, including “a greater ability to respond rapidly to national requests for assistance in protecting against and dealing with the consequences of terrorist attacks, including attacks involving chemical, biological, radiological and nuclear (CBRN) weapons and, in this regard, continued robust support for the NATO Multinational CBRN Defence Battalion”. The summit communiqué underlines the importance of the BWC and CWC, states NATO’s “strong support” for UN Security Council resolution 1540 [see 28 Apr] and the Proliferation Security Initiative [see 23-24 Jun].

28-30 June In Vienna, the WMD Commission chaired by Hans Blix convenes for its second meeting [see 29 Jan]. The 15-member commission holds “expert debates and wideranging consultations with the International Atomic Energy Agency and the Executive Secretariat of the Comprehensive Test Ban Treaty Organisation.” On 28 June, Hans Blix addresses the Vienna Diplomatic Academy, making many of the same points he made to the recent 2004 Carnegie International Non-Proliferation Conference [see 21-22 Jun]. The Commission’s next meeting is scheduled for November in Vancouver.

29 June In Kambarka, Russia, there is a ceremony to mark the start of construction of the planned chemdemil facility. The deputy head of the Russian Federal Industry Agency, Viktor Kholstov, tells journalists that the plant’s capacity will be 2.5 tons per year and that Russia will commit 6 billion roubles to the project. Andreas von Mettenheim from the German embassy in Moscow is also present at the ceremony and states that Germany will contribute EUR 33 million to the project before 2008.

29 June In Tehran, Speaker of the Majlis Gholamali Haddad-Adel says that Iran condemns the use of any kind of weapons of mass destruction in general and chemical weapons in particular. He announces that Iran’s Public Culture Council has designated 28 June, the day in 1987 on which the northwestern city of Sardasht was attacked by Iraqi aircraft armed with chemical weapons, as Day of Fight Against Weapons of Mass Destruction and Chemical Weapons.

29 June In the UK, the annual report for 2003-04 of the parliamentary Intelligence and Security Committee is laid before Parliament by Prime Minister Tony Blair. In the introduction to the report, the Committee states: “Terrorist organisations are still attempting to acquire chemical, biological and nuclear materials, as well as the technology to produce them. Should they become better able to use these materials, the threat to the UK, its citizens and its interests would escalate and our ability to cope with such attacks would be in question.”

The report notes that the Secret Intelligence Service (MI6) increased its operational effort allocated to counter-proliferation but the amount of the increase is withheld. The Security Service MI5 devoted 2.7 per cent of its resources to counter-proliferation while the resources dedicated to counter-proliferation by the Government Communications Headquarters were reduced to support a large increase in counter-terrorism work. On Libya, the Committee states: “The detailed intelligence on Libya and its procurement activities, collected by the UK and the USA from all sources over a significant period of time, enabled the UK and USA to demonstrate to the Libyan authorities that they knew about their WMD programmes. Consequently, when the inspectors went to Libya the Libyan authorities, while they tried, were not able to hide their programmes and full disclosure was eventually achieved. This was a major intelligence success.” Reviewing the work of the new Joint Terrorism Analysis Centre (JTAC), the Committee states: “We have previously reported on the great deal of work done by the Agencies and departments to counter the proliferation of WMD and their associated technologies. This is guided by the counter-proliferation strategy, under the control of a group chaired by the Prime Minister’s Foreign Policy Adviser. Following the success of JTAC, we suggest that the Government should consider setting up a similar analysis and assessment body to support counter-proliferation work.”

In its response to the Committee’s report, published a few days later, the Government says that “it will consider carefully whether JTAC’s success holds lessons for the way work is done in other important areas, including counter-proliferation. It will consider the Committee’s specific recommendation alongside any related recommendations that may be made by the Review of Intelligence on Weapons of Mass Destruction, chaired by Lord Butler.”

29 June-2 July At OPCW headquarters, the Executive Council reconvenes [see 23-26 Mar] for its thirty-seventh regular session. [See, further, *Progress in The Hague* above].

30 June In Tehran, there is a national congress on *Review of the Consequences of Application of Chemical*

Weapons. Addressing the congress, Chairman of the Expediency Council and former President Hojjat ol-Eslam val-Moslemin Ali Akbar Hashemi-Rafsanjani says that Iran should “file our legal claims in Saddam’s court on the use of chemical weapons against our people.” He continues: “The West is sensitive in the process of learning science. The ones who accuse us of seeking WMD [see 24 Jun], are active themselves in this field and try to distract people through their media. ... With all our Islamic and human capacity, we stood against the cunning, lying and ruthless enemies who claim today to be supportive of human rights and despite their efforts in expanding WMD, accuse Iran of seeking such weapons.” During the congress, its secretary, Mostafa Qane’i, announces that some 100,000 Iranians have fallen victim to chemical weapons used by Iraq during the 1980-88 war. He expresses his surprise that only 45,000 Iranian chemical weapons victims have been registered by the Martyrs’ Foundation, 15 per cent of whom have been medium to severely affected and 85 per cent of whom suffer minor ailments. He adds that 18 billion tomans is spent annually on caring for the chemical weapons survivors.

30 June In Moscow, Alexander Kharchenko, secretary of the State Chemical Disarmament Commission, tells journalists that the Commission is currently revising Russia’s chemdemil programme due to the lack of promised foreign funding. Karchenko says that Russia’s foreign partners have failed in their commitments to aid Russia: “The existing program is expected to be financed with federal money and with foreign aid in equal amounts. In recent years, however, foreign aid accounted for just 20 per cent of the total. Had all the promised aid arrived, the program would not need revision, because we would have had at least three chemical weapons destruction plants in Gorny, Shushchye and Kambarka.”

30 June In the UK House of Lords, the Science and Technology Committee publishes its report on *Science and Treaties*. Among its conclusions are the following: “Some Government departments have inadequate provision of in-house science, and there is insufficient coordination between them. More must be done to support the Government Chief Scientific Adviser in his efforts to improve collaboration. At every stage of the negotiation process there should be greater input from outside Government—from the academic world, industry and interested organisations. There should be greater Parliamentary scrutiny at a time when it can influence the content of agreements.”

30 June The London *Financial Times* reports that the UK is due to hand over its highest profile Iraqi detainee, Ali Hassan al-Majid [see 17 Jun], also known as ‘Chemical Ali’ to the interim Iraqi government. The UK’s powers of detention over prisoners captured during the invasion ended with the handover of sovereignty to the interim government [see 28 Jun], so al-Majid would either have to be set free or transferred to the Iraqis. The interim government is expected to bring charges against former President Saddam Hussein and 11 other high-profile prisoners including al-Majid tomorrow.

30 June In the USA, Global Security Newswire publishes an interview with Maureen McCarthy, the Director of Research and Development at the Department of Homeland Security. On the subject of whether the biodefence activities of the new National Biodefence Analysis and Countermeasures Center [see 3 Jun] would violate the BWC, McCarthy says: “The treaty is intent-based. Our intent and the intent of all the biodefence programs going on in the nation right now is to develop protective measures to protect the American public. We are and will continue to be fully compliant with the BWC.”

