

**REPORT FROM GENEVA:
THE BIOLOGICAL WEAPONS
CONVENTION MEETING OF
STATES PARTIES DECEMBER 2013**

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Report from Geneva: The Biological Weapons Convention Meeting of States Parties December 2013

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Introduction

As reported in the *Review No 38* (November 2013), the Meeting of Experts of the States Parties to the Biological and Toxin Weapons Convention (BWC) was held in Geneva under the Chairmanship of Judit Körömi, Special Representative for Arms Control, Disarmament and Non-Proliferation of the Foreign Minister of Hungary, on 12 to 16 August 2013 *to discuss, and promote common understanding and effective action on those issues identified for inclusion in the intersessional programme.* The Seventh Review Conference in December 2011 had decided that:

that the following topics shall be Standing Agenda Items, which will be addressed at meetings of both the Meeting of Experts and Meeting of States Parties in every year from 2012–2015:

- (a) Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X;*
- (b) Review of developments in the field of science and technology related to the Convention;*
- (c) Strengthening national implementation.*

and that

the following other items will be discussed during the intersessional programme in the years indicated:

- (a) How to enable fuller participation in the CBMs (2012 and 2013);*

The Meeting of Experts produced a report (BWC/MSP/2013/MX/3 dated 11 September 2013 – this and other official BWC documentation is available at <http://www.unog.ch/bwc>) to which was attached as Annex I a paper prepared by the Chairman listing the considerations, lessons, perspectives, recommendations, conclusions, and proposals drawn from the presentations, statements, working papers and interventions on the topic under discussion at the Meeting. The report, as in the reports from the Meetings of Experts in previous years, stated that ‘*It was the Chairman’s view that the paper could assist delegations in their preparations for the Meeting of States Parties in December 2013 and in its consideration of how best to “discuss,*

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and promote common understanding and effective action on” the topics in accordance with the decision of the Seventh Review Conference.’

This provided the States Parties with an excellent starting point from which to develop language to meet the requirement of the mandate for the Meeting of State Parties in December 2013 to ‘*discuss, and promote common understandings and effective action*’.

Preparation for the Meeting of States Parties, 9 to 13 December 2013

The Final Report (BWC/MSP/2013/MX/3 dated 11 September 2013) of the Meeting of Experts comprised a report of 4 pages together with Annex I a 48 page listing of the considerations, lessons, perspectives, recommendations, conclusions, and proposals drawn from the presentations, statements, working papers and interventions made by delegations on the topics under discussion at the Meeting and Annex II, a 2 page listing of the documents of the Meeting of Experts. Annex I with its 48 pages addressing three standing agenda items and a biennial topic was somewhat longer than was the comparable Annex I from MX/2012 with its 44 pages which addressed the same topics.

The Chair, Ms. Judit Körömi, Special Representative for Arms Control, Disarmament and Non-Proliferation of the Foreign Minister of Hungary, wrote to the States Parties on 28 October 2013 to say that *Our task now is to take this wealth of information and ideas and consider how we might transform it into common understandings and effective action at the Meeting of States Parties. As promised, to help us in this task, I have under my own responsibility distilled the ideas and proposals made at the Meeting of Experts into a synthesis paper. This is attached for your consideration. Given that this is the second year of a four-year programme, I have focused on **new material** contributed at this year's Meeting of Experts, and have tried to avoid repeating ideas and proposals that were covered in last year's synthesis paper. So please read the attached synthesis paper in conjunction with the 2012 Report of the Meeting of States Parties (BWC/MSP/2012/5), which should also be seen as an input to the 2013 Meeting of States Parties. I hope you will find these materials useful for your preparations for the Meeting of States Parties.* She also set out her ideas for the provisional agenda and programme of work saying that *I have also prepared a provisional agenda and programme of work, both closely based on those from 2012. The provisional agenda is already available in all languages on the ISU website as BWC/MSP/2013/1; the provisional programme of work is attached [to this letter]. I trust that both these documents are acceptable to delegations.*

Ms. Judit Körömi in her letter also said *In accordance with our mandate, we will be working together to promote common understanding and effective action on the substantive items of the agenda. Importantly, we will be building upon the common understandings we reached in 2012. I would like to emphasize this point; I think we should make the most of our limited time by focusing on new, updated or additional material, rather than re-stating or re-working our 2012 conclusions.* She went on to add *We will also need to consider the overall management of the remainder of the intersessional programme. While work on the three standing agenda items will continue in 2014 and 2015, this Meeting of States Parties is the last meeting in the current intersessional programme at which the biennial item on the CBMs is scheduled to be discussed. Next year we will move onto a new 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. To this letter was attached the 8 page synthesis document subsequently issued, prior to the Meeting of States Parties, as MSP/2013/L.1 dated 30 September 2013

Ms. Judit Körömi subsequently wrote to States Parties on 20 November 2013 saying that *Building upon the recent meetings with the regional groups from 12-13 November, I am seeking the views of States Parties on how we should convert the large amount of material contributed at the Meeting of Experts into common understandings we can adopt in our consensus report for the Meeting of States Parties. This is a familiar task and to the greatest extent possible I intend to follow past precedents. I believe that we should continue to use the same structure as last year: a report comprised of procedural elements with a number of substantive paragraphs capturing the relevant common understandings, with annexes detailing the Chairman's synthesis paper and a list of documents.* She went on to add that *This year, however, we face a particular challenge: we have to decide how we build on last year's report, and how the reports from each year will fit together. In the previous intersessional programmes, we did not have this problem. Each year was self-contained, with one or two topics being considered, and then the report agreed. The following year's topics were different, and so the work began afresh and the reports were largely independent of one another. In this current intersessional programme, we are dealing with topics that continue from year to year. The three standing agenda items are considered in each of the four years, and the biennial topics each run for two years.*

In regard to this year's report, she said that *Last year, relying on our long-established practices and collegial approach, we concluded a report recording our common understandings on the three standing agenda items and the biennial item. This year, we have continued to work on the same items. What, then, should we aim to include in this year's report? This is an important question that has implications for the rest of the intersessional programme and for preparing for the next review conference. I would very much like to hear your views and suggestions on this question. At the recent regional group meetings I outlined some initial reflections on how we might accomplish this:*

- I believe it is best both to avoid repetition and to avoid re-opening the carefully balanced common understandings we agreed last year.

- I am convinced that we should build on our work from last year, so it may be better to focus on new material, that is, material contributed this year that was not covered in 2012, or that elaborates or further develops what was covered in 2012.

- We might usefully include a reaffirmation of the 2012 text in this year's report, or we could include the text itself wholesale, but attempting to include some elements but not others may lead to confusion and ambiguity.

- I think it is useful to look at the end of the intersessional process and decide now what final product we want to provide to the Eighth Review Conference. When we know this, we can work backwards from there to determine how we could best structure this year's report to bring us closer to that goal.

As the Meeting of States Parties is rapidly approaching, I am keen to know what you think. I have an open mind and no particular preference as Chair: this is a question that we need to answer together, preferably well before we start work on the report. I believe that having a clear sense of what output we expect to produce will help us have a productive meeting. I am keen to avoid surprises and I want all States Parties to be comfortable with both the output from the meeting and the process we are using to deliver it.

In regard to universalization, Ms. Judit Körömi submitted her report on universalization activities to the Meeting of States Parties as MSP/2013/3 dated 7 November 2013. The report of the Implementation Support Unit was made available prior to the Meeting of States Parties as an advance version of MSP/2013/4 dated 8 November 2013.

In New York in the First Committee of the United Nations General Assembly, Hungary on 14 October 2013 introduced a draft resolution (A/C.1/68/L.10) on the BWC which noted with appreciation that four additional States have acceded to the Convention and in its introductory paragraph said:

Reaffirming its call upon all signatory States that have not yet ratified the Convention to do so without delay, and calling upon those States that have not signed the Convention to become parties thereto at the earliest possible date, thus contributing to the achievement of universal adherence to the Convention,

In its operative paragraphs the resolution:

2. *Notes with appreciation* the decision of the Seventh Review Conference that standing agenda items (a) cooperation and assistance, with a particular focus on strengthening cooperation and assistance under article X, (b) review of developments in the field of science and technology related to the Convention, and (c) strengthening national implementation, shall be addressed at both the meeting of experts and the meeting of States parties, every year from 2012 to 2015;

3. *Also notes with appreciation* that the Seventh Review Conference decided that the questions of (a) how to enable fuller participation in the confidence-building measures, and (b) how to strengthen implementation of article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States parties, shall be discussed in 2012 and 13 and 2014 and 15, respectively, during the 2012-2015 Intersessional Process;

4. *Notes with satisfaction* that the meeting of the States parties and that of the experts, held in Geneva from 10 to 14 December 2012 and from 12 to 16 August 2013, respectively, successfully addressed the three standing agenda items and the biennial item on the agenda;

...

6. *Notes with appreciation* the decision of the Seventh Review Conference on the establishment of a database to facilitate requests for and offers of exchange of assistance and cooperation, and urges States parties to submit to the Implementation

Support Unit, on a voluntary basis, requests and offers of cooperation and assistance, including in terms of equipment, materials and scientific and technological information regarding the use of biological and toxin agents for peaceful purposes;

7. *Encourages* States parties to provide, at least biannually, appropriate information on their implementation of article X of the Convention and to collaborate to offer assistance or training, upon request in support of the legislative and other implementation measures of States parties needed to ensure their compliance with the Convention

As expected, the First Committee adopted this draft resolution without a vote on 31 October 2013. It was subsequently approved by the General Assembly without a vote on 5 December 2013 as A/RES/68/69.

A side event was organized by the Chair for MSP/2013, Judit Körömi of Hungary, together with one of the Vice Chairmen, on 24 October 2013 in the margins of the 68th session of the First Committee of the United Nations General Assembly for the purpose of raising the awareness of States not Party to the BWC concerning the importance of adhering to this instrument. Angola, Tanzania, Egypt and Israel participated in this meeting.

Other Preparations

The Geneva Forum (Quaker United Nations Office, United Nations Institute for Disarmament Research and the Centre on Conflict, Development and Peacebuilding of the Graduate Institute) held a meeting on 28 November 2013 entitled *The current BWC Intersessional Programme and upcoming Meeting of States Parties: Context, issues and reflections*. Richard Lennane of the ISU spoke on *Mandate, structure and mechanics of the BWC intersessional programme* and James Revill of the University of Sussex spoke on *Success and failure in the BTWC intersessional process*

Meeting of States Parties, 9 to 13 December 2013: Opening Plenary Session

The Meeting of States Parties began on Monday 9 December 2013 in a plenary session when the Chair, Ms. Judit Körömi, Special Representative for Arms Control, Disarmament and Non-Proliferation of the Foreign Minister of Hungary, welcomed the representatives from the States Parties.

She then moved on to the business of the meeting. In regard to the adoption of the Agenda, she noted that a provisional agenda (BWC/MSP/2013/1) had been circulated in all languages. She noted that the substantive elements were agenda items 7 to 12. This was adopted. The provisional programme of work (BWC/MSP/2013/2) which gave equal time to each of the three standing agenda items and the biennial item, had likewise been circulated. Time had been set aside for the NGOs to make brief statements in an informal session on Monday afternoon. The programme was adopted.

The Chair went on to note that the ISU had circulated a programme of events. In addition, three documents had been circulated:

- a. BWC/MSP/2013/L.1 was the synthesis document,
- b. BWC/MSP/2013/3 was the report on universalization activities. And
- c. BWC/MSP/2013/4 was the report of the ISU for 2013.

The universalization report and the report of the ISU would be considered on Thursday afternoon.

The Chair went on to say that all Working Papers would be circulated in the language of submission and that all would be available on the unog.ch/bwc website. She went on to note that formal credentials are not required but asked that all delegations send a *note verbale* to the ISU noting that the deadline for such submissions would be 6 pm on Tuesday afternoon.

The Chair then turned to rules of procedure and said that she proposed that the rules of procedure of the Seventh Review Conference should be applied *mutatis mutandis*. This was agreed.

In regard to participation, she said that one State neither party nor signatory – Israel – had requested observer status and this was so decided. Seven international organizations –the European Union, ICRC, NATO, WHO, OIE, INTERPOL, and the Organisation for the Prohibition of Chemical Weapons (OPCW) – had also requested observer status and this was so decided.

The Chairman then moved to consideration of Agenda item 5. *Consideration of the report of the Meeting of Experts*. She noted that this had been adopted by consensus at the Meeting of Experts and issued as BWC/MSP/2013/MX/3. She proposed that the Meeting of States parties take note of the report of the Meeting of Experts. This was so decided.

One hundred and two States Parties to the Convention participated in the Meeting of States Parties as follows: Albania, Algeria, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Ecuador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Libya, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), and Zambia

This was nineteen more than at the Meeting of Experts as twenty-three States Parties – Bangladesh, Bhutan, Bosnia and Herzegovina, Costa Rica, Cyprus, Fiji, Iceland, Lao People's Republic, Latvia, Luxembourg, Mauritius, Mozambique, Niger, Oman, Qatar, Republic of Moldova, Serbia, Singapore, Slovenia, Sudan, Uganda, United Arab Emirates, and Zambia –

participated at MSP/2013 in December but did not at MX/2013 in August whilst 4 States Parties – El Salvador, Ghana, Honduras, and Senegal – who had participated at MX/2013 in August did not at MSP/2013 in December.

In comparison to MSP/2012, one more State Party participated at MSP/2013 as thirteen States Parties – Benin, Bosnia and Herzegovina, Burkina Faso, Fiji, Iceland, Malta, Mauritius, Mozambique, Niger, Panama, Sudan, Uganda and Zambia – participated at MSP/2013 but not at MSP/2012 whilst twelve States Parties – Armenia, Dominican Republic, El Salvador, Ghana, Liechtenstein, Nigeria, Rwanda, Senegal, Swaziland, Former Yugoslav Republic of Macedonia, Viet Nam and Yemen – who had participated at MSP/2012 did not at MSP/2013.

