BIOLOGICAL WEAPONS CONVENTION COMPLIANCE REPORT - Norway

Norway signed the Convention on 10 April 1972 and ratified it on 1 August 1973

Article I
Each State Party to this Convention undertakes never in any circumstances to develop, produce, stockpile or otherwise acquire or retain: ***(1)*** *microbial or other biological agents, or toxins whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes; (2) weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.*

Norway has never developed, produced, stockpiled or otherwise acquired or retained microbial or other biological agents or toxins of types or in quantities that have no justification for prophylactic, protective or other peaceful purposes, nor has it ever developed, produced, stockpiled or otherwise acquired or retained weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

Article II
Each State Party to this Convention undertakes to destroy, or to divert to peaceful purposes, as soon as possible but not later than nine months after the entry into force of the Convention, all agents, toxins, weapons, equipment and means of delivery specified in Article 1 of the Convention, which are in its possession or under its jurisdiction or control. In implementing the provisions of this Article all necessary safety precautions shall be observed to protect populations and the environment.

Norway has never had an offensive biological research, development or production programme or otherwise acquired biological weapons, and, accordingly, has had no need to destroy or divert to peaceful purposes any biological weapons, as required under this Article.

Article III
Each State Party to this Convention undertakes not to transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organisations to manufacture or otherwise acquire any of the agents, toxins, weapons, equipment or means of delivery specified in Article I of the Convention.

Norway complies fully with the undertaking not to transfer or in any way assist, encourage or induce any other States or organisations to manufacture or otherwise acquire biological weapons. This is reflected in a number of Acts and Regulations, which are listed below.

All Acts and Regulations are available in Norwegian at www.lovdata.no. An English version of many Norwegian acts and regulations is available at https://lovdata.no/info/information_in_english, but these are not official translations, and in many cases they have not been updated to include the latest amendments.

The implementing agencies are Norwegian Customs Authorities, the Norwegian Food Safety Authority, the Ministry of Foreign Affairs, and the Norwegian Police Security Service.

a) Act relating to control of the export of strategic goods, services, technology, etc., (Export Control Act) (LOV-1987-12-18-93, as amended 2021). Under this Act, an export licence is required to export certain goods.

(b) Act relating to the regulation of imports and exports (LOV-1997-06-06-32, as amended 2022).

(c) Act on Customs Duties and Movement of Goods (Customs Act) (LOV-2007-12-21-119, as amended 2022).

(d) Act relating to the control of communicable diseases (LOV-1994-08-05-55, as amended 2015; updated English translation not available). This Act sets out measures to prevent communicable diseases from being brought into the country or spread to other countries (quarantine measures), including measures in respect of persons, animals, means of transport, goods and objects that may conceivably transmit communicable diseases. The Act also contains provisions on measures such as compulsory medical examinations and disinfection, as well as documentation requirements in connection with entry into and departure from Norway and in connection with the import and export of goods.

(e) Act relating to food production and food safety etc. (Food Act) (LOV-2003-12-19-124, as amended 2022; updated English translation not available). Under the Food Act, the Norwegian Food Safety Authority is responsible for ensuring compliance and may make the necessary decisions to ensure the implementation of the Act. This includes prohibiting imports, exports, and trade in plants/animals/food, or ordering the withdrawal of such products from the market, the closure of premises, isolation, killing of animals, destruction, disinfecting, labelling/stamping or other special measures.

(f) The Norwegian Penal Code (LOV-2005-05-20-28, as amended 2022). Section 142 prohibits the acquisition, possession, transport, transfer, production, use, or other illegal involvement with biological weapons and any equipment meant for their production/use or delivery. Sections 107-108 make it a war crime to use or conspire to use biological weapons in armed conflicts. Chapter 18 prohibits inter alia terrorist use of biological weapons, acting as an accomplice to acts of terrorism, participation in or recruitment to terrorist organisations, training, and incitement to acts of terrorism, and the financing of terrorism. Sections 237-240 prohibit the spread of disease, the use of poison, and the pollution of air, water, or the ground with a view to endangering life and the environment. Sections 355-357 make it illegal to expose or conspire to expose the public to any serious danger that could easily lead to the loss of human life.

(g) Regulations to the Act on Customs Duties and Movement of Goods (Customs Regulations) (FOR-2008-12-17-1502, as amended 2016), regulating the powers of the customs authorities to seize, destroy or dispose of any illegally imported substances and impose sanctions in connection with attempted illegal export; and Export Control Regulations (FOR-2013-06-19-718) and Act relating to control of the export of strategic goods, services, and technology.