In the interview, McCarthy suggests that the BWC’s exemption for “prophylactic, protective or other peaceful purposes” applies generally to biological defense “work”, including the design and production of delivery devices. An unidentified State Department official is cited as saying that a review of the Center’s compliance with the BWC has not yet been undertaken. McCarthy says that a compliance process to review particular proposals is now being developed. She adds: “I can assure you that inside of the administration and certainly inside of the White House they are very engaged with us in the development of the compliance processes that we’re doing,” she said. The programs we have going on right now I can assure you are compliant and I take personal responsibility for those programs in my office.”

1 July In Iraq, former President Saddam Hussein is charged before the Iraq Tribunal on counts of war crimes and crimes against humanity, including “intended killing by using chemical weapons in Halabjah” [see 18 Mar 88].

Three days subsequently, Iranian Foreign Ministry spokesman Hamid Reza Asefi says that Iran has prepared a complaint against Hussein for Iraq’s 1980 invasion of Iran and for its having used chemical weapons against Iranians during that ensuing war. “We have prepared the complaint and Iran will definitely file the complaint with the Iraqi court,” says Asefi. “We have asked our charge d’affaires in Baghdad to seek explanation from the Iraqis on why the attack on Iran did not feature among the charges against him, even though the judge said the question would be addressed at a later date,” adds Asefi.

1 July In the German Bundestag, a draft law is introduced to amend German implementation of the CWC, the effect thereof being to permit German armed forces to use riot-control agents when undertaking international operations [see 9 Jun]. The move follows the inability of German peacekeepers to prevent a mob from burning down monasteries, etc, during riots in Kosovo earlier this year. The Parliamentary Committee on Foreign Affairs will discuss the draft law later in the year, after which it will be put to a vote in the Bundestag.

1 July In London, the Emergency Planning, Security and Business Continuity Conference takes place as part of the Royal United Services Institute (RUSI) security and resilience programme. Head of Security and Intelligence at the Cabinet Office Sir David Omand delivers the keynote speech.

1 July In Iraq, the Polish Military Information Services (WSI) last month uncovered a number of shells containing cyclosarin and mustard gas, according to US Defense Secretary Donald Rumsfeld [see also 15 May and 24 Jun]. Polish troops had been searching for munitions as part of their regular mission in south central Iraq in May when an informant told them that terrorists had made a bid to purchase the weapons. Rumsfeld says that Head of the Polish Ministry of National Defence Jerzy Szmajdzinski informed him of the discovery a few days ago. The next day, in Warsaw, General Marek Dukaczewski identifies the weapons in question as comprising seventeen Grad rockets and two mortar shells “from the 1980-1988 period, of the type used against Kurds and during the Iraq-Iran war.” Dukaczewski tells reporters they had received information that terrorists were looking for the warheads and had offered \$5,000 each for them. “An attack with such weapons would be hard to imagine. All of our activity was accelerated at appropriating these warheads,” says Dukaczewski. He says that Polish troops were able to thwart

the attempt by purchasing both the rockets and the mortar rounds for an undisclosed sum on 23 June. However, a US military statement states that whilst two of the rockets tested positive for sarin, traces of the agent were so small and deteriorated as to be virtually harmless. "These rounds were determined to have limited to no impact if used by insurgents against coalition forces," the statement reads. It adds that a further sixteen rockets discovered by Polish troops were all found to be empty and tested negative for any type of chemicals. The statement does not, however, reconcile the discrepancy between the US and Polish accounts as to the number of munitions in question.

2 July In Jakarta, on the fourth and final day of the thirty-seventh ASEAN Ministerial Meeting, the chairman of the ASEAN Regional Forum (ARF) issues a statement on non-proliferation of WMD. The statement reads: "ARF participants decided that they will ... encourage the ARF Chair to explore with the ASEAN Secretariat, or, if established, and ARF Unit, whether it would be willing to record requests from ARF participants for assistance in implementing measures to strengthen their respective WMD national authorities and other mechanisms against proliferation of WMD, their delivery systems and related materials and technologies."

2 July In the USA, the Colorado Public Health and Environment Department issues a permit authorizing the commencement of preliminary work – including construction of underground utilities, road paving and building support facilities – on the construction of a pilot chemdemil plant at the Pueblo Chemical Depot. The plant will use robotics to disassemble projectiles containing mustard gas; process the agent with hot water and caustic solutions, such as sodium hydroxide; and neutralize the liquid by-product using biological treatment processes.

5 July In Piraeus, Greece, military forces and law enforcement agencies stage the last large-scale security exercise in preparation for the Olympic Games next month [see also 24-25 Sep 03]. Code-named 'Poseidon's Trident', the purpose of the drill is to test the co-operation and coordination of the forces under a unified command during a crisis.

5 July In the USA, *Newsweek* reports unidentified US intelligence officials as saying that a former member of Osama bin Laden's inner circle – who was a principal source for the claim made by the US administration that Iraq had provided training in "poisons and deadly gases" for al-Qa'ida – has changed his story. Although never mentioning his name, US Secretary of State Colin Powell referred to the claims made by Ibn al-Shaykh al-Libi – who was captured in Pakistan in November 2001 – in his address to the UN Security Council last year [see 5 Feb 03]. Powell stated that a "senior terrorist operative" had said that al-Qa'ida leaders were frustrated by their inability to make chemical or biological agents in Afghanistan and had therefore turned to Iraq for help. He also said that a bin Laden operative seeking help in acquiring poisons and gases had forged a "successful" relationship with Iraqi officials in the late 1990s; and that as recently as December 2000, Iraq had offered "chemical or biological weapons training for two Al Qaeda associates". According to the article, however, the Iraqi officials say that al-Libi has recently changed his story following further interrogation. One such official is quoted as saying: "It's not clear which version is correct. We are still sorting this out."

5-9 July In Kuala Lumpur, the second [see 2 Sep 03] *Asian Crisis Management Conference* takes place, bringing

together more than seventy chemical weapons experts, security officials and policy makers from twelve countries, including Japan, China, Canada, the USA, Singapore, and South Korea. Amongst other things, delegates agree to co-operate on sharing information and expertise to prevent chemical terrorism. The conference is jointly hosted by the Japanese government and the US-backed Southeast Asia Regional Centre for Counter-Terrorism.

6 July From the Middle East, an Islamist group calling itself the Abu Hafsa al-Masri Brigade posts a statement on the Internet claiming responsibility for the traces of ricin found in the office of Senate Majority Leader Bill Frist [see 2 Feb]; it being a trial run for a future attack.

6 July In Cape Town, at the South African Pathology Congress, Chandré Gould and Peter Folb give a joint presentation on *Bioterrorism: The SA Connection*.

6 July In Lyon, France, Interpol announces it has launched a "comprehensive" two-year programme to counter the threat of bioterrorism, following the award of a grant of \$943,000 from the Alfred P Sloan Foundation. The aims of the programme include raising awareness of the threat from bioterrorism among members of the international law enforcement community; developing police training programmes; and helping to strengthen the enforcement of existing legislation. Part of the grant will go towards organizing an international conference in 2005, the emphasis of which will be on the necessity for police to treat the risk of bioterrorism as a global threat; and regional training workshops will also be held for police in Africa, the Americas and Asia. Amongst other things, Interpol will commence identifying gaps in existing national legislation by undertaking a survey of national legislation pertaining to bio-terrorism. "There is simply not enough knowledge of what countries' police forces can and should do to prevent terrorists from acquiring or making biological weapons", says Secretary General of Interpol Ronald Noble.