Two Signatory States participated – Cote d'Ivoire and Myanmar – one less than at MX/2013 as Cote d'Ivoire participated at MSP/2013 whilst Nepal and the United Republic of Tanzania which had participated at MX/2013 did not at MSP/2013. One State neither Party nor Signatory, Israel, was granted Observer status – one less than at MX/2013 when Namibia had participated. The report of the Meeting of States Parties (MSP/2013/5) records that the United Nations, including the United Nations Office for Disarmament Affairs and the Security Council Resolution 1540 Committee attended the Meeting of States Parties; they had both attended the Meeting of Experts in August 2013. In addition, seven international organizations were granted observer status: The European Union, the International Committee of the Red Cross (ICRC), the International Criminal Police Organisation (INTERPOL), the North Atlantic Treaty Organization (NATO), the Organisation for the Prohibition of Chemical Weapons (OPCW), the World Health Organization (WHO), and the World Organisation for Animal Health (OIE). This was the same number as at MX/2013 in August when the Food and Agriculture Organisation (FAO) participated and the North Atlantic Treaty Organization (NATO) did not.

Fifteen Non-Governmental Organizations and research institutes were present – two more than at MX/2013 and six less than at MSP/2012.

The Convention at the time of MSP/2013 had 170 States Parties and 10 Signatory States. 16 States have neither signed or ratified the Convention. Four States Parties had joined the Convention since MSP/2012 – Cameroon (on 18 January 2013) and Nauru (on 5 January 2013) had both acceded, whilst Guyana (on 26 March 2013) and Malawi (on 2 April 2013) had ratified.

There were some 500 participants at the Meeting of States Parties of which 445 came from States Parties including some 197 participants from capitals. This was considerably better than the participation at the Meeting of Experts in August 2013 when there were close to 400 participants at the Meeting of Experts of whom over 320 came from States Parties, including over 150 participants from capitals. It was very similar to the 2012 Meeting of States Parties when there were some 520 participants at the Meeting of States Parties of which 445 came from States Parties including some 193 participants from capitals.

The Chair then made her introductory remarks by thanking all participants for their cooperation and support at the Meeting of Experts when there had been focused positive and constructive discussions which had successfully brought in more voices providing a wide range of perspectives from academia, NGOs and even the private sector. The task at the Meeting of States Parties was to convert the many ideas into a more concise format to *promote common*

understandings and effective action and not to create binding agreements. To do this, she noted that there was her synthesis paper and that there were a number of Working Papers submitted by States Parties both at the Meeting of Experts and at the Meeting of States Parties. All States Parties were welcome to contribute new ideas during the Meeting of States Parties. She added that she was working closely with the two Vice-Chairs and said that Vice Chairman Ambassador Schmid would chair the session on the Standing Agenda Item of developments in science and technology on Tuesday afternoon and Ambassador Muhammed would chair the session on the Standing Agenda Item of strengthening national implementation on Wednesday morning.

In considering the outcome, the Chair recalled that in her letter to States Parties of 20 November 2013 she had proposed some ideas on how best to build on last year's report and to structure the report of this Meeting of States Parties. She recognized that the situation was different from that in the previous Intersessional Process when there had been different topics each year. In this Intersessional Process, States Parties were dealing with topics that continue from year to year – each year of the four years for the three Standing Agenda Items and for two years on the Biennial topic addressing CBM's. There were important questions on how best to structure this year's report and to prepare for the Eighth Review Conference. She did not intend to discuss these on the floor but asked that States Parties let her know their views informally during the course of today. Her aim would be to provide a first draft relating to the three Standing Agenda items on Wednesday afternoon, the draft paragraphs relating to the biennial topic on CBMs on Thursday morning and then later in the week drafts on universalization and on the report of the ISU. Her aim would be to come up with practical and concrete items.

General Debate, morning Monday 9 December 2013

The Chair then moved on to open the **General Debate**.

Iran spoke on behalf of the Group of the Non-Aligned Movement and other States by saying that the Group would like to reiterate its position as reflected in the final document of the Tehran NAM Summit held on 26 to 31 August 2012 in which:

The Heads of State or Government of the NAM States Parties to the Biological and Toxin Weapons Convention (BTWC) reaffirmed that the possibility of any use of bacteriological (biological) agents and toxins as weapons should be completely excluded, and the conviction that such use would be repugnant to the conscience of mankind. They recognized the particular importance of strengthening the Convention through multilateral negotiations for a legally binding Protocol and universal adherence to the Convention. They reiterated their call to promote international cooperation for peaceful purposes, including scientific exchange. They ... highlighted that the Convention on Biological and Toxin Weapons forms a whole and that, although it is possible to consider certain aspects separately, it is critical to deal with all of the issues interrelated to this Convention in a balanced and comprehensive manner.

The NAM Summit final document also went on to welcome the outcome of the Seventh Review Conference and encouraged all States Parties to implement Article X as set out in paragraphs 50-61 of the Final Document of the Seventh Review Conference. They also welcomed the

inclusion of cooperation and assistance as one of the Standing Agenda items of the Intersessional Process.

The statement made by Iran on behalf of the NAM went on to say:

We are sure that under your able leadership we will have a useful discussion in which states parties enhance understanding and knowledge on various topics on the agenda and various possibilities for increasing common understanding for greater cooperation among States Parties in order to enhance the implementation of the Convention. A successful inter-sessional programme is vital for the next Review Conference that is expected to take further action on the outcome of the intersessional meetings. To this end, the results of the Meeting of Experts which took place in August could also contribute to enrich our discussion and to promote common understanding and further action on the issues in our agenda.

Iran went on to say that *The Group of NAM and Other States Parties to the BWC attaches great importance to the issue of international cooperation as the first priority of the Group. ... However, we continue to believe that there is a need for an effective mechanism to ensure the full, effective and non-discriminatory implementation of Article X. In this regard the Group has submitted a Working Paper on measures for full, effective and non-discriminatory implementation of Article X to be considered in the Meetings of Experts and Meetings of States Parties. We are sure that this working paper contributes to the promotion of common understandings and effective actions by the inter-sessional Program in 2013 and beyond, and that its elements will be reflected in the reports of the Meetings of States Parties.*

Iran went on to say that *The Group re-emphasizes that multilateral negotiations aimed at concluding a non-discriminatory legally binding agreement dealing with all Articles of the Convention, in a balanced and comprehensive manner, would sustainably strengthen the Convention. In this context, we believe that the respective mandates of this Convention and other international organisations should be respected, while utilising the experiences of the relevant multilateral organizations dealing with human and animal health on issues that are of direct relevance to the Convention. In this regard, no actions should be taken to undermine the convention and/or interfere with its mandate.*

The statement went on to say that *The Group attaches due importance to the standing agenda items on national implementation and review of S & T developments. In that regard, the Group notes that proposals on “voluntary peer review processes” or “compliance assessments” were raised and evaluated at the Seventh Review Conference and there was no consensus on such proposals. The Group believes that such proposals should not distract the attention of States Parties away from strengthening the Convention in all its aspects including the need for a verification mechanism. Effective international action against biological threats needs to be universal, legally binding, and non-discriminatory. In addition, this cannot be achieved without strengthening national capacity.*

Iran went on to add that *We are also of the view that the universality of the Convention is of high priority and importance and therefore practical steps should be taken to achieve this goal. In this context we emphasise the need for states that are not signatories to the Convention to*

display political will by joining the BWC. We call upon non-parties particularly those with advanced biotechnology to accede to the Convention without further delay.

The statement concluded by saying that *I would like to emphasize that maintaining the delicate balance reached in the Seventh Review Conference outcome by organization of our work is of utmost importance to this Group. We hope that this delicate balance will be preserved throughout the entire inter-sessional program.*

[www.unog/bwc accessed on 30 December 2013 shows that Iran did not submit a CBM in 2013]

Canada on behalf of the JACKSNNZ group (Japan, Australia, Canada, Republic of Korea, Switzerland, Norway and New Zealand) presented a statement that noted that *we are in the process of implementing the new intersessional model agreed at the 7th Review Conference. The JACKSNNZ welcomed the decision to create standing agenda items with the expectation that this would allow for more sustained discussion, deeper understanding and increased engagement on the very important issues facing this Convention.* It went on to say that *We also congratulate you for successfully encouraging more States Parties to voice their views during the Meeting of Experts, offering their unique perspectives and positions, and thus moving us closer to agreement on truly common understandings this week.*

The statement then said that *the JACKSNNZ would like to thank you for your hard work in developing the synthesis paper, circulated on the 28th of October. We are pleased that it built upon the paper issued in 2012, and avoided repeating its content. It will serve as a useful starting point for the elaboration of this year's report. In the light of the positive work of the 2012 MSP and the 2013 MX, it is essential that the common understandings and effective actions we agree to this week build upon what was previously decided. It will also be important that we focus on forward leaning goals. Our sights must be set on creating the conditions for progress at the next Review Conference that are in line with, and build upon, the useful, albeit incremental steps agreed at the Seventh Review Conference. Our aim must be to improve implementation of all aspects of the Convention in a manner that takes into account the realities of the XXI century.*

The statement went on to set out the JACKSNNZ views on several key agenda items saying *First, the JACKSNNZ believe that effective national implementation remains the cornerstone of the BWC. Strengthening implementation at the national, regional, and international levels remains the best way available to States Parties to ensure their compliance with their obligations under Article I and thereby embracing the Convention's security norm. JACKSNNZ members have been developing options to further improve national implementation and assurances in compliance. At last year's MSP, Australia, Canada, Japan, New Zealand and Switzerland tabled the paper entitled "We need to talk about compliance" which generated several replies at the MX, in the form of working papers and interventions. At this year's MX, Australia's Working Paper 2 had the aim of promoting broad based BWC compliance in terms of the broader topic of national implementation. Supportive interventions were received from the US, Canada, Germany, Japan, France, Switzerland, UK and Sweden. There was also an emerging view among these States Parties that compliance discussions and proposals such as self-assessment, Peer Review and enhancing CBMs should not be regarded as an alternative*

to a legally-binding instrument. We also continue to explore novel approaches to improving national implementation and assurance of compliance, through mechanisms such as Compliance Assessment and the French proposal on Peer Review. Canada and Switzerland, with their partner the Czech Republic, intend to further advance efforts on the Compliance Assessment pilot project, including refining the initiative and broadening participation. Canada, Switzerland also attended France's pilot exercise on Peer-Review last week, which provided an excellent opportunity for a fruitful exchange. We are convinced that it will allow the French project to develop further and we thank France for its innovative approaches. We look forward to continued constructive discussions on these subjects this week.

The statement then went on to address advances in science and technology saying that *It is essential that political experts leading BWC discussions remain aware of the latest scientific developments, and their associated risks, so that informed actions are taken by the MSP or Review Conference. In this context, we also believe that the current review process should provide for a more systematic and comprehensive examination of scientific and technological developments within the BWC framework. The working paper submitted by Switzerland offers one option on how to achieve this through a dedicated structure.* Canada then went on to say that *the JACKSNNZ group remains committed to its international cooperation and collaboration in fields related to health and the life sciences. Such cooperation is essential for curbing the threat of disease, be it naturally occurring or the result of a deliberate release of biological material.*

The statement then noted that *This is our last opportunity to formally discuss Confidence Building Measures before the Eighth Review Conference. CBMs remain an essential tool for transparency for the BWC. All seven JACKSNNZ members have submitted CBMs, most of which are available publicly on the ISU website. We encourage all States Parties to submit returns annually. In this regard, Japan (and co-sponsors) would like to propose that States Parties which have faced difficulties in the annual submission of CBM returns to submit each CBM form separately or one by one, with a gradual accumulation. The details of this approach are described in a working paper submitted to this meeting and we hope this will result in constructive discussion and outcomes. We believe it is vital to continue to focus on increasing the level of participation in the CBM process.*

The statement concluded by reiterating the JACKSNNZ call for universality in the BWC and congratulating Cameroon, Guyana, Malawi and Nauru for joining the Convention during the past year. Canada said that *The outcome of this MSP and our ability to build upon what was agreed last year will help define the rest of the intersessional process, and we are off to a good start.*

[www.unog/bwc accessed on 30 December 2013 shows that Canada submitted a CBM in 2013 and that this is publicly available on the unog.ch/bwc website]

China then spoke saying that *The Chinese delegation appreciates the synthesis paper prepared by the Chairman, which summarises the ideas and proposals made by States Parties. The statement went on to say that International cooperation to promote peaceful use of biotechnology remains one of the prominent pillars of the Convention. It helps enhance the implementation capability of States Parties, as well as promote the sustainable and healthy*

development of the Convention. States Parties should work together to actively implement Article X of the Convention. China then said that Timely assessing the impacts of the development in bioscience and biotechnology on the Convention, preventing the misuse of bioscience and biotechnology, as well as strengthening biosafety and biosecurity and sharing experiences and practices of management, are beneficial to the promotion of the effective implementation of the Convention. In order to jointly confront all kinds of biosafety and biosecurity risks and threats, and guarantee that bioscience and biotechnology could better benefit mankind, more efforts should be made to encourage States Parties to reinforce capacity building in biosafety and biosecurity, according to their national conditions, as well as to balance the development of bioscience and biotechnology with necessary biosafety and biosecurity supervision.

China went on to add that Measures to strengthen national implementation such as the establishment of national implementation measures, the promulgation of the relevant laws and regulations, as well as the establishment of regulations on biosafety and biosecurity management, are important guarantees for States Parties to fulfill the obligations of the Convention and improve its effectiveness. In recent years, States Parties have made unremitting efforts to strengthen national implementation. States Parties should be encouraged to continue sharing experience in national implementation and strengthening national implementation in a progressive manner. Meanwhile, it should be noted that the best compliance mechanism under the Convention is to conclude a protocol with a verification regime to enhance the effectiveness of the Convention comprehensively.

The statement concluded by saying that The Confidence-Building Measures (CBMs) is an important means for States Parties to demonstrate commitments to the Convention and enhance mutual trust. China attaches importance to the CBMs, and has submitted annual CBMs data in a timely manner. Currently the low rate of submission is the major challenge to the CBMs. ... efforts should be focused on encouraging more States Parties to submit CBMs data.

