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DESTRUCTION OF SMALLPOX VIRUS STOCKS *POINTS TO CONSIDER IN THE DRAFT RESOLUTION*

The WHO Executive Board in its 120th session (22-30 January 2007) is being asked to consider a draft resolution deferred from the Fifty-ninth World Health Assembly (WHA) on the issue of smallpox eradication: destruction of variola virus stocks (see document EB 120/11).

It is critical that the Executive Board produce a strong resolution, as there have been increasing indications of expanded research with the virus and variola genes, including the synthesis and use of variola virus genes outside of WHO-authorized repositories. Furthermore, the WHO Advisory Committee on Variola Virus Research may be backpedaling on some of its previous decisions. Please see our briefing (January 2007) for more information, available at <http://www.smallpoxbiosafety.org>

The key points that should be in the resolution are summarized below:

- 1) Prohibit any research that involves genetic engineering of the variola virus**
- 2) Prohibit any research that involves the distribution of variola DNA for non-diagnostic purposes**
- 3) Explicitly end WHA temporary authorization for the retention of variola virus for the purposes of DNA sequencing, diagnostics and vaccines**
- 4) Set a new date of destruction for the variola virus stocks (by 30 June 2010)**
- 5) In the interim before the destruction date, decide to annually assess the need, if any, for further, temporary, retention of the existing stocks of the variola virus, at the current two repositories**
- 6) Request an annual detailed report to the WHA of the research that has been completed, is being undertaken and is being planned at the two repositories**
- 7) Reform the Advisory Committee on Variola Virus Research by including balanced representation of experts from developing countries, public health experts, and ensure the independence of the members of the Committee from any conflict of interest**
- 8) Ensure that approved research proposals and results are provided to all Member States**
- 9) Request the Director-General to clarify the legal status of the variola virus strains held at the two repositories with respect to their ownership**
- 10) Take measures to ensure that Member States have equal access to the benefits of research, in view also of the proprietary claims arising out of the research outcomes**
- 11) Request a detailed analysis and report on the synthesis of variola virus genes, particularly outside of WHO-authorized repositories, with a view to a developing a further resolution that addresses the novel concerns brought up by synthetic biology**