6 July UK Prime Minister Tony Blair admits for the first time that weapons of mass destruction may not be found in Iraq. He had hitherto only gone as far as saying that he did not know if they would be found [see 11 Jan]. "I have to accept that we have not found them and that we may not find them," says Blair, before the UK House of Commons Liaison Committee. He continues: "[Saddam Hussein] may have removed, hidden or even destroyed those weapons – we do not know and we have to wait for the Iraq Survey Group to complete its findings – but what I would not accept is that he was not a threat, and a threat in WMD terms... I genuinely believe that those weapons were there and that is why the international community came together as they did."

6 July The US Institute of Medicine releases the sixth *Review of the Centers for Disease Control and Prevention's Smallpox Vaccination Program Implementation* by the Committee on Smallpox Vaccination Program Implementation.

6 July In Minneapolis, Minnesota, US Secretary of State for Homeland Security Tom Ridge announces that the University of Minnesota is to receive \$15 million to establish the Homeland Security National Center for Food Protection and Defense. "Researchers here will partner with industry leaders to establish best practices to manage and respond to food contaminations – whether they are intentional or naturally occurring", says Ridge. He continues: "In addition ... Texas

A&M will receive \$18 million to stand up the National Center for Foreign Animal and Zoonotic Disease Defense... These two new centers join the Homeland Security Center for Risk and Economic Analysis of Terrorism Events at the University of Southern California.” Ridge also says that applications are being considered for a fourth centre, which will “study both the behavior of terrorists, as well as the social effects of terrorist threats and attacks on our population.”

7 July In Japan, police arrest four former Aum Shinrikyo members, including a former Tokyo police officer, in connection with the 1995 near-fatal shooting of former Head of the National Police Agency Takaji Kunimatsu. The shooting occurred eight days after the police commenced investigating the sarin gas attack on the Tokyo underground network [see 20 Mar 95]. Police say the arrests follow the discovery of new evidence after an analysis of gunpowder.

7 July An Iranian government advisor says that Iran will not press charges against European states at the Iraq Tribunal [see 1 Jul] for having assisted Iraq with its build up of chemical weapons during the 1980s, unless they step up pressure in relation to Iran’s nuclear programme. In an interview with *The (Beirut) Daily Star*, Mohammed Shariati, an advisor to Iranian President Mohammed Khatami, says: “We do not want to escalate our position against Europe... But if the Europeans escalate the situation [in relation to Iran’s nuclear programme], we might also escalate the situation.”

7 July In Moscow, the head of the leukoses viruses laboratory at the Ivanovski Virology Research Institute of the Russian Academy of Medical Sciences, says that “HIV is very handy for biological terrorism as a very wide-spread virus”. Speaking at an RIA Novosti news conference, Alexei Bobkov says that readily available liquid narcotics in Russia present a danger because they can be infected and then sold on to numerous persons. “This model is very efficient to create panic among the population”, says Bobkov.

8 July In Buffalo, New York, a professor of art charged last week with four counts of telephone and postal fraud for having received bacteria from a scientist to use in a performance art exhibit on biotechnology appears before a federal district court. Charged under US Criminal Code, Title 18, Sections 1341 and 1343, Dr Steven Kurtz, an associate professor of art at the University of Buffalo, faces up to twenty years imprisonment and a \$250,000 fine for each offence. The charges – relating to mail and wire fraud – are normally used against those defrauding others of money or property. The District Attorney had originally sought to bring charges relating to bioterrorism against Kurtz, however, this would have required proving that criminal intent was present. The court appearance of Dr Robert Ferrell, a professor of genetics at the University of Pittsburgh, who supplied Kurtz with the bacteria, is postponed for a week.

9 July The US Senate Intelligence Committee releases its *Report on the US Intelligence Community’s Prewar Intelligence Assessments on Iraq* [see 14 Mar], comprising 511 pages. The report reflects staff analysis of some 15,000 pages of intelligence assessments and source reporting furnished by the Intelligence Community (IC); additional documents requested by the committee; and staff interviews with more than 200 IC personnel. In its unclassified form, the report has many deletions, but it nevertheless presents an extraordinarily detailed picture. A particular focus is on such politically influential occurrences as the statement on Iraqi WMD by Secretary of State Colin Powell before the UN Security

Council on 5 February 2003 and, especially, the National Intelligence Estimate released on 4 October 2002 [q.v.] entitled *Iraq’s Continuing Programs for Weapons of Mass Destruction*.

The conclusions presented on the biological-weapons part of that NIE are as follows:

“[48] The assessment in the [NIE] that, ‘[W]e judge that all key aspects - research & development, production, and weaponization – of Iraq’s offensive biological weapons program are active and that most elements are larger and more advanced than they were before the Gulf War’ is not supported by the intelligence provided to the Committee. [...]

“[49] The statement in the key judgments of the [NIE] that ‘Baghdad has biological weapons’ overstated what was known about Iraq’s biological weapons holdings. The NIE did not explain the uncertainties underlying this statement. [...]

“[50] The statement in the [NIE] that ‘Baghdad has mobile transportable facilities for producing bacterial and toxin biological weapons agents,’ overstated what the intelligence reporting suggested about an Iraqi mobile biological weapons effort and did not accurately convey to readers the uncertainties behind the source reporting. [...]

“[51] The Central Intelligence Agency withheld important information concerning both CURVE BALL’s reliability and [deleted] reporting from many Intelligence Community analysts with a need to know the information. [...]

“[52] The Defense Human Intelligence Service, which had primary responsibility for handling the Intelligence Community’s interaction with CURVE BALL’s [deleted] debriefers, demonstrated serious lapses in handling such an important source.

“[53] The statement in the key judgments of the [NIE] that ‘[C]hances are even that smallpox is part of Iraq’s offensive biological weapons program’ is not supported by the intelligence provided to the Committee. [...]

“[54] The assessments in the [NIE] concerning Iraq’s capability to produce and weaponize biological weapons agents are, for the most part, supported by the intelligence provided to the Committee, but the NIE did not explain that the research discussed could have been very limited in nature, been abandoned years ago, or represented legitimate activity. [...]

“[55] The [NIE] misrepresented [UNSCOM’s] 1999 assessment concerning Iraq’s biological research capability. [...]

“[56] The statement in the key judgments of the [NIE] that ‘Baghdad probably has developed genetically engineered biological weapons agents,’ overstated both the intelligence reporting and analysts assessments of Iraq’s development of genetically engineered biological agents.

“[57] The assessment in the [NIE] that ‘Iraq has dry biological weapons (BW) agents in its arsenal’ is not supported by the intelligence information provided to the Committee.” [...]

The Committee’s conclusions on the chemical-weapons part of the NIE are as follows:

“[58] The statement in the key judgments of the [NIE] that ‘Baghdad has chemical weapons’ overstated both what was known about Iraq’s chemical weapons holdings and what intelligence analysts judged about Iraq’s chemical weapons holdings. [...]