[www.unog/bwc accessed on 30 December 2013 shows that China submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

The Russian Federation then spoke saying in regard to Cooperation and Assistance that *we regard Article X as one of the key and sensitive articles of the BWC which requires special attention. We are concerned that some donor countries when deciding on providing assistance try to use the so called “principle of complementarity” when recipient countries are obliged to fulfill some additional requirements concerning national implementation imposed by the donor country. We think such an approach contradicts the letter and spirit of the BWC. Implementation measures are the same for all States Parties and are clearly defined by the provisions of the Convention. Therefore, only intentional non-compliance with the provisions of the BWC by the State Party, could be the strong reason to refuse rendering assistance requested under Article X.*

The statement went on in regard to advances in the life sciences to say that *The issue of military use of the life sciences has been studied within the framework of the BWC for many years now. As many experts rightly note, any government can make different political decisions*

depending on the competence and content of national scientific discussions on the issue of dual-use application of the latest biotechnologies. It then noted that we believe that in order to prevent the possible military use of achievements in the field of biological and chemical sciences and dual-use technologies it is necessary to have on a regular basis open and comprehensive intersessional discussions on the issue of the science influence on the BWC regime. We would like to propose to discuss in the next VIII RC BWC (2016) the issue of the consolidation of the BWC and CWC expertise to analyze potential risks and threats posed by the achievements of life sciences to the regimes established by these two fundamental international disarmament instruments. [BWC and CWC]. Collected assessment of the advanced technologies development based on the agreed and objective criteria will encourage the effective prevention of the creation of chemical and biological weapons with new destructive capacities.

In regard to national implementation, the statement said that *Russia fully honors its commitments under the Convention. "Principles of State Policy in the Area of Ensuring Chemical and Biological Safety and Security of the Russian Federation for the Period up to 2025 and beyond" approved by the Russian President Putin in November, in particular, provide for:*

- 1. Improvement of measures aimed at ensuring the implementation of Russia's commitments under international treaties'*
- 2. Participation in the development and application of the Russia–Kazakhstan–Belarus Customs Union Technical Regulations which lay down safety requirements for products created with the use of biotechnologies;*
- 3. Improvement of the regulation on transboundary transfer of genetically modified organisms;*
- 4. Russia's accession to the Cartagena Protocol on Biosafety;*
- 5. Elaboration of measures aimed at preventing threat of use of biological weapons against the Russian Federation.*

The Russian delegation considers implementation at the national level not only from the strict observance of the Convention obligations but also as a basis for new opportunities and approaches in the elaboration of a legally binding mechanism of verification. Appropriate and universal implementation of crucial disarmament and non-proliferation requirements of the Convention by the State can eliminate distrust which existed during the development of the Verification Protocol for the BWC in 1995 – 2001 and help find mutual understanding in respect of verification measures acceptable for each State Party. In this context, we welcome the EU National Implementation Guide project which may become a useful instrument for consolidating efforts by States Parties aimed at strengthening the Convention regime.

The statement went on in regard to CBMs to say that *We reaffirm our commitment to the universalization of confidence-building measures (CBMs). We cannot agree with some BWC States Parties not presenting full information in Form A about the biological facilities (including those under the jurisdiction of military authorities) where biological defence related research*

related to the Convention is conducted. We consider this as a matter of concern. We also think that when it comes to BWC States Parties which do not provide the information about their facilities and activities related to the Convention as part of CBMs, it should primarily be considered in the context of fulfillment of their obligations under the BWC in good faith. In our opinion, the arguments of those who consider that regular annual States Parties' reports to the Implementation Support Unit confirm governments' due attention to the BWC realization sound very convincing. In this regard the decreasing number of States which submitted information within the CBMs framework by 15 April 2013 gives rise to concern. We propose to consider joint steps that could make it possible to treat the CBMs as one of the legally binding instruments of a possible verification mechanism for the BTWC.

[www.unog/bwc accessed on 30 December 2013 shows that the Russian Federation submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Indonesia then spoke saying that its delegation wished to associate itself with the statement made by Iran on behalf of the Non-Aligned Movement and Other States Parties to the BWC. The statement went on to say that *Indonesia attaches great importance to the issue of international cooperation and full, effective and non-discriminatory implementation of Article X. The enhancement of international cooperation for the use of biological agents for peaceful purposes is essential for the realization of the purpose and objective of the convention and also its effective implementation. Indonesia welcomes the discussion on science and technology We sincerely hope that this discussion will further enhance exchange of knowledge and technology effectively among member states.* The statement concluded by saying that *Finally, Indonesia calls on the need for strengthening not only national but also regional and international capacity to respond to alleged use of biological weapons, and in disease surveillance, detection, diagnosis and preparedness as well as public health systems including science and technology transfer.*

[www.unog/bwc accessed on 1 January 2014 shows that Indonesia did not submit a CBM in 2013]

Denmark then spoke saying that they aligned themselves with the statement made by the European Union. The statement went on to say that *the Biological and Toxin Weapons Convention (BTWC) is essential to prevent the development and use of biological weapons. Along with the preventative efforts, it is also necessary to be able to investigate allegations of actual use of biological weapons. It is of vital importance for international peace and security that the international community can quickly and impartially verify or reject such allegations so that possible retaliation and escalation are avoided. We therefore regard the UN Secretary General's Mechanism for the investigation of alleged use of biological or chemical weapons as an important tool to safeguard international peace and security. Denmark has offered the Secretary General's Mechanism a team of specialists with experience in biological field investigation. These specialist teams are on 24 hour call and can deploy quickly if requested by the Secretary General.*

The statement went on to say that *In our efforts at preventing the use of biological weapons national biosecurity efforts are crucial. Denmark has a well established national biosecurity system that ensures that dual-use materials and technology are suitably regulated and under*

control. Together with experts from France, the Netherlands, Sweden, the United Kingdom and Switzerland, Denmark has developed recommendations to support the implementation of appropriate biosecurity measures in the EU Member States. It went on to add that Denmark believes the dissemination of biosecurity best practices and methodologies is essential for enhancing international security and reducing the threat from biological weapons. The Danish belief is that by strengthening biosecurity in other countries, we, at the same time, strengthen global security, and, as such, also our own national security. It is a two way street.

The statement then said that *It is the view of Denmark that each nation has an obligation to improve the transparency of national policies and actions related to the BTWC and biosecurity in general. In this context, the Confidence Building Measures (CBMs) are essential. An efficient reporting of the CBMs to the United Nations is not only dependent on countries being willing to contribute to the reporting, it also demands that governments have a precise overview of which dual use materials and facilities are present in their countries. This again calls for an efficient national biosecurity system that provides a clear national picture of which companies and institutions are working with these agents and materials. Thus, Denmark sees the implementation of national biosecurity systems as an obvious and substantial way of strengthening the BTWC.* The statement concluded by saying that *Denmark encourages States Parties to work to ensure that the BTWC is continuously brought up to date with new technological developments, thereby ensuring that the convention is capable of incorporating new potential biological threats. Denmark would welcome the establishment of an expert body to advise on future challenges, threats and risks, and possible ways to address these in the context of the BTWC.*

[www.unog/bwc accessed on 1 January 2014 shows that Denmark submitted a CBM in 2013 and that this is publicly available on the unog.ch/bwc website]

Pakistan then spoke saying that *Your synthesis paper ... was very useful. We appreciate the high standards of transparency and inclusiveness that you maintained in the preparation of this synthesis paper.* It went on to say that Pakistan associated itself with the statement delivered by Iran on behalf of the NAM. It said that *Pakistan notes with appreciation the successful conclusion of the Seventh Review Conference and believes its Final Document embodies a delicate balance that should be preserved during the current Inter-Sessional Period from 2012 to 2015. We appreciate the efforts that you have undertaken in order to maintain this balance in the work program of the 2013 BTWC meetings.*

The statement went on to say that *The BTWC has an inherent balance within its various provisions. It not only places certain obligations upon the States Parties, but also encourages cooperation between them. It rightly recognizes that biological threats know no boundaries and therefore all States Parties need to cooperate to enhance global security, without hampering the prophylactic, protective or other peaceful activities.* It then said that *While emphasizing the goal of universality and the need for effective implementation of the Convention, including the establishment of a multilaterally negotiated and legally binding verification mechanism, Pakistan shares the concerns of the international community regarding the possible use of biological weapons, including by non-State actors. We are fully cognizant of our obligations to prevent such use. Pakistan has therefore taken a range of legislative, regulatory and administrative steps to enhance its bio-safety and bio-security regulations. In*

the spirit of South-South cooperation, Pakistan is also ready to share its own experiences for contributing towards capacity building of other developing countries.

In regard to the Standing Agenda Item on cooperation and assistance, Pakistan said that *We believe that there is an urgent need for States Parties to work together to develop procedures to promote full, effective, and non-discriminatory implementation of Article X. In this regard, Pakistan fully supports the NAM proposal for a mechanism on Article X cooperation.* In regard to the Standing Agenda Item on advances in science and technology, Pakistan said that *While benefiting from experts belonging to the relevant fields, this process should be driven by the States Parties. Pakistan believes that there is a need to strengthen international cooperation in order to help the developing States Parties to benefit from the advances in biotechnology and other life sciences. The statement went on to note with concern the potential for uses contrary to the convention, due to the dual use nature of certain new technologies in the life sciences. Such concerns, however, should not in any way impede the free exchange of information and technology between the member States for peaceful purposes, especially towards the developing States.*

The statement concluded by saying *Pakistan views the CBMs as a voluntary tool for increasing transparency and building trust and confidence among States Parties in the implementation of the Convention and believes a reduced reporting burden would enhance participation from all States Parties in the CBMs. However, CBMs cannot be used as a tool for assessing compliance by States Parties, for which the only method is a multilaterally negotiated legally binding mechanism with verification provisions. Pakistan believes that the only sustainable method of strengthening the Convention is through multilateral negotiations aimed at concluding a non-discriminatory, legally-binding agreement, including on verification provisions, dealing with all the Articles of the Convention in a balanced and comprehensive manner.*

[www.unog/bwc accessed on 1 January 2014 shows that Pakistan did not submit a CBM in 2013]

The **United States of America** then spoke saying that *This Convention focuses on the threat of deliberate acquisition and use of disease as a weapon. But we must remain mindful that the disease threats most countries face most of the time are natural in origin. In an increasingly interconnected world, those outbreaks also pose a threat to health, the global economy, and our security. Indeed, today's health security threats arise from at least five sources:*

- *The threat of acquisition or use of biological weapons by States or non-State actors;*
- *The risks posed by advances in biological science capabilities, which have incredible beneficial potential, but also pose risks related to accidental release or deliberate misuse;*
- *The emergence and spread of drug-resistant pathogens;*
- *The vulnerabilities created by the globalization of both travel and the food supply;*
and
- *The emergence of new pathogens.*

The statement went on to say that *I do wish to reaffirm the value of recognizing this nexus between health and security interests. Wherever possible, we should aim to promote actions that will help States Parties to address threats and vulnerabilities regardless of the origin of an outbreak: they will be needed in the event of an attack, but they will be sustained because they also make a contribution to public health. My delegation does not agree that there is a need to define which types of cooperation are “relevant” to the BWC and which are not. It seems clear to us that this nexus of health and security interests means there is a broad area of cooperation that is both directly relevant to the security aims of the Convention and to the undertakings set out in Article X. This is important cooperation that can significantly and measurably reduce the risks posed to the interests of BWC States Parties.* The statement then noted that *We need to adapt our approaches to the new paradigm created by the 7th RevCon, which allows for iterative discussion of the same topics from one year to the next. We have not yet grappled with this issue, but it is crucial to our future work. First, we should seek to achieve greater convergence, building on understandings that have been reached in the past to add clarifying detail or address new issues. If we agreed on something last year, then we should seek to build on that understanding rather than simply reaffirming it, focusing our energy and efforts on new substance and greater articulation of the outputs we seek. In this process, we should also strive for specificity: So we should aim to be concrete and specific in describing our shared understandings, or they are unlikely to result in effective action. With this as our premise, my delegation is of the view that, if we can only agree on generalities or recourse to previously agreed language, then a substantive report will not provide a useful return on our collective investment of time and effort, and we should therefore rely on a factual summary prepared by the Chairman.* It then went on to say that *The report, however, is only one tool to advance common understanding and effective action. The interactions we have as delegates over the course of this week, and the collaborations we pursue over the coming year, also contribute, albeit in a more ad-hoc manner. But we should also give thought to the end of the intersessional period and the 8th Review Conference. Should we work toward a report at the end of the intersessional period that makes specific, consensus recommendations to the RevCon, as was advocated by the U.S. and many others at the last RevCon? If not, how do we see the momentum generated by four years of discussion being carried forward? I’m not certain it is realistic to expect an answer to that question this week – but I hope we discuss it, because we are halfway through the intersessional period, and my delegation believes that we need to begin focusing on what comes next.*

[www.unog/bwc accessed on 1 January 2014 shows that the United States of America submitted a CBM in 2013 and that this is publicly available on the unog.ch/bwc website]

Thailand then spoke saying that they associated themselves with the statement made by Iran on behalf of the Non-Aligned Movement. The statement then said that *we believe that the 7th Review Conference in 2011 was a significant step forward in providing platform for strengthening the Convention. Thailand is of the view that 3 standing agenda items ... are not only timely and balanced, but also help developing countries to achieve the goals and objectives of the Convention. Thailand has no doubt that cooperation and assistance is an important element for the success of the Convention. ... Thailand has conducted a number of seminars, meetings and training sessions on biosafety and biosecurity in collaboration with the World Health Organization (WHO) and national agencies such as the Centers for Disease*

Control (CDC) and the National Institute of Health (NIH). This is consistent with our efforts to develop and improve upon our existing legislation to enhance biosafety and biosecurity in our country. On the review of science and technology development This year, we have set up the Biosafety Association (Thailand). This is the latest in our many steps to promote dissemination of knowledge on biosafety ... The statement went on to add that strengthening national implementation is highly crucial. On our part, we are strengthening our legal mechanisms concerning export controls of dual use goods. We also promote biosafety and biosecurity by introducing international classification of pathogens according to their risk level, by improving the standards of our laboratories, and by introducing standards regarding the transportation of pathogen.