(h) Regulations relating to the export of defence-related products, dual-use items, technology, and services – Implementing legislation. Laid down by the Ministry of Foreign Affairs on 19 June 2013 (FOR-2013-06-19-718).

(i) Regulations on the notification of, and measures to be taken in the event of, serious events of significance for international public health (the IHR Regulations) (FOR-2007-12-21-1573, as amended 2015).

(j) Regulations on the import, transport and other handling of materials that are infectious to humans (FOR-1996-09-12- 903, as amended 2013).

(k) Regulations amending the regulations on plant health (FOR-2016-03-29-327, as amended 2022), which impose restrictions on the production, transport, packaging, import and export of plants.

(l) Regulations on Animal Health (FOR-2022-04-06-631); the Germinal Products Regulation (FOR-2022-04-06-630), The Terrestrial Animal Traceability regulation (FOR-2022-04-07-637) The Animal Import Regulation (FOR-2022-04-06-633). Regulation (EU) 2016/429. Article 240 regulates entry of disease agents into the EEA. Regulation on health certificates (FOR-2022-04-06-627) and the Regulation (EU) 2021/403 on the movement of terrestrial animals within the EEA (FOR-2022-04-07-636)

(m) Regulations on official control to ensure compliance with the regulations for food, feed, pesticides, animal health and animal welfare (FOR-2020-03-03-704 as amended in FOR-2022-07-09-1360, and FOR-2022-06-02-1010). Regulation concerning official controls- general requirements for official controls - Regulation (EU) 2019/2123, Regulation (EU) 2019/2126, Regulation (EU) 2019/2129 and Regulation (EU) 2019/2130 (FOR-2020-03-09-708).

Article IV

Each State Party to this Convention shall, in accordance with its constitutional processes, take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of the agents, toxins, weapons, equipment and means of delivery specified in Article I of the Convention, within the territory of such State, under its jurisdiction or under its control anywhere.

Norway fulfils the requirements set out in Article IV on national implementation through a number of Acts and Regulations, which are directly or indirectly in compliance with the Convention. In addition to the Acts and Regulations mentioned under Article I, this includes:

(a) The Norwegian Penal Code (LOV-2005-05-20-28, as amended 2016). Section 142 prohibits the acquisition, possession, transport, transfer, production, use, or other illegal involvement with biological weapons and any equipment meant for their production, use or delivery. Sections 107-108 make it a war crime to use or conspire to use biological weapons in armed conflicts. Chapter 18 prohibits inter alia terrorist use of biological weapons, acting as an accomplice to acts of terrorism, participation in or recruitment to terrorist organisations, training and incitement to acts of terrorism, and the financing of terrorism. Sections 237-240 prohibit the spread of disease, the use of poison, and the pollution of air, water or the ground with a view to endangering life and the environment. Section 355-57 make it illegal to expose or conspire to expose the public to any serious danger that could easily lead to the loss of human life.

(b) Act relating to the Production and Use of Genetically Modified Organisms, etc. (Gene Technology Act) (LOV-1993-04-02-38, as amended 2015). This Act imposes strict controls on the production and use of genetically modified organisms.

(c) Act relating to the application of biotechnology in medicine (LOV-2003-12-05-100, as amended 2015). This Act imposes strict controls on the use of biotechnology.

(d) Act relating to the prevention of fire, explosion and accidents involving hazardous substances and to the tasks of the fire service (LOV-2002-06-14-20, as amended 2015). This Act imposes strict controls on the production and handling of hazardous substances and dangerous goods.

(e) Act relating to aviation (LOV-1993-06-11-101, as amended 2016).

(f) Act relating to harbours and territorial waters (LOV-2009-04-17-19, as amended 2015).

(g) Regulations relating to impact assessment pursuant to the Gene Technology Act (FOR-2005-12-16-1495, as amended 2013).

(h) Regulations relating to the labelling, transport, import and export of genetically modified organisms (FOR-2005-09-02—1009, as amended 2013).

(i) Regulations concerning the declaration and labelling of microbiological products (FOR-1998-01-22-93, as amended 2013).

(j) Regulations relating to the land transport of dangerous goods (FOR-2009-04-01-384, as amended 2022).

(k) Regulations relating to the air transport of goods (FOR-2003-01-11-41, as amended 2013).

(l) Regulations relating to environmental safety for ships (FOR-2012-05-30-488, as amended 2015).

(m) Regulations relating to the unloading, loading, storage and transport of dangerous goods in municipal coastal areas and harbours (FOR-2009-12-15-1543, as amended 2013).

(n) Regulations relating to the conduct of investigations to identify communicable diseases (FOR-1998-12-22-1432, as amended 2013).

(o) Regulations concerning infectious waste from the health sector and animal health sector (FOR-2005-10-11-1196, as amended 2021).