“[59] The judgment in the [NIE] that Iraq was expanding its chemical industry primarily to support chemical weapons production overstated both what was known about expansion of Iraq’s chemical industry and what intelligence analysts judged about expansion of Iraq’s chemical industry. [...]

“[60] It was not clearly explained in the [NIE] that the basis for several of the Intelligence Community’s assessments about Iraq’s chemical weapons capabilities and activities were not based directly on intelligence reporting of those capabilities

and activities, but were based on layers of analysis regarding [deleted] intelligence reporting. [...]

"[61] The Intelligence Community's assessment that 'Saddam probably has stocked at least 100 metric tons and possibly as much as 500 metric tons of chemical weapons agents – much of it added in the last year,' was an analytical judgment and not based on intelligence reporting that indicated the existence of an Iraqi chemical weapons stockpile of this size. [...]

"[62] The Intelligence Community's assessment that Iraq had experience in manufacturing chemical weapons bombs, artillery rockets and projectiles was reasonable based on intelligence derived from Iraqi declarations.[...]

"[63] The [NIE] assessment that 'Baghdad has procured covertly the types and quantities of chemicals and equipment sufficient to allow limited chemical weapons production hidden within Iraq's legitimate chemical industry' was not substantiated by the intelligence provided to the Committee. [...]

"[64] The [NIE] accurately represented information known about Iraq's procurement of defensive equipment."

10 July Palestinian leader Yasser Arafat accuses Israel of possibly having used chemical weapons or uranium bombs during its recent operations in Khan Yunis and Nablus, so reports Turkish TRT 2 television – referring to an interview to be broadcast on TRT 1 in two days time. Arafat says that the possibility arises on the grounds that no-one reported hearing a sound of any weapon during the operations.

11 July Iraqi National Security Advisor Mouwaffaq al-Rubaie says "Iraq officially declares it will be a country free of any weapons of mass destruction". Speaking at a press conference, he says that the interim government will honour, amongst others, agreements banning the use of chemical and biological weapons.

11 July From the UK, BBC television broadcasts *Panorama: A Failure of Intelligence*, which investigates the background of the intelligence relied upon by the UK government in its dossier on Iraq's weapons of mass destruction [see 24 Sep 02]. In an interview, Dr Brian Jones, former branch head in the Scientific and Technical Directorate of the Defence Intelligence Analysis Staff, says that senior officials – rather than the intelligence community as a whole – made misjudgements based on sparse intelligence, and that the Joint Intelligence Committee should accept responsibility [see also 4 Feb]. Commenting on the statement by Prime Minister Tony Blair that he was "in no doubt that the threat [from Iraqi WMD] is serious and current", John Morrison, an advisor to the Parliamentary Intelligence and Security Committee, says: "Well I must say when I heard him using those words I could almost hear the collective raspberry going up around Whitehall." Two weeks later, a spokeswoman for the Cabinet Office says: "Mr Morrison has worked for the committee for five years and his contract will end in October 2004. The committee has no plans to employ a new investigator".

12 July The Israel-based Arab Association for Human Rights (HRA) publishes *By All Means Possible: Destruction by the State of Crops of Bedouin Citizens in the Naqab (Negev) by Aerial Spraying with Chemicals* [see 22 Mar]. The HRA describes it as "the first detailed report into the crop destruction, investigating both the legality of the [Israeli] government's actions and the dangers posed to the local inhabitants' health."

12 July In Dresden, an emergency preparedness and response exercise takes place, the scenario of which MDR

television describes as the exposure of fifteen rail passengers to a "bio-chemical gas". The aim of the exercise is to evaluate the co-ordination of two hundred first responders from seven emergency services, and also to test newly acquired equipment.

12 July In the UK, the independent public inquiry into Gulf War illnesses – announced last month [see 14 Jun] and expected to last for three weeks – convenes for its first veterans and dependents witness day. Six days previously during the opening session, Lord Lloyd of Berwick, had said: "Nobody has as yet suggested that there is a single underlying cause for all the illnesses, nor are all the illnesses identical. So although they are sometimes referred to collectively as 'The Gulf War Syndrome' this may be an inaccurate, or at least insufficient, description. Nor is it now suggested that whatever may have gone wrong in 1991 the Government of the day did other than act with the best of intentions. Our purpose at this stage is to find the facts, not to attribute blame."

It is reported later that Under Secretary of State for Defence and Minister for Veterans, Ivor Caplin, has written to Lord Lloyd, explaining that "it would not be appropriate for Ministers, officials or serving military personnel to attend his investigation." However, Mr Caplin does state that "in the interests of openness" the Ministry of Defence will provide Lord Lloyd with a pack of "all appropriate documents" by the end of July. The inquiry is now expected to invite retired military commanders and officials. Two days later, it emerges that the Ministry of Defence has also written to more than 40 scientists and advisers including those currently paid to research Gulf war illnesses, retired officers and those monitoring the health of troops involved in the 2003 invasion of Iraq asking them not to reveal ongoing findings to Lord Lloyd's inquiry. A letter from the director of the MoD's Veterans Policy Unit, Malcolm Lingwood, includes the following: "It would be inappropriate for the ministry to try to influence your own approach to the investigation. However ... I am sure you understand we would not want to jeopardise the scientific credibility of work still in hand by presenting material before it's been given proper peer review."

12 July US President George Bush restates his support for the principle of pre-emptive self-defence [see 23 Sep 03]. Speaking at Oak Ridge National Laboratory, Tennessee, he says: "To overcome the dangers of our time, America is also taking a new approach in the world. We're determined to challenge new threats, not ignore them, or simply wait for future tragedy... We are defending the peace by taking the fight to the enemy. We will confront them overseas so we do not have to confront them here at home... America must remember the lessons of September the 11th. We must confront serious dangers before they fully materialize."

12 July From the USA, the *Proceedings of the National Academy of Sciences* publishes a report by a team of researchers who have concluded that the best approach for preventing the spread of smallpox following intentional release may rest with the establishment of a major collaborative research effort. Such an effort, they say, will enable the development of new antiviral drugs, involving collaboration between the pharmaceutical and biotechnology industries, universities and government agencies. The conclusions of the report derive from a two-day National Academies workshop last month on *Transforming Biological Information into New Therapies: Smallpox Antivirals* to promote the application of the latest biological information, technology and experience to the study of smallpox.

12-16 July In St Petersburg, Russia, there takes place the annual meeting of the US National Research Council *Committee for Review of Research Proposals for Cooperation with Former Soviet Biological Weapons Personnel and Institutes*. The meeting includes a discussion by the committee of the report *The Future of Biotechnology in Russia*, and comments by Russian reviewers thereon; a review of proposals; future travel to FSU institutes; exchange programme participant introductions; and evaluation of projects.

13 July The Czech Senate approves a request from NATO [see 26 Mar] that the Czech Republic dispatch a hundred anti-chemical warfare specialists to the Athens Olympics in August. The move follows the approval thereof last month by the lower chamber.