[www.unog/bwc accessed on 2 January 2014 shows that Indonesia submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Germany then spoke saying that *we will do our best to make this meeting a constructive one on the way towards the next Review conference. As regards the current intersessional process, I would encourage us all to see the glass rather half full instead of succumbing to inertia – the BWC can be the basis for responsible activities in the field of weapons of mass destruction, a field that touches upon many important, very acute and very concrete questions. The international discussions this year have been rich and instructive, and it should be possible to derive common understandings and effective actions from them, provided we all work together constructively to this end.* The statement went on to say that *One of the issues of growing importance ... is what is known as Dual Use Research of Concern. ... we see a close link between such research with dual use potential and the BWC. We have to strike the right balance between the free conduct of scientific research and the demands of prudent security according to the BWC. Another aspect with a close link to the BWC is the role of industry. The implementation of effective non-proliferation standards and the BWC regime will in our view enhance the ability to conduct sustainable security-related business operations in the long term. Therefore, industry has a veritable self-interest in ensuring compliance with regimes like the BWC, and we see merit in considering how industry could be engaged more actively also in the BWC framework.* The statement concluded by noting the use of chemical weapons near Damascus and the accession of Syria to the CWC and the award of the Nobel Peace Prize to the OPCW by saying *We therefore hope that these developments will have a positive impact on the BWC process, both as regards universalization and also with a view to leading to constructive discussions on its implementation.*

[www.unog/bwc accessed on 1 January 2014 shows that Germany submitted a CBM in 2013 and that this is publicly available on the unog.ch/bwc website]

Malaysia then spoke saying that they associated themselves with the statement made by Iran on behalf of the Non-Aligned Movement. The statement then said that *Malaysia shares the view that there should not be “one-size-fits-all” solution for national implementation and that approaches should be tailored to the individual circumstances and needs of individual State Party.* The statement noted that *Malaysia is in the process of finalizing its BWC bill to strengthen and deal with developments in this area.* It went on to add that *Malaysia also continues to hold the principle that effective implementation of the Convention requires non-discriminatory and balanced approach to all provisions of the Convention. We fully subscribe*

to the NAM principled position which holds that the BWC forms a composite whole and that while it is possible to address related issues separately, it is necessary for all the inter-linked elements of the Convention to be dealt with in a balanced and comprehensive manner, whether they relate to regulation, compliance or promotion. Malaysia recognizes the importance for States Parties to undertake serious and persistent efforts and concrete actions to strengthen national and international efforts and capabilities in the measures stipulated in the Convention. At the same time, we remain strongly of the view that there should be similar commitment and undertaking among all States Parties towards promoting and enhancing international cooperation.

[www.unog/bwc accessed on 2 January 2014 shows that Malaysia submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

The Czech Republic then spoke saying that they fully associated themselves with the statement to be delivered by the European Union. It then said that *The Czech Republic considers the compliance assessment as an important instrument to enhance transparency and confidence building among States Parties to the Biological Weapons Convention. Therefore, the Czech Republic participated in the first phase of the compliance assessment project along with Canada and Switzerland. Our submission demonstrated that the self assessment of national legislation, with an active engagement of relevant national authorities, is also a credible way of conducting the process. Our common goal is to strive to attract more States Parties to the project. Based on a positive experience from the pilot phase, we are ready to continue in our efforts.* The statement went on to say that *The Czech Republic welcome the progress in the process of revision of the Confidence Building Measures (CBMs) submission achieved during the last Meeting of Experts in August with the view of its adoption at the 2016 Review Conference.*

[www.unog/bwc accessed on 2 January 2014 shows that the Czech Republic submitted a CBM in 2013 and that this is publicly available on the unog.ch/bwc website]

Japan then spoke saying that they were fully associated with the JACKSNNZ statement. The statement went on to say that *we firmly recognize the necessity to review scientific and technological development in life science and to take appropriate measures against biological threats. Although we enjoy enormous benefits that science and technology has provided for us, their rapid advancement increases potential biological threats caused by their misuse or illicit use. In this regard, States Parties should fully implement the Convention by reinforcing legislative and administrative measures, especially to enhance biosafety and biosecurity levels. At the same time, voluntary measures are useful for that purpose. For example, in dual-use issues, scientists could play a crucial role in introducing educational programmes, and establishing a voluntary code of conduct.* The statement went on to say that *Japan has continued to provide assistance to developing countries, and cooperated with international organizations, academia, and research institutions to assist the implementation of the BWC in developing countries.* Japan went on to add that *in the last Meeting of Experts, a constructive discussion about BWC compliance started under the agenda item of “national implementation”.* *It is required for States Parties to consider possible measures to enhance, and demonstrate, assurances of BWC compliance. We would like to underscore the importance of further discussions on this topic.* The statement concluded by saying that *Confidence Building*

Measures (CBMs) has greatly contributed to promoting transparency and increasing mutual trust among States Parties. It could also play an important role to review the current status of national implementation of each Member State. In August, Japan introduced a “step by step approach in CBM participation”. The purpose of this working paper is to stimulate a constructive discussion since this meeting is the last one in the current inter-sessional process to deal with this agenda as a biennial item.

[www.unog/bwc accessed on 2 January 2014 shows that Japan submitted a CBM in 2013 and that this is publicly available on the unog.ch/bwc website]

Italy then spoke saying that they fully subscribe to the statement that will be made by the European Union. The statement went on to say that *In order to be even more effective, we consider the universalization of the Convention a top priority and we urge those remaining States which have not yet adhered to or ratified the Convention to do so without delay.* The statement then said that *The potential risk related to biological agents and toxins constitutes a challenge to international peace and security and every possible effort should be exerted in order to strengthen the Convention’s Article VII on responding to use or threats of use of biological or toxin weapons. This goal is achievable only through full compliance with the Convention’s provisions and their effective implementation at national level. The current inter-sessional process offers an opportunity to look for ways and means to enhance national implementation measures, including penal legislation, and control over pathogenic microorganisms and toxins . In this context, confidence-building measures (CBMs) remain an essential instrument to promote the purpose of the BTWC and we esteem the results of the Meeting of Experts held last August to be positive and constructive in this respect. We are convinced that they allowed us to identify some key issues that will help to further advance our work . The CBM process has to be as effective as possible and the need for further changes should be analysed and decided upon at the 2016 Review Conference.* The statement went on to add that *Moreover, we support further exploration or consideration of the idea of a peer review mechanism to promote exchange of best practice and build trust between States Parties.*

In regard to cooperation and assistance, the statement said that *Italy considers exchanges in biological sciences and technology, including equipment and material for peaceful purposes, a legitimate goal under the BTWC. However, there is the need to ensure that, in accordance with Article III, only activities for peaceful purposes not prohibited by the Convention are undertaken. As a consequence, we are convinced that appropriate export controls are compatible with the provisions of Article X.* In regard to science and technology, the statement said that *Special attention should be paid to scientific and technological developments in the field of biology. In this framework it is essential to build stronger and sustained links between the scientific and the diplomatic communities. Furthermore, biochemistry constitutes a new frontline. We deem it of paramount importance that the CWC and BTWC communities work together more closely.*

[www.unog/bwc accessed on 2 January 2014 shows that Italy submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Cuba then spoke saying that Cuba subscribes to the statement made by Iran on behalf of the NAM and Other States Parties. The statement went on to say that Cuba attaches great

importance to the implementation of the BWC and has accordingly implemented a raft of legal instruments for the essential purpose of ensuring the protection of humankind and the environment in the peaceful use of biological agents and toxins. Cuba acknowledged the satisfactory results achieved by the 7th Review Conference and in particular on the issue of international cooperation. Nevertheless, it is Cuba's view that much remains to be done to ensure the full, effective and nondiscriminatory implementation of Article X of the Convention. The statement went on to add that Cuba, as well as the other members of the NAM and other States Parties, is in favour of resuming negotiations on a legally binding agreement which would include the basic pillars of the Convention, inter alia assistance and cooperation. The statement then went on to recall that Cuba at MX/2012 submitted a document on implementation of Article X of the Convention. They then said that the main obstacle preventing Cuba's broader international cooperation in the field of biological activities including international exchange in biological science and technology for peaceful uses is the economic, commercial and financial embargo enforced by the United States for over 50 years against Cuba. The statement added that it was the duty of Cuba to ensure the full implementation of international cooperation without unjustified conditions or restrictions such as those applied against Cuba. Establishing a mechanism that enables us to report and solve this type of restriction would be one concrete measure that would enable us to take one step more on the long road ahead towards full, effective and nondiscriminatory implementation of Article X.

[www.unog/bwc accessed on 2 January 2014 shows that Cuba submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

South Africa then spoke saying that South Africa associated itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement then said that *South Africa supports efforts aimed at realizing a strong, effective and universal Convention. In this connection, we welcome the accession of Cameroon, Nauru, Guyana and Malawi to the Convention. ... we are particularly pleased to see an increase in the number of African countries participating in the work of the BWC.* The statement went on to say *South Africa shares the view that a legally-binding provisions are necessary to strengthen the Convention as a whole and to improve its implementation. Indeed, the establishment of such an instrument should remain our primary goal. However, in the absence of this, my delegation remains committed to examining other ways in which to strengthen the Convention, given its importance to advancing Africa's developmental needs and priorities....* The statement went on to say that *South Africa believes that international cooperation and assistance should also be strengthened to alleviate the threat posed by biological weapons. Therefore it is important to explore initiatives, such as the exchange in biological sciences and technology, the promotion of capacity building in the fields of disease surveillance, detection, diagnosis and containment of infectious diseases, amongst others. In this context, an effective cooperation mechanism in which all States Parties can participate on a voluntary basis could play an important role in achieving this objective. As part of our efforts to strengthen international cooperation and assistance, South Africa is of the view that it is important to examine the manner in which Article X is currently implemented However, in dealing with these obstacles there is an urgent need to take this a step further by assessing the actual functioning of the cooperation database, which was established at the Seventh Review Conference precisely to facilitate this process. Such an assessment could go a long way in enabling us to evaluate its efficacy with a*

view to identifying possible measures to improve participation rates and the overall manner in which it currently operates. Indeed for South Africa, the database is central to ensuring that Article X is implemented by all States Parties. As such, it should be developed and expanded to fulfill this important role. The statement then went on to say in regard to CBMs that South Africa believes that in order to address the associated challenges, the whole system, including the purpose of these declarations, needs to be analysed and reconsidered. As part of this process, we would recommend that the Implementation Support Unit (ISU) be requested to seek information from States Parties that do not participate regularly on the specific reasons for this.

[www.unog/bwc accessed on 2 January 2014 shows that South Africa submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Algeria then spoke saying that Algeria associated itself with the statement made by Iran on behalf of the Non-Aligned Movement. The statement went on to say that the threat of biological weapons is an omnipresent threat, given the developments in science and technology, with the potential for dual-use technology and Algeria would add to this the development of means of communication in a virtual manner but also real time communication which provide access to scientific information much easier and also lead to a greater risk of biological terrorism. The statement went on to say that Algeria continues to believe that the establishment of a legally-binding verification instrument would be the best way to ensure the respect by States of the obligations incumbent upon them under the terms of the Convention. However, as this question has not yet achieved a consensus, the 2012–2015 intersessional period, as decided upon by the 7th Review Conference, provides us with a platform for an exchange of views, an exchange of experience on the implementation of the Convention and is also the right platform, first and foremost, to establish common understanding as to the threats posed and to decide on specific action to be undertaken to face up to these challenges and ensure the balanced implementation of all the Convention. The statement went on to support the organization of the Meeting of States Parties with its focus on the three Standing Agenda items and on the biennial item. On the latter, Algeria said that Algeria is aware of confidence-building measures and their importance in ensuring transparency as to the activities of States Parties in those areas covered by the Convention and it is important that we find ways in which we can ensure greater participation of States Parties in this process as we are seeing very poor participation in this process.

[www.unog/bwc accessed on 2 January 2014 shows that Algeria did not submit a CBM in 2013]

Brazil then spoke saying that Brazil fully associated itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement went on to say that *Brazil was also an active participant in the efforts to negotiate a verification Protocol to the BWC, which were regrettably interrupted in 2001 without a consensual outcome. Like many other delegations, Brazil was frustrated that States Parties could not reach an agreement on a legally binding instrument on verification.* The statement then went on to comment on the synthesis paper, BWC/MSP/2013/L.1 saying the *Brazil considers that the BWC has two main pillars – one regarding non-proliferation and the other relating to technological and scientific cooperation for peaceful ends. We believe that the full, effective and non-discriminatory implementation of*

Article X is essential for the realization of the objectives and purpose of the Convention. Brazil opposes any attempt to establish additional preconditions to the implementation of Article X. For that reason, we have reservations to the notion, contained in the synthesis paper, of “facilitating implementation of Article X by strengthening implementation of Article III.” Brazil welcomes the discussion of oversight of science as a positive step towards the successful implementation of the BWC. In this connection, my delegation cannot accept the reference in Section II of the synthesis paper, to “advances in technologies that make vaccine production simpler, faster, cheaper and more efficient” as a development with potential for uses contrary to provisions of the BWC. Another matter of concern to my delegation is the proposal to “discuss compulsory licensing with the World Intellectual Property Organization and the World Health Organization, as a means to overcoming obstacles to provision of medicines to developing countries”. It is not clear why this question is worth addressing in the BWC. The issue of compulsory licensing is not under the mandate of the Convention.