Article V

The States Parties to this Convention undertake to consult one another and to co-operate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention. Consultation and co-operation pursuant to this Article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

In accordance with the relevant decisions of States Parties at the Second, Third, Sixth, Seventh and Eight Review Conferences of the Convention, Norway has annually submitted the declaration forms on Confidence-Building Measures to States Parties through the BWC Implementation Support Unit (ISU) under the UN Office for Disarmament Affairs. The Norwegian declarations on Confidence-Building Measures are available to the public. Norway also participated in the article V Consultations 5 to 9 September 2022 as requested by the Russian Federation.

Article VI

(1) Any State Party to this Convention which finds that any other State Party is acting in breach of obligations deriving from the provisions of the Convention may lodge a complaint with the Security Council of the United Nations. Such a complaint should include all possible evidence confirming its validity, as well as a request for its consideration by the Security Council.
(2) Each State Party to this Convention undertakes to co-operate in carrying out any investigation which the Security Council may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Council. The Security Council shall inform the States Parties to the Convention of the results of the investigation.

Norway has not lodged any complaints with the UN Security Council regarding any breaches of the obligations under the Convention by any other States Parties, nor has any other State Party lodged a complaint under Article VI against Norway.

Norway has nominated two Qualified Experts to the United Nations Secretary General's Mechanism (UNSGM) roster. Both are actively participating in different training events within the framework of the UNSGM. Their assistance can be requested by the UNSGM through the Norwegian authorities in accordance with the standard request procedures. Norway has also nominated one Designated Laboratory to the UNSGM roster. This laboratory continuously participates in the proficiency tests that are organized within the framework of the UNSGM. Norway also takes part in the UNSGM Group of Friends that are working to strengthen and operationalize the UNSGM.

Article VII

Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.

Norway has not received any requests for assistance under Article VII from other States Parties, nor has it requested assistance under Article VII from any other State Party.

Article VIII

Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

Norway ratified the 1925 Geneva Protocol on 27 July 1932.

The Norwegian Penal Code (LOV-2005-05-20-28, as amended 2022). Section 142 prohibits the use of or other illegal involvement with biological weapons. Sections 107-108 make it a war crime to use or conspire to use biological weapons in armed conflicts. Chapter 18 prohibits inter alia terrorist use of biological weapons, acting as an accomplice to acts of terrorism, participation in or recruitment to terrorist organisations, training, and incitement to acts of terrorism, and the financing of terrorism. Section 141 prohibits the use of biological weapons on or against an aircraft, a ship or installations or facilities on the continental shelf and the release of biological weapons from an aircraft, a ship or installations or facilities on the continental shelf. Sections 237-240 prohibit the spread of disease, the use of poison, and the pollution of air, water, and the ground with a view to endangering life and the environment. Sections 355-357 make it illegal to expose or conspire to expose the public to any serious danger that could easily lead to the loss of human life.

Article IX

Each State Party to this Convention affirms the recognised objective of effective prohibition of chemical weapons and, to this end, undertakes to continue negotiations in good faith with a view to reaching early agreement on effective measures for the prohibition of their development, production and stockpiling and for their destruction, and on appropriate measures concerning equipment and means of delivery specifically designed for the production or use of chemical agents for weapons purposes.

Norway ratified the Chemical Weapons Convention on 7 April 1994.

(a) Norway and Denmark contributed to the elimination of Syria's chemical weapons programme, in line with UNSCR 2118 and OPCW Executive Council decision EC-M-34/DEC-1, by transporting chemical weapons out of Syria. The Norwegian contribution consisted of a civilian cargo ship, a military escort vessel, a Vessel Protection Team and a CBRN response team. Norway's total costs for the Norwegian operation were NOK 284 million (approx. USD 40 million). In addition, Norway

provided NOK 19, 3 million total to OPCW Syria Trust Fund for the Destruction of Chemical Weapons.

Article X

(1) The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials, and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes. Parties to the Convention in a position to do so shall also co-operate in contributing individually or together with other States or international organisations to the further development and application of scientific discoveries in the field of bacteriology (biology) for the prevention of disease, or for other peaceful purposes.

(2) This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological (biological) agents and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention.

Norway has fulfilled its commitments under Article X, both by facilitating and participating in the fullest possible exchange of equipment, materials, and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes, and by engaging in international cooperation. Norway's most important activities during the intersessional programme are outlined below.

(a) The Norwegian Institute of Public Health has a Department for International Public Health and many international cooperation projects. These range from basic (pure) research projects to capacity-building, development, and networking activities. For more information, see the Institute website: www.fhi.no.