13 July In Paris, a study – submitted on this day to the Ministry of Defence – concludes that there is no “specific” illness that can be called ‘Gulf War Syndrome’. “We must nevertheless report that only a quarter of the subjects concerned participated in the study,” writes the lead author of the study, Roger Salamon, a director at the National Institute for Health and Medical Research (INSERM). Avigolfe, an association for French Gulf War victims, claims that six French veterans have died from Gulf War illnesses since the end of the conflict.

13 July In the UK, researchers from the London School of Hygiene and Tropical Medicine have cast doubt on the existence of ‘Gulf War Syndrome’ [see also 13 Jul Paris], according to a study published in *BioMed Central Public Health*. A survey of more than 40,000 former soldiers found veterans of the 1991 Gulf War to be more likely to report symptoms of ill-health; however, similar symptoms were reported by both those who served in the Gulf, and those who did not. The symptoms included mood swings, memory loss, lack of concentration, night sweats, general fatigue and sexual problems. The study finds that Gulf War veterans “were significantly more likely to have reported at least one new medical symptom or disease” than non Gulf War veterans in almost all ill-health categories examined. “In common with results from other studies of [Gulf War veterans] those who stated that they had Gulf War syndrome reported the same types of symptoms as all GWV, but reported them at higher frequencies, providing evidence against a unique syndrome”, the authors of the study say. Funded by the Ministry of Defence, the study found that 61 per cent of Gulf war veterans reported at least one new medical symptom since 1990. This compared with 37 per cent of those who did not serve in the Gulf. More than one in 20 (5.6 per cent) of those who served in the Gulf believed they had Gulf War Syndrome and a further 40 per cent said they were “unsure”.

13 July New York Mayor Michael Bloomberg unveils a \$16 million high-security BSL-3 laboratory to study and defend against infectious diseases. “Today New York faces a different kind, a more dangerous kind, of biohazard: bioterrorism,” says Bloomberg. “This facility is an important addition to the city’s defense against weapons of mass destruction and also natural epidemics.”

14 July Hungary is to despatch a mobile laboratory – able to detect a chemical or biological attack within an hour – to Athens as part of NATO’s efforts to secure next month’s Olympic games [see also 13 Jul]. Announcing the move, Defence Minister Ferenc Juhasz says that the nine-person team of doctors and biologists could analyze any agents used in an attack and develop a response. “This is a special

Hungarian development,” says Juhasz. At a cost of around EUR 1.6 million, the Hungarian military say it is the most sophisticated of its kind. “We can get preliminary results within 30 minutes and confirm the identification of a substance usually within an hour,” says Dr Jozsef Furesz, the head of the Defense Ministry’s biological research division. The Greek government asked NATO to provide security for the games at the organization’s recent summit in Istanbul [see 28-29 Jun]. The laboratory is despatched two weeks later.

14 July In Johannesburg, the BioWeapons Prevention Project (BWPP) convenes a workshop – attended by thirty-two representatives from civil society organizations and government agencies – the purpose of which is to discuss biological weapons issues pertaining to southern Africa. It marks the final stage of a six-month BWPP pilot project – funded by the Norwegian government – the purpose of which has been to initiate discussion in South Africa and other states in southern Africa on the state of the norm against biological weapons.

14 July In Geneva, the Administrative Tribunal of the International Labour Organization hears an application for execution by former OPCW Director General José Bustani, and an application for review by the OPCW, in relation to its ruling last year [see 16 Jul 03]. With regard to the application for execution – which relates to the Tribunal’s order that the OPCW pay Bustani EUR 50,000 in moral damages and EUR 5,000 in costs – the Tribunal rules: “Internal debates and discussions in the Conference of the States Parties [to the CWC] are irrelevant to [the OPCW’s] obligation faithfully and promptly to execute the Tribunal’s judgments... There can be no excuse for the Organisation doing as it has and taking the law into its own hands. It must execute [the judgment] and must pay interest on all sums due at 8 per cent, compounded semi-annually and calculated from the due date to the date of payment.”

In its application for review, the OPCW claimed that only following delivery of the judgment did it learn that Bustani had obtained other remunerative employment as Brazilian ambassador to the Court of St James in London. It had thus claimed that allowing him to keep both the damages awarded and his salary from his new post would amount to unjust enrichment. On this matter the Tribunal rules: “[B]oth parties have displayed a most regrettable lack of candour and good faith in their dealings both with each other and, more importantly, with the Tribunal itself. This is a very grave matter. In the case of [Bustani], he most certainly knew of his appointment long before the pleadings were closed... For its part, the Organisation, by its pleadings in the present case, has not been frank and open with the Tribunal in asserting that it did not know of the complainant’s appointment until after [the judgment] was rendered; the documentary evidence demonstrates this to be a false and misleading representation knowingly or recklessly made in the course of pleadings, a matter which the Tribunal views very seriously... Thus... since both parties appear to be incapable of acting in good faith and like adults, the Tribunal will order that, in executing [the judgment], the material damages are to be considered as being awarded on a monthly basis, payable on the last day of each month, from the date thereof to 12 May 2005; [Bustani] shall account, each month, for his net earnings from other sources for the previous month which amount shall be deducted from the next payment.

Two weeks later, in a letter to the Chairperson of the Eighth Conference of the States Parties to the CWC, Bustani writes: “[H]aving finally obtained a legal ruling on the issue of material damages, I feel now free to renounce my right to the

material damages owed to me by the OPCW under the judgement, including compensation for legal costs, which I shall bear personally. Had the OPCW implemented Decision 2232 immediately after it was handed down by the Tribunal, I would have, at that moment, renounced my right to such damages and to the legal costs... I am duly informing the [Tribunal] of the preceding, which exempts the OPCW from further action."

14 July In the UK, the Butler Inquiry [see 21-24 Mar] releases its *Review of Intelligence on Weapons of Mass Destruction*. Comprising 196 pages, it states that MI6 did not check its sources well enough, and sometimes relied on third hand reports. It also states that the government's dossier on Iraqi WMD [see 24 Sep 02] should not have included the claim that Iraq could use WMD within 45 minutes without explaining that it was referring to battlefield munitions. The Inquiry's findings include: that the 45-minute claim was "unsubstantiated" and limitations of intelligence were not "made sufficiently clear" in the dossier; intelligence was pushed to "outer limits but not beyond" and there was no deliberate distortion by politicians; there was an "over-reliance" on dissident Iraqi sources and human intelligence in general; and, since the war, key claims based on intelligence from agents in Iraq, including claims the Iraqis had recently produced biological agents, had had to be withdrawn because they were "unreliable". Lord Butler – in his opening statement at the press conference scheduled to coincide with the release of the report – says: "The JIC [Joint Intelligence Committee], with commendable motives, took responsibility for the dossier... But this will have put a strain on them in seeking to maintain their normal standards of neutral and objective assessment... Language in the dossier, and used by the Prime Minister, may have left readers with the impression that there was fuller and firmer intelligence than was the case. It was a serious weakness that the JIC's warnings on the limitations of the intelligence were not made sufficiently clear in the dossier. With the benefit of hindsight, making public that the JIC had authorship of the dossier was a mistaken judgement... We were surprised that, as the generally negative results of UNMOVIC inspections became apparent in early 2003, there was no re-evaluation of the quality of UK intelligence."