The statement went on to say that *The synthesis paper addresses the issue of coordination with relevant international and regional organizations, such as the World Health Organization, the World Customs Organization and INTERPOL. There is no doubt that health structures, sanitary preparedness, customs and border control are relevant factors when dealing with biological threats. However, we believe that cooperation efforts should take into account the mandates of existing mechanisms established by those organisations. None of them are mandated or have the means to cooperate with the BWC on the issue of verification. Decisions and recommendations regarding biosafety and biosecurity should be made within the framework of the BWC.* It then added that *With reference to the proposal of establishing an open-ended working group to consider the implications of advances in science and technology, including the convergence of chemistry and biology, my delegation is not convinced of the need to establish such working group. Not all States Parties have sufficient financial and human resources to follow these initiatives. Besides, it is not clear why the debate on this matter should take place in a working group, rather than in the context of regular meetings of experts.*

Brazil then said that *I would like to emphasize that Brazil does not consider “voluntary peer review processes” or “compliance assessments” to be appropriate ways to review national implementation or to verify compliance to the BWC. These initiatives should not distract the attention of States Parties away from strengthening the Convention in all its aspects, in particular the need for a verification mechanism. ... Non-verifiable transparency measures are not sufficient to generate confidence in the biological security arena.* The statement concluded by saying that *A verification regime would undoubtedly provide a substantial protection against biological weapons. A renewed exercise of dialogue is needed in this regard.*

[www.unog/bwc accessed on 3 January 2014 shows that Brazil submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

India then spoke saying that India associated itself with the statement made by Iran on behalf of the NAM. The statement went on to say that *India remains committed to improving the effectiveness and strengthening its implementation and universalization. ... We believe that only a multilaterally agreed mechanism for verification of compliance can provide the assurance of observance of compliance obligations by States Parties and act as a deterrence against non-*

compliance. It then added that India believes that the standing agenda item on review of S & T developments is important for States Parties to keep pace with the rapid developments in biological science and technology which might impact the implementation of the Convention. The measures taken to mitigate biological risks should be proportional to the assessed risk and not hamper peaceful legitimate activities including international cooperation. India looks forward to continuing discussions on Codes of Conduct and education and awareness raising in order to address issues related to biorisk management. India would also be willing to make a contribution to the discussion on exploring the best way of conducting S & T review under the Convention in the run up to the next Review Conference, recalling the Working Paper submitted by India at the last Review Conference.

The statement went on to say that *India continues to attach high importance to the full and effective implementation of Article X of the Convention. We believe that the measures suggested by the Non-Aligned Movement in its Working Paper submitted to the Meeting of Experts this year should be given due consideration. While legitimate peaceful transfers should not be hampered, India is not in favour of unregulated transfers. In this context, we believe that strengthened implementation of Article III would ensure that the cooperation envisaged under Article X is not abused. We look forward to the ISU's report on the operation of the database established in pursuance of the decision of the 7th Review Conference.* It then added that *The standing agenda item on national implementation provides a ready platform for States Parties to share and learn from their national experiences in the implementation of the Convention. India has a broad based regulatory framework to prevent the misuse of biological science and technology, including effective export controls matching the highest international standards. We also support assistance to States Parties for strengthening their national systems for biosafety and biosecurity.* Then in regard to the biennial item on CBMs, India said *we wish to underline that the effort should be to look at ways and means to increase the number of States Parties making CBM submissions. We would like to stress that CBMs are an important transparency measures to enhance trust in implementation of the Convention, but CBMs or voluntary measures for demonstrating national implementation cannot be an alternative to an effective multilaterally agreed mechanism for the verification of compliance. Only such a mechanism can provide the assurance of observance of compliance obligations by States Parties and act as a deterrence against non-compliance.*

[www.unog/bwc accessed on 4 January 2014 shows that India did not submit a CBM in 2013]

This then concluded the General Debate for the morning session on Monday 9 September 2013. Richard Lennane of the ISU announced that there would be a side session in Room XXIV entitled *Developments in Science and Technology; Strengthening biological risk management.*

General Debate, afternoon, Monday 9 December 2013

The afternoon session of the General Debate commenced with **Colombia** saying that increasing progress on the bio-sciences and in biotechnology worldwide have forced us to

acknowledge how important it is to make further headway with the full implementation of this Convention. The statement went on to say that Colombia offered their full support for the effective development of this Meeting of States Parties precisely because of the Convention's

importance. Biological weapons and toxins are, of course, extremely important and we have to ensure when dealing with this issue that we effectively implement Article X. It added that Colombia would also like to pay tribute to the work being done by the Implementation Support Unit, particularly on promoting the universality and effective application of the Convention. Furthermore, it is doing a great deal of useful work on confidence-building measures. In the specific case of Colombia, thanks to the support of the Implementation Support Unit, we have managed to expand a plan of action, the purpose of which is to boost our institutional capacity and the legal course available to us to ensure that we fully implement the Convention at national level. This is cosponsored by the Commission of the European Union.

[www.unog/bwc accessed on 5 January 2014 shows that Colombia did not submit a CBM in 2013]

Albania then spoke saying that Albania associated itself with the statement made on behalf of the European Union. The statement went on to say that they attached *great importance to arms control disarmament and non-proliferation treaties and also to export control regimes as means to prevent such proliferation. With a view to fulfilling the provisions of international non-proliferation arrangements to which Albania is party, an enhanced system of export controls is implemented in Albania. Albania considers export control as an important element of its national security.* The statement went on to add that the BTWC became part of the legal system of Albania by the Law nr. 7532 date 11.12.1991. *The basic requirements of the BTWC have been continuously incorporated into the Albanian legal system since the mid-1990s. Subsequently the requirements arising from other relevant international conventions such as UNSCR 1540 have also been incorporated.* The statement added that *Albania also supports the efforts to improve the existing formats of the Confidence Building Measures and recognize their contribution in assuring the effective transparency in the implementation of the Convention. In conclusion, the Government of Albania is determined to continue to advocate and join its voice to other States Parties aiming to reach the universalization of the Convention and also encourage its timely and full implementation in order to strengthen the protection of civilians and prevent more human suffering.*

[www.unog/bwc accessed on 5 January 2014 shows that Albania did not submit a CBM in 2013]

Australia then spoke thanking Canada for delivering the statement on behalf of the JACKSNNZ, of which Australia is a member. The statement went on to say that *Outcomes from the 2013 Meeting of Experts, building on last year's intersessional process, provide us with a real opportunity to map out a clear path for the Eighth Review Conference in 2016. Effective action now will help our common efforts to strengthen the implementation of this Convention and enhance our goal of a successful 2016 Review Conference.* The statement went on to say that *it is incumbent on us now to engage critically, creatively and practically with the key challenges confronting the BWC: the realities of rapid scientific and technological developments and the increasing globalization of the biotechnology sector. To address these challenges, we need to forge a new cooperative approach whereby we share our expertise and knowledge, strengthen our approaches to national implementation and build confidence across regions and blocs, while harnessing the many benefits for humanity that these S & T developments bring.*

The statement then added that *To this end, Australia and eight other states are very pleased to present a “Compliance Working Paper” to this meeting, which builds on a discussion paper at last year’s MSP “We need to talk about compliance”. Australia and other co-sponsors of this paper look forward to a focused examination of key questions about what constitutes compliance with the Convention and how States Parties can better demonstrate their compliance within the national implementation framework as we move into 2014.* The statement concluded by noting that *Australia is also submitting an update to its report to the Meeting of Experts on how we are fulfilling our obligations under Article X of the Convention. Regional cooperation makes an important contribution to broader multilateral efforts. Australia’s Article X update is offered as just one practical example of Australia’s ongoing contribution to promoting effective implementation of and universal adherence to the BWC, especially in the Asia-Pacific region.*

[www.unog/bwc accessed on 5 January 2014 shows that Australia submitted a CBM in 2013 and that this is publicly available on the unog.ch/bwc website]

South Korea then spoke saying that South Korea aligns itself with the Joint Statement of the JACKSNNZ group. The statement went on to say that *The Republic of Korea has taken several practical steps to upgrade its capabilities to better implement the BWC. Under the “Act on the Prohibition of Chemical and Biological Weapons and the Control of the Production, Export, and Import of Specific Chemicals and Biological Agents,” the Korean government consolidated regulations which were previously dispersed in a number of separate legislations.* It went on to add that *The sensitive biological materials and technology has dual use and their spread knows no boundaries. International cooperation is, therefore, quite vital in fully utilizing the benefits of biotechnology, while combating the illicit transfer of sensitive technology. It is encouraging to note that international cooperation and collaboration in the field of biosecurity and biosafety have expanded over the years both within and outside the framework of BWC. In terms of strengthening the cooperation and assistance under Article X of the Convention, my delegation believes that legal and technical assistance – either multilaterally or bilaterally – to help resolve problems arising in the implementation process is essential part of the Convention.* The statement added that *The remarkable developments in life science in recent years have benefited the humanity and widened the scope of biotechnology for peaceful purposes. At the same time, however, new risks have emerged due to its dual nature. It is my view that we have a common understanding on the need to address the risk stemming from new technological developments without hindering the economic and technological development of States Parties. It is encouraging that many States Parties have presented various ideas and proposals on this issue. The intersessional meetings should consolidate the discussion in the run up to the upcoming Review Conference in 2016 to produce a practical guidance to scientists, academics and law makers.* The statement concluded by saying that *The membership of the Convention today is 170 and we have to continue our efforts to achieve the full universality of the Convention.*

[www.unog/bwc accessed on 5 January 2014 shows that South Korea submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Iraq then spoke saying that they supported the statement by Iran on behalf of the NAM. The statement then went on to outline the steps taken by Iraq during the past year to implement the

Convention. Iraq said that the full implementation of Article X on international cooperation and assistance was of especial importance to Iraq. The decision of the 7th Review Conference to create a data base to facilitate cooperation and assistance and the implementation of Article X was welcomed. Iraq appreciated the assistance they had received in the past year in the compilation of the CBMs which had been submitted covering the year up to 15 April 2013.

[www.unog/bwc accessed on 5 January 2014 shows that Iraq submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Mexico then spoke saying that it is essential for the parties to the Convention, however, to have legal and political certainty about compliance with the provisions of the Convention on Biological Weapons in the same way as we do with the Convention on Chemical Weapons. This applies particularly to destruction and rejection by States Parties of the repugnant effects of biological weapons and on the development thereof. Mexico, therefore, deplores the absence of legal provisions in the Convention which can be used to ensure that it is being fully complied with by its Member States. The statement went on to add that the issue of global public health is one of the issues dealt with by the Convention on Biological Weapons. Security in the 21st century needs to be looked at from a multidimensional point of view: that means including some of the following aspects: public health, biotechnology, epidemiology, monitoring and early warning, as well as the control of dual-use material and technology. Mexico believes it to be crucial for the Convention to cooperate with the WHO, FAO and OIE – the World Organisation for Animal Health – as well as with other relevant organizations and bodies. The statement then said that the report on confidence-building measures is a fundamental component of international security and of the regime applied by the Biological Weapons Convention. It is therefore worrying to us that there is a low level of participation in and contribution to them by Member States. The resource contributes – and indeed should do – to transparency and to strengthening the regime established by the Convention. It also shows that advice, exchange of information and the sharing of lessons learned is something that all States Parties can participate in on an equal footing. The statement then said that Mexico believes it is essential to continue to encourage full compliance with commitments made under the BWC and that in all dimensions, by that Mexico means the total destruction of biological weapons, stocks, verification, assistance, protection and international cooperation for peaceful purposes in the area of science and medical technology.

[www.unog/bwc accessed on 5 January 2014 shows that Mexico submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

France then spoke saying that France fully supports the statement that will be made by the European Union. The statement then said that France takes the view that the final report of this meeting should be based on the elements of consensus that exist already, while emphasizing new elements in order to mark progression of the intersessional process towards the next Review Conference. A number of consensual elements have been attained and France would wish that there be specific proposals for action present in the final report of the Meeting of States Parties. These operational proposals would make it possible to gain the maximum benefit from the intersessional process and strengthen the implementation of the Convention. The statement went on to add that last week France organized a pilot peer review exercise in Paris. The objective was to make it possible to strengthen national implementation and carry

out an exchange of good practice among peers. There were experts from nine countries participating who were able to exchange on the implementation of the Convention by France and visits to French sites. This initiative is a proposal for an innovative approach which France hopes will contribute to moving forward in the implementation of the Convention. France will come back to that in greater detail in the section of the debate on national implementation.

[www.unog/bwc accessed on 5 January 2014 shows that France submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Libya then spoke saying that they welcomed cooperation at all levels and especially wished to focus on national capacity and the need to build confidence. Libya needed cooperation at the international level as Libya did not have the experience or the national institutions or resources. A National Committee for Biological Safety had been established in 2012 that would also cover national biosecurity and bioethics. A draft law for biological safety had been prepared with an open-ended working group to propose standards.

[www.unog/bwc accessed on 5 January 2014 shows that Libya submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Lithuania then spoke saying that Lithuania associates itself with the statement to be made by the European Union. The statement went on to say that *The BTWC is the cornerstone of international efforts to prevent biological agents from ever being developed and used as weapons. We actively support the universalisation, the national implementation of and full compliance with the Treaty.* The statement said that *Lithuania remains committed to working with a long term view to develop measures to effectively verify compliance with the BTWC. Working Paper on Compliance with the BTWC – submitted by Australia, Canada, Costa Rica, Finland, Japan, New Zealand, Spain Switzerland and my own country – Lithuania, outlines the key questions about what constitutes compliance with the Convention and how States Parties can better demonstrate their compliance, to be discussed understanding agenda item on strengthening national implementation. Worth mentioning is the BWC Compliance Assessment Pilot Project [to be] proposed by the Czech Republic, Canada and Switzerland. Lithuania is prepared to be an active participant in the project and invited States Parties to the BTWC to also participate in it.* The statement went on to say that *Recognizing the serious threat of bioterrorism, Lithuania reaffirms her commitment in strengthening bio-security, including by fully implementing relevant international requirements. We have expressed our detailed position ... in the working document named “Addressing Modern Threats in the Biological Weapons Convention” submitted by Australia, Canada, Chile, Colombia, Czech Republic, Finland, Ghana, Netherlands, Nigeria, Republic of Korea, Sweden and my own country – Lithuania.* The statement concluded by saying *Finally, we welcome the contribution of civil society in promoting the principles and objectives of the BWC. The Meeting of States Parties this December should acknowledge this indispensable contribution and look for more effective interaction.*

[www.unog/bwc accessed on 5 January 2014 shows that Lithuania submitted a CBM in 2013 and that this is publicly available on the unog.ch/bwc website]

Argentina then spoke saying that Argentina is happy that the Convention is continuing to move

steadily towards achieving universal status. Argentina then said that we recognize the need for the issues to be dealt with in a global way by each of the States Parties. We also think that regional cooperation will be of great help in dealing with difficulties in overcoming barriers. It is not sufficient to just accede to the Convention and approve laws and rules and regulations unless those are accompanied by the allocation of a budget, awareness-building and practical steps involving all national relevant parties in the public and private sector. This is how my country sees this and this is why our technical and policy budgets responsible for working on these issues have been trying to bring this about for many years already. The statement went on to add that at the 7th Review Conference a decision was taken to have standing issues which should be dealt with on a biannual basis, ensuring a more systematic and integral follow-up to the work we do. In the first half of the intersessional period we dealt with confidence-building measures: we talked about the significance, the use and the challenges we still had to overcome with relation to them. We believe the improvements made and agreements reached are good but we still feel the need for an ongoing in-depth discussion on the instrument. We are worried about the low level of presentations of confidence-building measures because we believe that at the moment at least we are failing to exploit the enormous potential of these measures.