(b) Norwegian universities have extensive international cooperation programmes to meet the Sustainable Development Goals. The Universities of Oslo and Bergen also have a Centre for Global Health and a Centre for International Health, respectively (for more information on these centres, see www.med.uio.no/helsam/english/research/centres/global-health/ and www.uib.no/en/cih.

(c) The Ministry of Foreign Affairs has funded the Global Health Preparedness Programme (GHPP) with NOK 46 million since 2015. GHPP aimed to contribute to the global efforts of strengthening the International Health Regulations (IHR) (2005) core capacities in partner countries and globally. The mode of work for GHPP was peer-to-peer collaboration between Norway and select low- and middle-income countries, Ghana, Malawi, Moldova, and Palestine, and a global component. The overarching goal of GHPP was to improve the capacity to prevent, detect and respond to public health events of national and international concern in the designated partner countries. That vision was grounded in the following three strategic objectives: 1) to support implementation of IHR core capacities in select partner countries. 2) to contribute to global efforts that enhance capacity and procedures to assist all countries in meeting their obligations under IHR. 3) to strengthen institutional capacity of National Institutes of Public Health, in partner countries, and globally. The twinning collaboration approach developed during the project proved successful, and it has inspired other public health institutes to adopt a similar model. Norway continues to support projects to build

stronger public health institutions and systems in Ghana, Malawi, Palestine, Ethiopia, Nepal and Uganda.

(d) Since the Eight Review Conference of the BTWC, Norway has supported a number of projects to strengthen the capacity of developing countries to participate in multilateral processes and to implement their commitments related to controlling and eliminating weapons of mass destruction. Norway's support for projects of this kind has totalled NOK 15,8 million. This funding has been channelled through partners such as the United Nations Institute for Disarmament (UNIDIR), the United Nations Office for Disarmament Affairs (UNODA), the Stockholm International Peace research Institute (SIPRI), the Verification Research, Training and Information Centre (Vertic) and the BTWC Implementation Support Unit.

(e) Over the past 20 years, Norway has played a leading role in international efforts to promote global health, by making considerable financial investments and engaging in political and technical work. The Norwegian Government has over the past five years allocated approximately NOK 4.5-5 billion each year to global health efforts. These efforts have been aligned with the Millennium Development Goals, and are now aligned with the Sustainable Development Goals. Priorities have been maternal and child health, and the fight against AIDS, tuberculosis, malaria and other infectious diseases. GAVI (the Vaccine Alliance), the Global Fund to Fight AIDS, Tuberculosis and Malaria, and the Global Financing Facility in support of Every Woman Every Child are the main channels for the Norwegian Government's global health efforts. In addition, Norway continues to be a significant donor to WHO, UNAIDS, UNFPA, UNITAID and UNICEF.

(f) Norway took a leading role in establishing the Coalition for Epidemic Preparedness Innovation, (CEPI), which aims to promote research and the development of new vaccines to stop outbreaks at an early stage with a view to preventing pandemics and has been one of its main donors since its inception. Norway contributed more than USD 720 million to the Access to Covid-19 Tools Accelerator, to promote equitable access to vaccines, diagnostics, and other tools to fight the Covid-19 pandemic. During the CVID-19 pandemic, Norway has increased its contributions to global health through allocations to ACT-A, and meeting Norway's "fair share" level. Norway supported all of the ACT-A pillars through additional contributions to implementing agencies under each pillar.

(g) Norway sees export control as a vital means of ensuring that the legitimate trade in biological agents and related equipment can proceed unfettered. Careful regulation of potentially sensitive exports helps to reduce the risk that companies will unwittingly export products for use in BW programmes, thereby incurring severe penalties. This gives companies greater confidence to trade in products that have the potential to be used in the production of BW. Licensing measures have a minimal impact on the total trade in biological agents and dual-use items and equipment. Export licences deter proliferation by increasing the visibility of trade in relevant materials and provide authority to stop a sale if the product concerned is likely to contribute to a BW programme. The licensing measures only affect sales to a small number of countries where there is evidence of an interest in developing or maintaining a BW capacity or of a risk of diversion to terrorist groups. The activities are limited to non-proliferation measures and are not intended to hinder legitimate economic development in other countries.

(h) Norway has established guidelines to limit the risks of proliferation and terrorism involving biological weapons by controlling tangible and intangible transfers that could contribute to BW activities by states or non-state actors, consistent with Article III of the Biological Weapons

Convention. In accordance with Article X of the Biological Weapons Convention, these Guidelines are not intended to impede biological trade or international cooperation for peaceful purposes. The guidelines form the basis for controlling transfers of materials, equipment, technology and software that could contribute to BW activities to any destination beyond the Government's national jurisdiction or control.