15 July In Damascus, EU envoy Annalisa Gianella holds talks on weapons of mass destruction proliferation with Syrian Foreign Minister Faruq al-Shara [see 15 Jun]. "The purpose of my visit is to explain to our friends, the Syrians, the security strategy and the strategy against proliferation of WMD which were adopted by EU countries [see 12 Dec 03]," says Gianella after the meeting. The official Syrian news agency quotes Shara as saying "all parties without exception (including Israel) must cooperate to make the Middle East a region free of weapons of mass destruction."

15 July US Assistant Secretary of Defense for Health Affairs William Winkenwerder announces that the anthrax and smallpox vaccination programmes are to be extended to include select units within the US Pacific Command, additional personnel now serving with the US Central Command, and selected other groups of individuals. "The decision to protect additional personnel with these vaccines reflects our concern for their health and safety as well as the continuity of essential operations," says Winkenwerder. He continues: "When we began these vaccination programs we stated that we would periodically review them, evaluating the threats to our forces and vaccine availability. We recently completed such an evaluation and determined that the threat continues. In light of our successful implementation of these

programs and the increased quantities of vaccine, we will include additional forces in the vaccination programs."

16 July The official North Korean KCNA news agency reports the Women's International Democratic Federation for Korea (WDF) as having concluded that the USA used "germ and chemical weapons" during the Korean War. WDF is reported as having conducted an investigation into the "atrocities" committed by the US military in the northern part of Korea during war and to have concluded: "In the beginning of 1952, [the USA] launched a bacteriological warfare against the whole area of the North. In the period from January to March 1952, they made 804 raids on 169 places with various kinds of germ bombs. The number of the aircraft mobilized in the bacteriological warfare was one fourth of those sent to bomb the northern half of Korea and it exceeded 480 at maximum in a day. The US imperialists used more than 20 kinds of germ weapons in the war. It, aimed at the genocide of the Korean nation, was a monstrous crime unprecedented in the world history of war."

16 July From Beijing, the Department of the General Staff of the Chinese People's Liberation Army issues *Provisions on the Appraisal of the Overall Protective Abilities for Nuclear, Chemical and Biological Weapons of Divisions, Brigades and Regiments of the Chinese People's Liberation Army Land Army*. The document – comprising five articles and twenty-six clauses – is intended to bolster the Army's ability to defend itself against weapons of mass destruction.

16 July Russia will not meet its 2007 chemdemil deadline owing to a lack of funds, according to the chairman of the Defence Committee of the Russian Federation Council (Russia's upper house of parliament). Viktor Ozerov says the lack of federal funds will prevent the construction of five new chemdemil facilities – only the facility near Saratov having thus far entered into service – and could result in dangerous chemicals leaking into the environment. Ozerov, who conducted an investigation for the Council, says: "As of today, less than 50 per cent of the budgetary funds, envisioned by the federal programme, have been allocated for the destruction of chemical weapons. Because of this, the scheduled terms of the programme have been put back by more than four years, which will not allow the country to destroy 8,000 tonnes of poisonous substances, a mere 20 per cent of the stockpile, before 2007, as was declared. This is the main rationale behind my inquiry addressed to the Russian prime minister." He says that "only 10 billion roubles (\$343.78 million) of 31.8 billion roubles (\$1.09 billion) envisioned by the programme have been allocated for the construction of the other five [facilities]." Ozerov adds: "There are 32,888 hazardous chemical munitions, including 11,810 air-launched and 21,078 artillery delivered" which should be "urgently destroyed".

18 July In Birmingham, UK, an emergency preparedness and response exercise designed to test the responses of emergency services from the West Midlands, Herefordshire, Staffordshire, Shropshire, Warwickshire and Worcestershire to a chemical attack takes place. With around 2,000 members of the emergency services and 400 volunteer 'casualties' taking part, 'Exercise Horizon' is the largest mock terror attack hitherto staged in the UK. At the end of the exercise, the emergency services announce their intention to review why it took nearly three hours to commence the decontamination of casualties. In this regard, Chief Inspector of West Midlands Police Surjeet Manku, says: "It is a really difficult situation that we have got because you have got to

assess the situation as it evolves and you are not going to rescue people if the rescuers themselves are affected... The purpose of the exercise is to see how quickly we can get our officers together, how quickly they can get their equipment on and how quickly the equipment can be deployed.”

19 July In Delhi, the Supreme Court of India orders the government to distribute the remaining \$325.5 million dollars in compensation to the victims of the leak of methyl isocyanate from Union Carbide’s Bhopal pesticide plant in 1984. Lawyers for the victims say that only a part of the \$470 million in compensation which Union Carbide, now owned by Dow Chemical Co, agreed to pay by way of a settlement in 1989 [see 3 Oct 91] has been paid. Full payment of the compensation was delayed owing to a legal dispute as to the eligibility of different categories of victims to compensations.

19 July In the Israeli Knesset, Israeli chief of military intelligence research, Brigadier-General Yossi Kuperwasser says – during a Foreign Affairs and Defense Committee meeting – that “the possibility certainly exists” that Iran might provide chemical weapons to Hezbollah.

19 July The Slovak Interior Ministry announces that the Slovak radiation and technical reconnaissance unit ‘MODUL 1’ will be on alert at Bratislava’s M R Stefanik airport during the Athens Olympics next month [see also 14 Jul]. The Ministry says that the unit can be on the ground in Athens twelve hours after a Greek request is made. The ‘MODUL 1’ laboratory is able to perform tests for toxic and radiation contamination as well as the weather situation.

19 July In Trowbridge in the UK, the ongoing inquest into the death of Ronald Maddison [see 5 May] is suspended for the day following the submission of a document released by the Ministry of Defence, the contents of which Wiltshire Coroner David Masters rules cannot be revealed publicly. The inquest was originally expected to end this month, but is now expected to run until September.

19-20 July In Yekaterinburg, Russia, there is an emergency preparedness and response exercise the scenario of which is an anthrax attack on the city. Under bombardment, victims being treated in the city’s hospital are evacuated to another city.

19-30 July In Geneva, there takes place the second [see 18-29 Aug 03] Meeting of Experts under the new process established by the 5th BWC Review Conference. During the first week, the experts focus on strengthening and broadening national and international institutional efforts, and existing mechanisms, for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants. During the second week, they address the enhancing of international capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease. The purpose of the meeting is to prepare the ground for the annual meeting of States parties in December.

During the meeting, the UK proposes updating the guidelines and procedures – last refined in 1989 – to the 1982 UN General Assembly resolution that enables the UN Secretary-General to conduct investigations of alleged violations of the 1925 Geneva Protocol. The resolution, however, does not authorize the investigation of alleged development or stockpiling of biological weapons. Richard Lennane, secretary of the Meeting of Experts, describes

reaction to the proposal as “cautious”. Guy Roberts, acting head of the US delegation says the available mechanisms under the BWC and the UN “remain viable and that revisions to their scope or procedures are neither necessary nor appropriate.” He adds that any discussions relating thereto should in any event take place within the UN. [See, further, *Progress in Geneva* above].