[www.unog/bwc accessed on 5 January 2014 shows that Argentina submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Kenya then spoke saying that *Kenya attaches great importance to the BTWC and continues to coordinate and undertake activities towards the implementation of the Convention at regional, national and county levels. These include the following: Collaboration at international, regional and national levels on issues of biosafety and biosecurity* The statement went on to say that *I would like to take this opportunity to request interested States Parties to work with us in the following areas:* • *Harmonization of frameworks to enhance biosecurity and dual-use research; ...* • *Continuous capacity building on biosafety and biosecurity to strengthen implementation of the Convention;* • *Creation of public awareness and promotion of communication, education and outreach programmes on biosafety and biosecurity.*

[www.unog/bwc accessed on 5 January 2014 shows that Kenya did not submit a CBM in 2013]

Uruguay then spoke saying that in order to contribute to the debate on Article X dealing with international cooperation, Uruguay believes it is appropriate to make one or two points about interaction between implementation of the BWC and that of the CWC. In coming up with ideas and proposals at the Meeting of Experts held in 2013 and on Chapter II, section D – Development of science and technology relevant to the activities of international multilateral organizations – paragraph 14 can be identified as the starting point for a process to achieve greater cooperation between implementation of both Conventions. We hope that this, in the final analysis, will step up the effectiveness of arms control. Many of the types of action proposed at the Meeting of Experts held this year have a counterpart in the range of measures to improve international cooperation within the framework of Articles VIII and XI of the Convention on Chemical Weapons. The statement went on to add that as distinct from OPCW, which was established when the CWC came into force in 1997, we do not have the same kind of multilateral mechanism for disarmament and non-proliferation of other types of weapons of mass destruction such as nuclear weapons or bacteriological and toxin weapons. Uruguay

then said that given the similarities between biological and chemical weapons, we think that we should have greater interaction between implementation of the CWC and the BWC.

Uruguay went on to say that in order to make sure that the BWC is more effective, we need to give priority to achieving realistic goals. These could include the adoption of a universal standard for minimum physical protection of national resources and sensitive installations which use biological agents. These could be defined in accordance with agreed international principles and would make it more difficult for unauthorized parties to get access to this material. We could also look at strengthening controls on the export of biological and technological agents including laboratory equipment and dual-use material. This would make it possible for commercial transfers to take into account the need for being certain that the material is going to the correct final destination and that the person receiving them is using them only for peaceful means under strict national control. This would avoid the risk of hijack or illegal diversion. We would also need a control list for biological agents and technologies generally accepted by the international community and a security model for the exporting and receiving State. This could include end-users' certificates and insurance that the substances are being properly physically protected while on their way to the receiving party. It could also include an exporter verification clause in the contract which should be voluntary and agreed by both the exporter and the importer. Turning to the focal points in Member States, here we think we should include a national verification system of sensitive installations located within a given Member State's territory. There would also be the granting of authority required to issue an end-user's certificate. We also need to speed up negotiations on the adoption of biosafety and biosecurity protocols, based on international parameters. We would like to see these contain guidelines for staff working in sensitive scientific and industrial installations in this sector.

[www.unog/bwc accessed on 5 January 2014 shows that Uruguay did not submit a CBM in 2013]

Ecuador then spoke saying that Ecuador supported the statement made by Iran on behalf of the NAM. Ecuador went on to say that on cooperation and assistance, we believe it to be a good thing that this is one of the standing issues to be worked on by meetings of the Convention. We attach the highest possible priority to this because we believe that strengthening cooperation and assistance under Article X will move us closer to the full application of the Convention, both in spirit and in practice and will enhance both international peace and international security. The statement added that Ecuador is committed to national implementation of the Convention and we should like to thank the European Union, the Implementation Support Unit and VERTIC for the assistance programme it has been helping Ecuador with in the course of this year. In October in Quito we held our first national workshop on the implementation of the Convention. All the national institutions in Ecuador involved in implementation of the Convention participated. VERTIC was very helpful in helping us to draft the law we intend to adopt on the application of the Biological Weapons Convention by Ecuador. The assistance programme is designed to strengthen our national biosafety and biosecurity capacity to establish a code of conduct and to ensure that we have the necessary national structure and legal weapons to ensure that we can fully implement the Convention. The statement then concluded by saying that we also believe it useful in building confidence and understanding among the parties that confidence-building measures have been presented in the forms available for the purpose. Ecuador presented those with complete information in

April this year and will continue to provide such information.

[www.unog/bwc accessed on 5 January 2014 shows that Ecuador submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

Burkina Faso then spoke saying that they supported the statement made by Iran on behalf of the NAM. The statement went on to say that Burkina Faso believed that we should contribute to preventing accidents by developing the necessary legal and institutional mechanisms which will guarantee that biological weapons will not cause harm, either to States or to individuals. It then added that Burkina Faso will spare no effort to continue to strengthen its laws, its practical methods of fighting against these weapons in order to help to control the threat of the proliferation of them.

[www.unog/bwc accessed on 5 January 2014 shows that Burkina Faso did not submit a CBM in 2013]

Madagascar then spoke saying that they supported the statement made by Iran on behalf of the NAM. They recognized the importance of a national legal framework to implement the Convention. Madagascar sought to strengthen the implementation of Article X and thus of international cooperation. Exchanges on public health and capacity building and international assistance for surveillance and diagnosis is essential for Madagascar.

[www.unog/bwc accessed on 5 January 2014 shows that Madagascar did not submit a CBM in 2013]

There was then some consideration as to whether the United States and Cuba wished to take the floor to exercise their right of reply but in accordance with the rules of procedure, it was agreed that the right to reply would be taken at the end of the formal session – after the statements made by international organisations.

The European Union then spoke saying that the following States Parties align themselves with this statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Ukraine, the Republic of Moldova and Georgia. The statement went on to say that *Universalization of the BTWC being one of our top priorities, the EU warmly welcomes the recent accessions of Cameroon, Nauru, Guyana and Malawi bringing the current number of States Parties to the Convention to 170. In this context, we urge those remaining States not yet Parties to the Convention to ratify or accede to it as soon as possible in the near future.* It went on to add that *Following the Seventh Review Conference of the Biological Weapons Convention, the EU has engaged constructively in the inter-sessional process by actively promoting universality, national implementation and full compliance with the Convention. For us, effective national implementation is an issue of great importance to the integrity of the Convention. We remain committed to identifying ways and means to achieve this goal – we are in this for the long haul. Sustained efforts are needed here. The current inter-sessional process offers an opportunity to identify innovative approaches, to enhance national implementation through voluntary exchanges of information, such as the proposed peer-review mechanism. Confidence building measures (CBMs) are an important instrument to promote the purpose of the BTWC and*

we believe that the positive and constructive Meeting of Experts held last August identified some key issues that will help to further advance our work in this direction. We must work to make the CBM process as effective as possible and this includes considering and identifying further changes and deciding upon them at the 2016 Review Conference.

The statement went on to say that *Based on the Council Decision adopted in 2012, several ongoing EU projects ensure continued support and financial contribution to promote BTWC objectives and ensure fulfilment of its obligations. This year, through the valuable assistance of the ISU, the Geneva branch of UN ODA as implementing agency, regional workshops were organized in Kiev for Eastern Europe, in Kuala Lumpur for South-East Asia, and in Mexico City for Central America and the Caribbean. Workshops under the Extended Assistance Program took place in Ecuador, Burkina Faso and Benin. The EU is also engaged in supporting improvements in bio-safety and bio-security. The Council Decision adopted on 18 November this year provides more than EUR 1,7 million to support, through the technical expertise of the WHO, projects aimed at promoting biorisk awareness, laboratory biorisk management, and development of national laboratory strategies.* It then added that *Facilitating exchange in biological sciences and technology, including equipment and material for peaceful purposes, is a legitimate goal under the BTWC. Appropriate export controls are necessary in order to ensure that only activities for purposes not prohibited by the Convention are undertaken in accordance with Article III, and export controls are compatible with the provisions of Article X.* It then went on to say that *Our common aim should be supporting and strengthening, where necessary, national implementation measures, including criminal legislation, biosafety-and-biosecurity measures in life science institutions, control over pathogenic micro-organisms, and toxins export control for dual use agents and technologies.*

The statement concluded by thanking the Chair for her synthesis paper saying that *It will be of great help to focus our work in the course of our discussions this week. Our preference would be that repetitions and re-opening carefully-balanced common understandings agreed last year should be avoided. Instead, we should focus only on what was achieved this year and not covered in 2012. We are of the view that this approach would be highly beneficial for both the quality and substance of the final report and in helping us to focus on critical common understandings and actions that can be taken now nationally or collectively, or where we need further discussion in our future meetings. It will also help us identify issues that need decisions at the Eighth Review Conference and to prepare ourselves thoroughly for those decisions.*

The International Committee of the Red Cross (ICRC) then spoke saying that *Like many States, the ICRC is concerned about the potential for hostile use of developments in the life sciences as biological weapons. The ICRC supports and has called for efforts to strengthen the full range of preventive measures for reducing the likelihood of misuse.* The statement then said that *Cameroon, Nauru, Guyana and Malawi joined the treaty in 2013 and the ICRC welcomes this continued progress in universalization. However, we urge all 26 States not yet party to ratify or accede without delay. There can be no justification for any State to remain outside a treaty that aims ‘for the sake of all mankind, to exclude completely the possibility of biological agents and toxins being used as weapons.’* It went on to note that *joining the treaty is just the first step. A core responsibility of each State Party is to ensure that its domestic laws reflect its obligations under the Convention. As part of effective national implementation, States Parties must, at a minimum, ensure that national legislation provides penal sanctions, and the*

means to enforce them, for any activity prohibited by the Convention.

The statement then said that *Achieving the objective of the treaty – to prevent the use of biological weapons – also requires those engaging in activities at risk of misuse to respect its provisions. It is crucial that scientists closely involved with relevant developments in science and technology are aware of the Convention’s prohibitions and of their responsibility for helping to prevent the misuse of their research. States Parties must therefore increase their efforts to raise awareness among life scientists. As the ICRC emphasized in its Biotechnology, Weapons and Humanity initiative, launched in 2002, all pertinent sections of the scientific community and of industry must be involved if preventive efforts are to be effective.* The statement went on to add that *There also remains the need for a mechanism to ensure a structured review of developments in science and technology; it would address developments with the most significant implications – positive and negative - for the implementation of the treaty’s provisions. Such a mechanism could, for example, take the form of a permanent working group reporting to the annual Meeting of States Parties.* The statement then concluded by saying that *it is encouraging that various ideas and proposals are being put forward as ways of increasing transparency and confidence among States Parties with regard to compliance with the treaty, such as a compliance review mechanism, a peer review process for compliance, and improved confidence building measures. We hope the foundations can be laid now to enable real progress on means to monitor and assess compliance at the 8th Review Conference in 2016.*

The 1540 Committee then spoke saying that *This year marks the beginning of what I hope will become a tradition of closer collaboration between the 1540 Committee and the BWC with a view toward sharing knowledge, views, and effective practices toward our common goals of mitigating increasing threats to international peace and security posed by biological weapon and toxins. United Nations Security Council resolution 1540 (2004) and BWC complement and reinforce each other. Through resolution 1540 (2004), States have been called upon to renew and fulfill their commitment to multilateral cooperation within the BWC framework as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes. States have also been called upon to promote the universal adoption and full implementation of BWC, and, where necessary, its strengthening. The information provided to the Committee by States, whether in the form of national reports or voluntary national implementation action plans often refers to States Parties’ fulfilling their obligations under Article 4 of the Convention. Such information also complements the BWC confidence building measures. Taken together, resolution 1540 (2004), BWC and CWC constitute a multi-layer system of preventing the use of disease or poison as weapons by constraining attempts to acquire or make such materials. This ‘web of prevention’ also helps strengthening the safety and security measures biological weapons-related materials, that is of those materials, equipment and technology covered by BWC and CWC, or included on national control lists, which could be used for the design, development, production or use of chemical and biological weapons and their means of delivery.*

The statement then went on to add that *The Security Council expressed its intention to monitor closely the implementation of resolution 1540 (2004) and, at the appropriate level, to take further decisions which may be required to this end. As of today, 171 of the 193 UN Member States voluntarily reported to the 1540 Committee on their national implementation. This number includes Liberia and South Sudan which submitted their initial reports just this year.*

Moreover, the 1540 Committee has begun to update its database of information on steps taken to implement the resolution by all States, including measures on biological weapons and related materials. Through resolution 1977 (2011) the Security Council also encouraged States to prepare on a voluntary basis, national implementation action plans, mapping out their priorities and strategies for further implementing resolution 1540 (2004). In 2013, one more State, Kyrgyzstan, submitted its national implementation action plan bringing to seven the total number of such plans received by the Committee. This year alone, the 1540 Committee experts assisted a number of States, including Armenia, Bosnia and Herzegovina, Republic of Moldova, Montenegro and The former Yugoslav Republic of Macedonia, in this process. The regional workshops organized by the UN Office for Disarmament Affairs (Geneva Branch) under the auspices of the European Union BWC Action in South and South-East Asia; Central America and the Caribbean; and in Eastern Europe, also contributed to identifying synergy and convergence between the BWC and resolution 1540 (2004) obligations and facilitated capacity building in the participating States. In addition, the group of experts supporting the 1540 Committee also participated in the development of the BWC National Implementation Guide, a tool where those synergies are emphasized.

