

**Meeting of the States Parties to the Convention
on the Prohibition of the Development,
Production and Stockpiling of Bacteriological
(Biological) and Toxin Weapons and on Their
Destruction**

6 August 2015

English only

2015 Meeting

Geneva, 14-18 December 2015

Meeting of Experts

Geneva, 10-14 August 2015

Item 8 of the provisional agenda

**Biennial item: how to strengthen implementation
of Article VII, including consideration of detailed
procedures and mechanisms for the provision of
assistance and cooperation by States Parties**

Implementation of Article VII

Submitted by South Africa

I. Introduction

1. In 2014 2014 South Africa submitted two papers containing proposals and comments on the implementation of Article VII.
2. The purpose of this paper is to refine and add the proposals and comments received.

II. Discussion

Objective

3. The primary objective of Article VII is to provide assistance to a State Party that has been exposed as a result of a violation of the Convention. Therefore, the sole purpose of the assistance provided in terms of this article should be humanitarian in nature.

Principle

4. Due to the humanitarian objective of this article the provision of assistance should not be subjected to an investigation of alleged use, while it is accepted that an investigation of alleged use should follow the provision of assistance. Time will be of essence in the provision of assistance and since it will already be subjected to United Nations Security Council (UNSC) approval, there is no need for an investigation to confirm the need for assistance. Furthermore, an investigation of alleged use may take so long that the assistance will be too late when finally approved.



Guidelines

5. The information provided to the UNSC with the request for assistance will play a crucial role in helping the UNSC to come to a speedy decision. The requesting process followed to apply for assistance as well as the information provided to support the application is the prerogative of the State Party requiring the assistance. The following information could be useful for such an application:

- (a) Name of the State Party;
- (b) National point of contact of State Party;
- (c) Date and place of the first reported case. If there was a related event, a description of the event. To the extent possible, the date and time, when the alleged event(s) took place and/or became apparent to the requesting State Party and, if possible, the duration of the alleged event(s);
- (d) Severity of the event. Number of cases and the number of fatalities, if any;
- (e) Symptoms and signs – diagnosis if possible. Information on the initial treatment and the preliminary results of the treatment of the disease;
- (f) A description of the area involved;
- (g) All available epidemiological information;
- (h) Actions taken to manage the outbreak;
- (i) International organisations already involved in providing assistance;
- (j) States already involved in providing assistance;
- (k) Indications of why the outbreak is considered to be the result of a biological attack;
- (l) Characteristics of the agent involved, if available;
- (m) Types and scope of assistance required;
- (n) Indication of any investigations conducted or being conducted;
- (o) Contact details for coordination of assistance if different from National Point of Contact;
- (p) Licensing requirements for health care personnel and measures to address such requirements.

III. Command and control**Principle**

6. The State Party remains primarily responsible for the health care of its population and, hence it should be in overall control of all response activities.

Guideline on levels of response

7. The level of response will depend on the nature of the disease, the geographical area where the outbreak occurred, the status of the public health system of the State and the potential of international effects. Generally it can be accepted that the health systems (human, veterinary and plant) of the State will always be the first line of response. Responses from neighbouring states, regional and international actors will be determined by the factors listed above. International organisations particularly the WHO and OIE will

become involved at an early stage due to their presence and their involvement with States. In most cases assistance in accordance with Article VII will be additional to and following the assistance provided by international organisations. The State may at any time request an international organisation (WHO, OIE) or other state to assume command on its behalf.

Licensing of medical personnel

8. The requesting State Party should provide temporary licences to health care personnel upon arrival if required.

IV. Laboratory samples

Guideline

9. The existing procedures for sample handling should be utilised during Article VII assistance. The State Party remains the owner of all samples collected during the provision of assistance.