20 July In Australia, Philip Flood transmits his *Report of the Inquiry into Australian Intelligence Agencies* – which states that Australian intelligence on Iraqi weapons of mass destruction was “thin, ambiguous and incomplete” – to the Prime Minister John Howard. The report says: “Australia shared in the allied intelligence failure on the key question of WMD stockpiles, with ONA [Office of National Assessments] more exposed and DIO [Defence Intelligence Organisation] more cautious on the subject... Overall, assessments produced by ONA and DIO on Iraq WMD up to the commencement of combat operations reflected reasonably the limited available information and used intelligence sources with appropriate caution.” It further states there to have been “no evidence of politicisation of the assessments on Iraq, either overt or perceived”. The inquiry was established in response to the recommendations of the Jull Committee (Parliamentary Joint Committee on ASIO, ASIS and DSD) [see 1 Mar].

20 July In Brussels, the royal palace, the ministries of defence, justice and the interior, the law courts, and a postal sorting office have all received anonymous envelopes containing a suspicious powder, according to Belgian RTBF Radio 1. An impending investigation into the incident is reported to be considering terrorism as a possibility. Twenty people are reported to have come into contact with the letters and have been examined: five presented symptoms of irritated respiratory channels and eyes. According to the report, the office of the prosecutor will not confirm or deny that notes inside the envelopes demanded the release of the Islamist terrorist Nizar Trabelsi, sentenced to ten years in September 2003 for having prepared an attack on the Kleine Brogel American military base in Belgium.

20 July From the USA, the *Annals of Internal Medicine* reports on the conclusions of a trial conducted by the US Department of Veterans Affairs and the Department of Defense into whether *Mycoplasma* was responsible for illnesses attributed to the 1991 Gulf War. The trial determined that doxycycline treatment has no effect on the health of symptomatic Gulf War veterans, and that serologic evidence of *Mycoplasma* infection was unrelated to health. [See also 13 Jul].

20 July In Maryland, three military personnel from Aberdeen Proving Ground suffer undisclosed symptoms after being exposed to what they later describe as a “black, tar-like substance”, whilst attempting to open a corroded 75mm World War I shell found under a driveway at a poultry farm near Bridgeville. A spokesman for the Army’s Technical Escort Unit subsequently tentatively identifies the contents of the shell as sulphur mustard. Nearly one hundred explosive devices were found in Sussex County driveways between February and April, according to state police. Investigators believed the explosives were dispersed by a haulier who sold clamshells – used for covering driveways – taken from a nearby processing plant.

20 July In Washington, DC, more than two hundred students at George Mason University are following programmes

that offer a Certificate, a Master of Science or a PhD in bioweapons threat and defence, according to ProMed-mail.

20-21 July In Beijing, the fifth Sino-US conference on arms control, disarmament and non-proliferation takes place. During the opening of the conference, Chinese Vice-Foreign Minister Zhang Yesui says that China is teaming up with other countries such as the USA to improve global non-proliferation. He also refers to China having formulated and enacted a number of export control laws and regulations on nuclear, biological, chemical, missile and other sensitive items and technologies [see 14 Oct 02].

21 July US President George Bush signs the *Project BioShield Act of 2004*. The Senate had finally approved the Bill in May, followed last week by the House of Representatives. Prior to signing the Act, Bush says: "Project BioShield will transform our ability to defend the nation in three essential ways. First, Project BioShield authorizes \$5.6 billion over 10 years for the government to purchase and stockpile vaccines and drugs to fight anthrax, smallpox and other potential agents of bioterror... Second, Project BioShield gives the government new authority to expedite research and development on the most promising and time-sensitive medicines to defend against bioterror. We will waste no time putting those new powers to use. Today, Secretary Thompson will direct the NIH to launch two initiatives – one to speed the development of new treatments for victims of a biological attack, and another to expedite development of treatments for victims of a radiological or nuclear attack. Under the old rules, grants of this kind of research often took 18 to 24 months to process. Under Project BioShield, HHS expects the process to be completed in about six months... Third, Project BioShield will change the way the government authorizes and deploys medical defenses in a crisis. When I sign this bill, the Food and Drug Administration will be able to permit rapid distribution of promising new drugs and antidotes in the most urgent circumstances."

22 July In the UK House of Commons, responding to a request made to the Home Secretary that he make a statement on police use of CS gas, Caroline Flint, in a written answer, replies thus: "CS incapacitant spray has been available to police forces in England and Wales since 1996. Currently out of 43 police forces, 40 are using CS incapacitant spray as an item of self-defence equipment."

22 July From the USA, the National Commission on Terrorist Attacks Upon the United States releases *The 9/11 Commission Report*. On preventing the proliferation of weapons of mass destruction, the Commission recommends: "[T]he United States should work with the international community to develop laws and an international legal regime with universal jurisdiction to enable the capture, interdiction, and prosecution of ... smugglers [of weapons of mass destruction] by any state in the world where they do not disclose their activities... The PSI [Proliferation Security Initiative] can be more effective if it uses intelligence and planning resources of the NATO alliance. Moreover, PSI membership should be open to non-NATO countries. Russia and China should be encouraged to participate... The US government has recently redoubled its international commitments to support [the Co-operative Threat Reduction Program], and we recommend that the United States do all it can, if Russia and other countries will do their part. The government should weigh the value of this investment against the catastrophic cost America would face should such

weapons find their way to the terrorists who are so anxious to acquire them."

23 July In Dunhua, in China's north-eastern province of Jilin, two school boys are injured after uncovering a chemical weapon – believed to have been abandoned by the Japanese Imperial Army during the Second World War – near a river [see also 24 May]. Liu Hao suffers serious blistering on his fingers and right leg after prying open the 50cm long shell out of curiosity; the other boy suffers lesser injuries. A statement issued by the Japanese embassy in Beijing five days later expresses sympathy for the victims. A week later, the embassy announces that Japan will despatch a team of experts to the site of the incident so as to undertake an investigation.

23 July Russia has thus far received only one third of its chemdemil funding due from the USA, according to Chairman of the Russian State Commission on Chemical Disarmament Sergei Kiriyyenko [see also 16 Jul]. Speaking to journalists after a meeting of the State Chemical Disarmament Commission, Kiriyyenko says: "Of means provided by the United States, only 30 percent reach Russia. 70 percent is spent by American organizations that control and revise this assistance." In addition, he says that he expects chemdemil financing to be more than doubled in the coming year to 13.2 billion roubles (\$454 million); up from 5.36 billion roubles (\$184 million) this year; and that Russia expects to receive 2.2 billion roubles (\$75.6 million) in foreign financial aid. Kiriyyenko stresses that only the Gorny facility is currently destroying chemical weapons; having completed disposal of its mustard gas, it has hitherto disposed of over eighty tonnes of lewisite.