The statement then went on to note that *Assistance provided to States in need is an area of common interest for BWC and the 1540 Committee. To assist States in meeting potential challenges in implementing the provisions of resolution 1540 (2004), the Security Council has invited States and international, regional and sub-regional organizations to offer assistance in response to requests from other States lacking necessary capabilities and/or resources. The 1540 Committee has been acting as a clearinghouse in matching assistance requests with offers. This year alone, INTERPOL, the World Organization for Animal Health (OIE) and the World Health Organization (WHO) have registered as assistance providers for requests received by the Committee, which will particularly strengthen our ability to respond to existing and future request for assistance in the biological area. There are now 49 Member States and 15 International Organizations registered with the Committee as assistance providers. The committee also received notification of the designation of the BWC Implementation Support unit (ISU) as the point of contact for BWC issues. However, considering the ISU's matchmaking role with regard to the Article X database of assistance, it would be mutually beneficial to expand our future cooperation by addressing any opportunities or options to strengthen our respective assistance mechanisms, in particular since many States (Canada, Cuba, Mexico, Pakistan, and the United States, just to mention a few) notified the 1540 Committee about their willingness to provide assistance with BWC implementation.* The statement then said that *As discussed in this forum in several occasions, promoting concerted outreach, education and training activities in biological risk management including such areas covered by resolution 1540 (2004) will serve to strengthen international nonproliferation efforts and enhance capacity-building in States as well as the ability of national stakeholders to do their jobs effectively. In that regard, the 1540 Committee has recently asked all States and many international, regional, and sub-regional organizations to identify and report on lessons learned and effective practices in implementation. The 1540 Committee intends to compile and share this information, including such practices and lessons learned in the biosecurity domain, and looks forward to cooperating with the BWC in this regard.*

This completed the statements made by international organisations. The Chair then gave the

floor to the United States of America who wished to exercise its right of reply.

The United States of America said that it was using its right of reply as they felt compelled to respond to what Cuba had said in its statement. The United States was one of the principal trading partners of Cuba and the United States was one of the largest providers of medical drugs to Cuba with almost \$100M being supplied in 2011. The sale of medicine and medical devices to Cuba was not prohibited by the United States.

Cuba then took the floor saying that they wished to exercise their right of reply under Rule 19. Cuba said that they had been extremely cautious in their statement. There was a long list of violations of Article X. These were not limited to bilateral trade between the USA and Cuba. Cuba was referring to obstacles in regard to implementing Article X which were a violation of international law and could be regarded as an act of aggression. There was need to have a mechanism to deal with these illegal and unjustified obstructions to Article X.

This then completed the afternoon session of the Plenary Debate at just after 17.15. The Chair then closed the formal session and immediately continued in informal session with statements by NGOs.

NGO Informal Session

The chair thanked all the NGOs for coming and welcomed their interested and knowledgeable contributions.

Statements were made by the following ten NGOs:

- University of Bradford, Division of Peace Studies – Graham S. Pearson
- University of London, King's College & London School of Economics – Filippa Lentzos
- INES (International Network of Scientists and Engineers for Global Responsibility) – Kathryn Nixdorff
- Landau Network Centro Volta in Italy, Defence Medical College of Japan and Bradford Disarmament Research Centre – Tatyana Novosiolova
- Research Group for Biological Arms Control, University of Hamburg – Gunnar Jeremias
- Biosecurity Working Group of the InterAcademy Panel on International Issues – Ryszard Slomski
- VERTIC (Verification Research, Training and Information Centre) – Scott Spence
- Pax Christi International – Trevor Griffiths
- Global Health and Security Consultants – Ali A. Mohammadi
- Scientists Working Group on Chemical and Biological Weapons, Center for Arms

These statements are all available on the unog.ch/bwc website.

There was some difficulty with timing of the NGO statements as these did not commence until after 5.15 pm and it became evident that the session was to finish at 6.00 pm. Following the NGO statements, the Chair thanked the NGOs for their statements. She said that the Meeting of States Parties would on Tuesday morning at 10.00 am start on the Standing Agenda Item on Cooperation and Assistance. Richard Lennane announced that there would be a side event on Education and Outreach at 09.00 am on Tuesday morning.

It should be noted that, as at the Sixth and Seventh Review Conferences and at the intersessional Meetings of Experts and Meetings of States Parties, Richard Guthrie on behalf of the BioWeapons Prevention Project (BWPP) provided daily reports on the Meeting of States Parties that were made available in hard copy to the delegations as well as electronically. These reports can be found via <http://www.bwpp.org/reports.html>.

Side Events

There were a number of side events during the Meeting of States Parties – there was one at lunchtime on Monday and Tuesday and two events at lunchtime on Wednesday and others on Tuesday, Wednesday and Thursday from 0900 to 1000 am prior to the morning session. The side events were as follows:

Monday 9 December 2013

13.00 - 15.00 *Developments in science and technology* - Room XXIV

Chair: Ambassador Serhiy Komisarenko, Ukraine

* *Biochemical Security 2030 Project: Examining S & T responsiveness in the context of the BWC and CWC, report on current work*, University of Bath

* *Chemical Weapons Disarmament in a Technologically Evolving World*, Jonathan Forman, OPCW Technical Secretariat

* *Science needs for Microbial Forensics: Developing an International Science Roadmap*, Alemka Markotic, Croatian Academy of Science, US National Academies, Royal Society, International Union of Microbiological Societies

* *The 2013 Bioweapons Monitor: Launch and Plans for the Future*", Gerald Walther, University of Bradford

* *UN Security Council Resolution 1540: Emerging Trends, Sharing of Experiences, Lessons Learned and Effective Practices*, Dana Perkins, UN 1540 Committee Expert.

Tuesday 10 December 2013

09.00 - 10.00 Consolidating Biosecurity Education – Room XXIV

Chair: Wojciech Flera, Deputy Permanent Representative of Poland to the UN in Geneva

* *Teaching Biosecurity to Neuroscientists*, Tatyana Novosiolova, Division of Peace Studies, University of Bradford

* *On the Dual Uses of Science and Ethics*, Brian Rappert, University of Exeter

* *Activities of the OPCW Temporary Working Group on Outreach and Education*, Jo Husbands, US National Academy of Sciences

* *Updating the Findings of the 2009 Workshop on Education about Dual-Use Issues*, Ryszard Slomski, Poznań University of Life Sciences, Poland

13.00 - 15.00 EU NRBC Action Plan: How the exchange of good practices can improve the surveillance of high risk pathogens - Room XXIV

Chair: Ambassador Jean-Hugues Simon-Michel, France.

Presentations were made by Christophe Genisset, General Secretariat for Defense and National Security, France; Saskia Rutjes, National Institute for Public Health and the Environment, the Netherlands; and Bjarke Kirkemann, Centre for Biosecurity and Biopreparedness, Denmark on biosafety and biosecurity in their countries.

Wednesday 11 December 2013

09.00 - 10.00 *The Biosecurity Sub-working Group of the Global Partnership against the spread of materials and weapons of mass destruction* – United Kingdom - Room XXIV

Chair: Ambassador Matthew Rowland, UK.

Presentations were made by Keiji Fukuda, WHO); Carol Walters, USA; Zalini Yunus, Malaysia; John Griffin, Canada; Sylvia Groneick and Florian Lewerenz

(Germany).

13.00 - 15.00 *United Nations Secretary-General's mechanism for investigation of alleged use of biological weapons* – Denmark, France and Germany - Room XXIV

Chair: Sylvia Groneick, Germany.

Presentations were made by Nikita Smidovich, UN Office of Disarmament Affairs; Nicolas Isla, WHO; Dzenan Gino Sahovic, Umeå CBRNE Centre; Nicolas Coussière, Ministry of Defence, France); Asbjørn Toft Dahl, Centre for Biosecurity and Biopreparedness, Denmark; and Robert Grunow, Robert Koch Institute, Germany.

13.00 - 15.00 *Improving Biosecurity - Assessment of Dual Use Research* - Royal Netherlands Academy of Arts and Sciences - Room XXV

Chair: Kathryn Nixdorff, Darmstadt University of Technology

* *The H5N1 Case: a Virologist's View*, Jan Wilschut, University Medical Center Groningen

* *KNAW Advice on Dual Use Research Policy in the Netherlands*, Koos van der Bruggen, KNAW Biosecurity Committee

* *Reflections on the Report: Improving Biosecurity*, Malcolm Dando, University of Bradford.

Thursday 12 December 2015

09.00 – 10.00 *Monitoring compliance relevant data – Launch of the Hamburg Research Group's trade monitoring website* – Research Group for Biological Arms Control, University of Hamburg – Room XXIV

Chair: Ambassador Michael Biontino, Germany.

Presentations were given by Gunnar Jeremias, Hamburg, Thomas Reinhold, Hamburg and Dana Perkins, UN 1540 Committee expert.

The presentations made at the side events at lunchtime on Monday and Wednesday are available as of 8 January 2014 on the unog.ch/bwc website.

Tuesday 10 December 2013

The Chair opened the session on Tuesday morning saying that the meeting would be considering the agenda item on Cooperation and Assistance. She recalled that the synthesis paper, BWC/MSP/2013/I.1, was available and she looked for a frank and free discussion from which to build language for the report of the Meeting of States Parties. She said that there would be one further statement from the General Debate and then there would be two presentations, a report by the ISU on the data base and she had currently 14 requests for the floor.

General Debate, Tuesday 10 December 2013

The General Debate resumed on the morning of Tuesday 10 December 2013 with a further statement by a State Party.

Ukraine spoke saying that it fully supported the statement made on behalf of the European Union. The statement went on to say that *In Ukraine, we continue to take further measures to ensure the in-depth implementation of our obligations under BWC into national legislation. Ukraine actively supports improvements in Biosafety and Biosecurity, in particular, in raising awareness on dual-use issues, on Bioethics, on education of Life scientists and professionals working in the field of Biotechnology, Pharmaceutical and other related industries. And we are working on these issues in close cooperation with experts from other countries, from the UK, USA, EU in particular.* The statement went on to say that *Universality of the Convention has*

always been and will remain one of the key prerequisites for its comprehensive implementation. We also support the efforts of the international community aimed at identifying new ideas and finding proper approaches to the strengthening and improving of the BWC regime, improving the effectiveness, universality and national implementation.

The statement added that *We continue to insist on the necessity of raising compliance with the BWC provisions and the importance of exchange of information among States Parties through Confidence-Building Measures (CBMs). With a view of further strengthening the national implementation of the BWC and providing the proper compliance of the national activities with current legislation in the respective field, the Government of Ukraine adopted a State Programme on Biosafety and Biosecurity for years 2015 – 2020. This State Programme aims to raise considerably the level of Biosafety and to minimize possibilities of threats of biological origin in my country.*

The statement concluded by saying that *Rapid advances in the Life sciences and the increasing convergence of Chemistry and Biology underlines the importance of the States Parties to the BWC developing the mechanism to ensure that the implications of the above developments to the implementation of the BWC are addressed in a timely and effective fashion. In this regard Ukraine has several times proposed at the experts meetings and/or at States Parties meetings the idea that this Convention would benefit from establishing a scientific advisory board. Later we have amended this idea and suggested at the BWC Experts Meeting last August that at the Eighth Review Conference in 2016, States parties should consider creating an Open Ended Working Group (OEWG) of experts. Such Open Ended Working Group of experts should be set up in close cooperation with the ISU to consider and report annually on the implications for the BWC of rapid advances in the Life sciences and of further trends in the convergence of Chemistry and Biology relevant to the Convention. It is also possible to envisage that science national academies and individual experts would be invited as relevant to participate as guests at OEWG meetings. We were happy to find that in the advance paper submitted by Switzerland at this Meeting there is a sentence (I quote): “One example could be an open-ended working group composed of experts” (unquote). We would further encourage other States Parties to think about this proposal and to let us know what you think about such an Open Ended Working Group.*

[www.unog/bwc accessed on 8 January 2014 shows that Ukraine submitted a CBM in 2013 and that this is not publicly available on the unog.ch/bwc website]

The Programme of Work (BWC/MSP/2013/2) adopted on Monday had the subject *Standing agenda item: Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X (agenda item 7)* scheduled for the morning session of Tuesday and *Standing agenda item: Review of developments in the field of science and technology related to the Convention (agenda item 8)* scheduled for discussion in the afternoon session of Tuesday.

Standing Agenda Item on Cooperation and Assistance I

The Chair at 10.30 on Tuesday 10 December 2013 opened consideration of *Standing agenda item: Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X (agenda item 7)*. This started with an update by Richard Lennane of

the ISU on the cooperation and assistance data-base.

Richard Lennane said the data-base had been updated on Monday 9 December 2013. There was no major change. Because of human resource limitations and financial limitations, it was a crude data-base. In so far as *Requests* are concerned, there are still only two States Parties with current requests for assistance. The request for assistance from Iraq had recently been updated with a further request for assistance. In regard to the request for assistance from Afghanistan, there were three potential providers of assistance including an international organization and the ISU hoped that this request for assistance would shortly be met. In regards for offers of assistance, there were currently some 23 offers by five States Parties: Canada, France, Germany, United Kingdom and the United States. These offered assistance on a range of topics such as biorisk management to virtual CBM assistance. He said that there were many more offers and very few requests.

Presentations were then made by two States Parties: Malaysia and Iraq. Zalini Yunus of Malaysia made a presentation entitled *Biological Threats: International Cooperation & Assistance In Strengthening Cross- Sector Coordination* and this was followed by Mahdi Al-Jewari of Iraq who made a presentation entitled *Transfer of Knowledge and Experience*. [Both presentations are available on the unog.ch/bwc website].

