COMMON POSITION

of 4 March 1998

defined by the Council on the basis of Article J.2 of the Treaty on European Union, relating to progress towards a legally binding Protocol to strengthen compliance with the Biological and Toxin Weapons Convention (BTWC) and the intensification of work in the *Ad Hoc* Group to that end

(98/197/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article J.2 thereof,

Whereas the Council defined on 25 June 1996 Common Position 96/408/CFSP relating to the preparation of the Fourth Review Conference of the Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction (BTWC) [1],

HAS DEFINED THIS COMMON POSITION:

Article 1

The objective of this Common Position shall be to promote the early and successful conclusion of the negotiations, in the BTWC *Ad Hoc* Group, on a legally binding Protocol establishing a verification and compliance regime which will effectively strengthen the Convention.

Article 2

1. For the purposes laid down in Article 1, Member States consider that the negotiations on a Protocol to the BTWC should be a high priority for the international community in 1998, and shall actively promote decisive progress in the work of the *Ad Hoc* Group, with a view to concluding the substantive negotiations by the end of 1998, so that the Protocol can be adopted by a Special Conference of States Parties early in 1999.

2. Member States consider it essential that the necessary time should be allocated to the negotiations of the *Ad Hoc* Group, so as to allow their early conclusion. Member States will press in the *Ad Hoc* Group for sufficient time to be allocated.

3. Member States shall, in particular, work together to promote agreement in the negotiations on the following measures, including verification measures, which are both central and essential to an effective Protocol to strengthen compliance with the BTWC:

— declarations of a range of facilities and activities of potential relevance under the Convention, *inter alia* so as to enhance transparency,

— provision for visits to facilities in order to promote accurate and complete declarations and thus further enhance transparency and confidence,

— provision for rapid and effective investigations into concerns over non-compliance, including both facility and field investigations,

— a cost-effective and independent organisation, including a small permanent staff, capable of implementing the Protocol effectively.

4. Member States shall also continue to promote the universality of the Convention.

Article 3

The action taken in support of the objectives set out in Articles 1 and 2 shall include:

— the pursuit by Member States of joint positions in the negotiations, including where appropriate the tabling of specific papers and proposals for submission in the *ad hoc* Group, in particular on the central areas and elements identified in Article 2(3),

— démarches by the Presidency, under the conditions laid down in Article J.5(3) of the Treaty, with regard to States Parties, in order to urge their support for the objectives in Article 2 of this common position,

— démarches by the Presidency, under the conditions laid down in Article J.5(3) of the Treaty, with regard to States which have not yet signed, and States which have signed but not yet ratified, the BTWC, in order to promote the universality of the Convention,

[1] OJ L 168, 6.7.1996, p. 3.

— contacts between the Governments of Member States, the Commission and industry, including seminars, with the aim of furthering understanding between representatives of European industry and those involved in the negotiations in the *Ad Hoc* Group.

Article 4

This Common Position shall enter into force on the date of its adoption.

Article 5

This Common Position shall be published in the Official Journal.

Done at Brussels, 4 March 1998.

For the Council

The President

G. BROWN