24 July In Tehran, OPCW Director-General Rogelio Pfiirter makes an official visit. According to the official Iranian IRNA news agency, during a conference with Pfiirter, Iranian Foreign Minister Kamal Kharzai "rebukes the ignorance of those big powers which persuaded the former Iraqi regime to use the chemical weapons during its eight-year war against Iran." Meanwhile, Secretary of the Supreme National Security Council Hasan Rowhani, during his conference with Pfiirter says: "Introducing the countries which supplied Iraq with chemical weapons and gave it the go-ahead to use the deadly weapon against Iranian soldiers would be effective in enforcing the international convention. Otherwise such a disaster will be repeated in future." Pfiirter is reported as having expressed his satisfaction regarding Iran's co-operation with the OPCW.

25 July Syria is attempting to fit medium-range rockets with chemical warheads, and there are some indications Hezbollah is involved therewith – the Israeli Cabinet hears during a briefing by the Head of the Israel Defence Forces Intelligence Branch Ze'evi Farkash – according to the *Jerusalem Post*. [See also 19 Jul]

26 July In Sapporo, Japan, UN Under-Secretary-General for Disarmament Affairs Nobuyasu Abe says that fears of terrorists acquiring WMD following the 11 September attacks now dominate "almost every discussion concerning WMD and other disarmament issues", resulting in a "stalemate". Speaking on the opening day of a four-day meeting marking the opening of the 16th annual UN Disarmament Conference, Abe says: "[S]ome member states did not want the emphasis to be placed only on proliferation questions while leaving disarmament questions untouched." This, he says, "in a way, reflects the basic confrontation underlying the current disarmament debates, which are largely to blame for the stalemate surrounding disarmament issues." Around eighty delegates

from fifteen countries including China, Russia, India, Pakistan, the USA, Japan and South Korea attend the meeting.

26 July In Damascus, Syrian Foreign Minister Farouq Sharaa says that the EU has recognized it had made a "mistake" by insisting on the WMD clause in the EU-Mediterranean joint political and economic pact. "I believe [the EU] have started to shift closer to our point of view, and I do not rule out that between now and September there may be a new thing regarding the Syrian European partnership, toward signing," says Sharaa. The next day, the Lebanese *Daily Star* quotes an unidentified Beirut-based European diplomat as saying that the EU has "somewhat diluted" the clause by "rephrasing" it, but that it was really the Syrians that "gave in", not the EU. Syria commenced talks with the EU, to join the agreement, in October 1997. The two sides announced in December that major negotiations were over, however, in May, the UK, Germany and the Netherlands insisted on a firmer commitment from Damascus to renounce WMD. Last year, the EU decided to add the renunciation of nuclear, chemical and biological weapons as a standard clause in agreements with third countries.

26 July Poland has committed fifty-two chemical contamination specialists from its fifth chemical battalion under NATO's Distinguished Games project at next month's Olympic Games in Athens [see also 19 Jul], according to PAP news agency.

26 July The UK Home Office launches a campaign via an advice booklet – to be sent to every household – and a series of radio and television adverts to prepare the public for potential terror attacks and other emergencies. The 22-page booklet, entitled *Preparing for Emergencies: What You Need to Know* – has first aid advice, contact numbers and practical tips such as keeping supplies of tinned food, bottled water and batteries. A Home Office spokesman says the campaign, costing £8.3 million, is not in response to a specific or heightened threat.

28 July Tokyo High Court upholds the death sentences of two former members of Aum Shinrikyo, and the life sentence of another, convicted for their roles in the 1995 sarin attack on the Tokyo underground networks [see 20 Mar 95]. Four years ago, Toru Toyoda and Kenichi Hirose – two of the five persons who actually released the agent – were sentenced to death by hanging; Shigeo Sugimoto, who drove the getaway car for a third attacker, Yasuo Hayashi, was sentenced to life imprisonment [see 17 Jul 00]. A total of thirteen former cultists have been sentenced to death for the attack although none of these sentences have yet been executed. [See also 28 May]

28 July In Japan, there is published *Dokugasusen to Nihongun: Gas Warfare and the Japanese Military Forces* by Yoshiaki Yoshimi, which cites a recently discovered document as showing that the Japanese Imperial Army tested cyanide gas on Australian and Dutch East Indies prisoners of war in 1944 in Indonesia's Kai Islands. The 400-page document is a compilation of records on trials of Japanese war criminals by the Australian military held in Hong Kong on 15 July 1948. The document states that in November 1944 a lieutenant in charge of poison gas at the No 5 Division of the army threw bottles of cyanide gas – designed for anti-tank warfare – on an Australian Flight Lieutenant Arthur Douglas Nelson and Sergeant F Engelsman of the Dutch East Indies air force. Yoshimi is a professor at Chuo University and an expert on

modern Japanese history.

28 July The UK Foreign and Commonwealth Office releases its quarterly report on *Strategic Export Controls*, covering the period January to March 2004. Following on the heels of the release of its annual report for 2003 on the matter [see 7 Jun], it is the first in a new series of quarterly reports on strategic export controls [see also 1 May]. Excluding exports to EU member states, it refers to licenses for "biological detection equipment" as having been granted for exports to Australia and Chile. Excluding exports to EU member states, it refers to licenses for "chemical agent detection equipment" and other related components, as having been granted for exports to Australia, Bolivia, Brazil, Brunei, Canada, India, Japan, Kuwait, Malaysia, New Zealand, Saudi Arabia, Serbia and Montenegro, Singapore, Switzerland, Thailand, Turkey, and the USA. An export licence for "tear gas/riot control agents" was granted for Germany.

28 July From the UK, the BBC *Newsnight* programme reports on a research chemist who defected from North Korea two years ago, having taken part in tests using para-cyano-nitrobenzene (NP100) on political prisoners [see also 1 Feb]. Identified only as 'Dr Kim', the chemist says: "Experimentation on the human body started in 1979 for me... The victims were sat on a small mat [in glass cubicles]... The poison liquid is for killing people. First it paralyses the central nervous system, then the blood coagulates, then the heart stops, then mental disorder comes. These were the medical effects we witnessed... The injection tube is installed in the cubicle. When we press the button on the machine the compressor injects gas into the cubicle which is sealed airtight. Through this pipe gas is being injected... The purpose of this experiment was to determine how long it takes for a human being to die when x amount of gas is put into x cubic metres of space. Since this was for military purposes we wanted to determine how much gas is necessary to annihilate the whole city of Seoul."

28 July In the UK, Cranfield University opens a new resilience centre - to be run in conjunction with the UK Defence Academy - which will, amongst other things, assess chemical, biological and nuclear protection procedures.

28 July The US Food and Drug Administration (FDA) announces that two jars of baby food, discovered on 31 May and 16 June to contain ground-up castor beans with trace amounts of ricin, have been tampered with. It says, however, that tests undertaken by it on the jars of Gerber Banana Yoghurt have shown that the ricin was not in purified form; rather, it was a less toxic, natural component of the beans. "It's unlikely there would be serious injury with the level of castor bean found in those two jars we tested," says FDA Chief Medical Officer at the Center for Food Safety and Applied Nutrition David Acheson. He says that small quantities of the food were eaten, but the babies exhibited no symptoms, adding that the jars contained notes warning of the contamination and referring to an Irvine police officer. The exact contents of the notes are not disclosed. The products had been purchased from a shop in Irvine, California.

This Chronology was compiled by Nicholas Dragffy and Daniel Feakes from information supplied through HSP's network of correspondents and literature scanners.

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