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All States Parties to the  
Biological and Toxin Weapons Convention

1. The Formal Consultative Meeting of States Parties to the Biological and Toxin Weapons Convention held from 25-27 August 1997 agreed that the Chairman and the Vice-Chairmen should consult in order as far as possible to clarify and resolve any outstanding issues related to the concerns raised by the Government of Cuba and that the Chairman should report in writing on the outcome of these consultations to all States Parties by 31 December 1997. As Chairman, I have the honour to submit the following report to all States Parties, in fulfilment of this mandate.
2. The Formal Consultative Meeting agreed that States Parties who wished to do so should provide to the Chairman by 27 September 1997 a submission containing their observations, including from national technical experts, on the information provided by the meeting to the Governments of Cuba and the United States.
3. By the deadline, I had received submissions from the governments of Australia, Canada, China, Cuba, Democratic People's Republic of Korea, Denmark, Germany, Japan, Netherlands, New Zealand, Viet Nam and Hungary. Copies of these submissions are annexed to this letter.
4. I convened a meeting with the six Vice-Chairmen (the Ambassadors or representatives of Brazil, Canada, Iran (Islamic Republic of), Netherlands, Nigeria and Russian Federation) on 7 October to consider these submissions. On that occasion, it was agreed that I should send copies of all



the submissions to the governments of Cuba and the United States and enquire whether, in their view, the further submissions had assisted in clarifying or resolving the concerns raised by Cuba. At the same time, I should make clear that I was available, if they wished, to meet their representatives to receive any further comments which they might wish to make.

5. I subsequently received replies from Ambassador Mahley of the United States, dated 20 October, and from Ambassador Amat of Cuba, dated 22 October. Copies of these letters are annexed. The former stated the view of the Government of the United States that no causal linkage between the infestation in Cuba and the overflight by a US aircraft had been demonstrated and that no further action on this issue was warranted or required. The latter stated the view of the Government of Cuba that the arguments put forward by the United States at the Formal Consultative Meeting were inadequate, lacking in objectivity and had done nothing to dispel the Cuban concerns. I also had a short meeting with the Deputy Minister of Foreign Affairs of Cuba, Senora Maria Florez, at her request, at which she reiterated that her Government continued to adhere to the suspicions which had given rise to the original complaint.

6. I forwarded copies of these letters to the Vice-Chairmen, and informed them of my meeting with the Cuban Deputy Foreign Minister. I convened a further meeting of the Bureau on 27 November to consider these latest communications. I also invited any reactions from their technical experts on the information contained in the submissions received earlier. Some members of the Bureau stated that further examination of the evidence in their capitals had confirmed their view that there was no causal link between the overflight of the US aircraft and the insect infestation in Cuba. Other members of the Bureau stated that the technical complexity of the issue and the lack of further detailed information made it impossible to draw any definitive conclusions.

7. On the basis of the above, I wish to report to States Parties that, due inter alia to the technical complexity of the subject and to the passage of time, it has not proved possible to reach a definitive conclusion with regard to the concerns raised by the Government of Cuba.

8. I would, however, emphasise that there has been general agreement throughout the process that the requirements of Article V of the Convention and of the consultative process established by the Third Review Conference have been fulfilled in an impartial and transparent manner.



9. The Bureau agreed that the experience of conducting this process of consultation had shown the importance of establishing as soon as possible an effective Protocol to strengthen the Convention which is being negotiated in the Ad Hoc Group.

10. The Bureau held a final meeting on 15 December to agree on the terms of this report.

A handwritten signature in black ink, appearing to read 'S I Soutar'.

S I Soutar  
Ambassador