Statements were then made by Iran, on behalf of the Non-Aligned Movement, UK, Georgia, Kazakhstan, Cuba, European Union, Netherlands, Mexico, Japan, Russia, Canada, India, Brazil, Germany, Switzerland, USA and Pakistan. Following conclusion of the statements at about 12.30, the Chair then encouraged a discussion. She referred to two items – subparagraphs B. 3 (b) and B. 3 (d) – in the synthesis document saying she would welcome an improved understanding of these points. A discussion then followed with contributions from Algeria, UK, USA, Iran, the ISU and South Africa.

The Chair at the end of the morning session said that the Vice-Chairman Ambassador Schmid would chair the afternoon session. The Secretary said that there would be a lunch-time event on the *EU NRBC Action Plan* organized by France.

Standing Agenda Item on Science and Technology I

On Tuesday afternoon, consideration moved on to *Standing agenda item: Review of developments in the field of science and technology related to the Convention (agenda item 8)* with the Vice Chairman, Ambassador Urs Schmid of Switzerland in the Chair. The afternoon commenced with a presentation by Stefan Mogl, Spiez Laboratory, Switzerland entitled *OPCW SAB TWG: Convergence in Chemistry and Biology: End of Mandate Report*. Following this, the meeting moved on to hear statements made by Iran (on behalf of the Non-Aligned Group), UK, Brazil, Japan, Poland, Netherlands, Switzerland, Canada, Mexico, India, Cuba, France, Sweden, USA, Pakistan, Australia and China.

The afternoon session ended at 16.45 when the Chairman thanked States Parties for their contributions. He said that the next session would be on Wednesday morning at 10 am when the other Vice-Chair, Ambassador Mazlan Muhammad of Malaysia, would chair the consideration of *Standing agenda item: Strengthening national implementation (agenda item 9)*. The Secretary said that there would be a side event at 9.00 am in Room XXIV on the *Biosecurity*

Sub-Working Group of the Global Partnership organized by the UK.

Standing Agenda Item on Strengthening National Implementation I

On Wednesday morning, consideration moved on to *Standing agenda item: Strengthening national implementation (agenda item 9)* with the Vice Chairman, Ambassador Mazlan Muhammad of Malaysia in the Chair. The morning commenced with three presentations: the first by Dana Perkins, 1540 Committee expert, then by INTERPOL and then by Chile.

Dana Perkins made a presentation entitled *United Nations Security Council Resolution 1540: Sharing of Experiences, Lessons Learned, & Effective Practices* [Although not available on the unog.ch/bwc website, this is available at <https://www.un.org/en/sc/1540/transparency-and-outreach/outreach-events/pdf/expert-presentation-2013-84-Geneva.pdf>]. Following the presentations by INTERPOL which addressed steps being taken to enhance the safety and security of biological materials and Chile on *Implementation of the BWC in Chile*, statements were then made by Iran (on behalf of the Non-Aligned Movement), Mexico, Burkina Faso, Cuba, UK, Peru, Australia, Belarus, Malaysia, Hungary, Iraq, Sweden, France, USA, Republic of Korea, Germany, Switzerland, Canada, India, Pakistan and Ecuador. In response to a request made by the United States during their statement, the Vice Chair asked the Meeting to agree exceptionally to allow the VERTIC representative in informal session to provide information on its national implementation measures programme. This was agreed and VERTIC made a statement. The Meeting then reverted to its formal session and continued with further statements by States Parties.

At the end of the morning session the Secretary said that there would be two lunch-time events: one on the *United Nations Secretary-General's mechanism for investigation of alleged use of biological weapons* organized by Denmark, France and Germany in Room XXIV and the other on *Improving Biosecurity - Assessment of Dual Use Research* organized by the Royal Netherlands Academy of Arts and Sciences in Room XXV.

Biennial Item: how to enable fuller participation in the Confidence-Building Measures

The afternoon session on Wednesday 11 December 2013 considered the *Biennial item: How to enable fuller participation in the CBMs (agenda item 10)*. Statements were made by the Implementation Support Unit (ISU), the European Union, Iran (on behalf of the Non-Aligned Movement), Belgium, Japan, Malaysia, Spain, the Netherlands, Germany, UK, Cuba, Switzerland, USA, Canada, France, Mexico, Australia, India, Pakistan, China, Belarus, South Africa and Algeria.

Thursday 12 December 2013

The programme (BWC/MSP/2013/2) proposed that the Thursday morning should provide a second round of discussion of the following:

- *Standing agenda items and biennial item (agenda items 7 – 10 – continued)*

Followed in the afternoon by consideration of:

- *Progress with universalization of the Convention (agenda item 11)*
 - *Reports from the Chairman and States Parties on universalization activities*
 - *Annual report of the Implementation Support Unit (agenda item 12)*

In the event the morning session was scheduled to start an hour later than usual to enable delegations to have some informal interactions on the draft substantive paragraphs for the final report that were made available on Thursday morning (Draft elements for inclusion in the Report of the Meeting of States Parties. Chairman, 12 December 2013 10.00). These substantive paragraphs were for inclusion in the procedural draft Report of the Meeting of States Parties, BWC/MSP/2013/CRP. 1 dated 11 December 2013 that had already been made available.

Instead of a further round of discussion on the Standing Agenda Items and the biennial, the morning meeting was used to consider universalization issues and the annual report of the Implementation Support Unit (ISU) which had been scheduled for consideration in the afternoon. This enabled the afternoon session to be used to consider the draft report.

The Chair introduced her report on universalization (BWC/MSP/2013/3) by welcoming the new members that had joined during the year – Cameroon, Nauru, Guyana and Malawi – bringing the total of States Parties to 170. She went on to outline the latest information she had regarding developments towards accession or ratification in certain countries, including Myanmar, Nepal, Haiti, Angola and Guinea. The report includes details of specific activities to promote universalization either by the Chair or the ISU, and also includes information from States Parties on their efforts.

Richard Lennane of the ISU then introduced the annual report of the Implementation Support Unit (BWC/MSP/2013/4) and said that report had been produced in a slightly different format from previous years in order to make it more concise and to avoid repeating routine information. The report concludes by pointing out that *The decision of the Seventh Review Conference to mandate additional tasks to the Unit without increasing its resources continued to pose a challenge and the concerns raised in the 2011 ISU report to the Seventh Review Conference about the capacity of the ISU to respond to the requests of States Parties and the geographic distribution of ISU activity remain unresolved. Maternity leave during 2013 exacerbated these challenges and for the first half of 2013, the ISU was functioning at two-thirds of its intended capacity.*

After the discussions on universalization and the ISU report, the Chair announced that she would adjourn the meeting to allow for an extended lunch break in order for delegates to consider further the draft text. The plenary session did not reconvene until late into the afternoon when the Chair asked for comments in general terms about aspects of the draft text to be followed up by submission of suggested amendments in writing. At the end of the afternoon session, the Chair said that she would consider the suggested amendments that were being supplied to her from a number of sources and circulate a new text for the opening of the meeting at 10am on Friday morning.

Friday 13 December 2013

The Chair circulated a further draft of the substantive paragraphs for the final report at the start

of the Friday morning (*Revised Draft elements for inclusion in the Report of the Meeting of States Parties. Chairman, 13 December 2013 10.00*).

The morning session began by considering the arrangements for the meetings in 2014. The Meeting decided that the Meeting of Experts would be held in Geneva from 4 to 8 August 2014 and that the Meeting of States Parties would be held in Geneva from 1 to 5 December 2014. The Meeting approved the nomination by the Western Group of Ambassador Urs Schmid of Switzerland as Chairman of the Meeting of Experts and Meeting of States Parties in 2014, and the nominations by the Group of the Non-Aligned Movement and Other States of Ambassador Mazlan Muhammad of Malaysia and by the Eastern European Group of Ms. Judit Körömi, Special Representative for Arms Control, Disarmament and Non- Proliferation of the Foreign Minister of Hungary as the two Vice-chairs.

The Chair noted that the new draft circulated on Friday morning was shorter than that adopted at MSP/2012 and said that she had received numerous inputs into the new text. She said that because the text had been restructured this meant that delegates should look carefully as suggested amendments might not appear where they might have been expected. The session was then suspended to enable delegations to consult on the draft text.

Although it had been hoped to reconvene before the lunch break, this proved not to be possible. Consultations continued during the afternoon and a further draft was eventually circulated (*Revised Draft elements for inclusion in the Report of the Meeting of States Parties. Chairman, 13 December 2013 17.30*). The meeting resumed just before 6.00 pm and the report was adopted at 6.10 pm. The meeting closed a few minutes later without the usual closing statements. The Chair in her closing remarks noted that the report might not be the best document, but it was the best available under the circumstances in view of the pressure on time.

Working Papers

Eleven working papers were submitted by States Parties (three by the United States, two by Switzerland, one by each by France and Japan, one jointly by Australia, Canada, France, Germany, Netherlands, the United Kingdom, and the United States of America, one jointly by Australia, Canada, Japan, Malaysia, New Zealand, Republic of Korea, and Switzerland, one jointly by Australia, Canada, Chile, Colombia, Czech Republic, Finland, Ghana, Lithuania, Netherlands, Nigeria, Republic of Korea and Sweden, and one jointly by Australia, Canada, Costa Rica, Finland, Japan, Lithuania, New Zealand, Spain and Switzerland. Five INF. Documents were submitted by States Parties – INF document (BWC/MSP/2013/INF.1) entitled *The Global Partnership Biosecurity Sub-Working Group in 2013: report of meetings held under the UK presidency* was submitted by the United Kingdom, INF document (BWC/MSP/2013/INF.2) entitled *International activities of the Government of Canada related to Article X of the Biological and Toxin Weapons Convention: Update 2013* was submitted by Canada, INF document (BWC/MSP/2013/INF.3) entitled *Report on Germany's Implementation of Article X* was submitted by Germany, INF document (BWC/MSP/2013/INF.4) entitled *Assistance and cooperation* was submitted by the European Union [this includes an Annex with illustrative projects being carried out by the EU Member States and EU institutions. As one contribution notes this listing is by no means comprehensive], and INF document

(BWC/MSP/2013/INF.5) entitled *Report on cooperation and Assistance under Article X of the Convention* was submitted by Iraq.

The working papers covered a range of topics:

- BWC/MSP/2013/WP.1 entitled *Confidence-building measures: time to redouble efforts for effective action*. submitted by the United States of America, in which it is proposed that the 2013 Meeting of States Parties should:
 - a) *Urge the ISU to conduct a comprehensive survey of all States Parties to learn, inter alia, specific impediments to CBM participation – an essential endeavor to develop common understanding. While the ISU should report the percentage of States Parties participating in the survey, answers should remain anonymous.*
 - b) *Commit to reviewing the anonymous survey results and using them to devise effective actions for consideration at the Eighth Review Conference.*
 - c) *Establish a CBM assistance network, to be coordinated by the ISU, which facilitates voluntary information sharing among ministry officials ranging from the very experienced to those for whom CBM submission is a new responsibility. The experiences of network participants could then be presented to States Parties in advance of the Eighth Review Conference to inform them of best practices and lessons learned within the network.*
 - d) *Support the upcoming “beta” test phase of electronic CBM platform development, when ministry officials will be needed to try the platform and provide feedback to the developers to enable its optimization.*

- BWC/MSP/2013/WP.2 entitled *Strengthening Article VII: international cooperation and assistance in preparing for and responding to biological incidents*. submitted by the United States of America, in which it noted that *The 2011 BWC Review Conference charged the States Parties with finding “ways to strengthen implementation of Article VII” in 2014 and 2015. Over the next two years, the United States will focus in the intersessional process on identifying and addressing specific impediments to international preparedness and response, sharing best practices, and improving global capacity to address a biological event. We encourage States Parties to work towards identifying and providing solutions to overcome the legal, regulatory and logistical challenges that impede the ability of governments to both provide and receive international assistance during biological emergencies.*

- BWC/MSP/2013/WP.3 entitled *Strengthening national implementation*. submitted by the United States of America states that *Strengthening implementation of the Convention calls for better information on the current status of implementation and, as the United States and others have highlighted previously, existing tools and resources have not proved equal to this task. The BWC CBMs are principally designed to provide transparency and reduce concerns about compliance with the obligations of the Convention that prohibit biological weapons (Article I) and require elimination of any existing weapons (Article II). In their current form they provide little transparency with respect to national implementation measures. It adds that There is a clear need to increase the amount of information available to all SPs concerning the key*

implementation measures that each of them has put into place, whether this is done through CBMs, an expanded and strengthened NID, or some other approach. Such information may serve to strengthen confidence that the Convention is being effectively implemented. It would also help SPs to assess the state of their own implementation and identify specific needs, which could then be brought to the attention of SPs in a position to provide technical assistance, including through the use of the BWC Assistance and Cooperation Database. It concludes that The Meeting of States Parties should recognize this need by agreeing on the value of developing a framework and mechanism to compile information on key national implementation measures in a structured, organized way, and of States Parties submitting the required information and updating it as needed.

- BWC/MSP/2013/WP.4 entitled *Getting Past Yes: Moving From Consensus Text to Effective Action* submitted by Australia, Canada, France, Germany, Netherlands, the United Kingdom, and the United States of America states that *The new intersessional structure established by the Seventh Review Conference opens up important opportunities to strengthen the BWC, both because of the wide-ranging nature of the agenda, and because topics are addressed recurrently over the intersessional period, allowing for incremental progress. To achieve the goals of promoting common understanding and effective action through the report of the meeting, BWC States Parties must seek to identify and address issues where:*

(a) There is something new to say:

(b) There is enough agreement that something specific can be said:

(c) There is something for States Parties to do:

It adds that Guided by these principles, we have carefully reviewed the Chairman's synthesis paper (BWC/MSP/2013/L.1) as well as the compilation of considerations, lessons, perspectives, recommendations, conclusions and proposals shared at the Meeting of Experts in August, and submit for consideration the following proposed common understandings on topics under discussion. [These proposed common understandings are not reproduced here.]

- BWC/MSP/2013/WP.5 entitled *Establishing a dedicated structure for the review of developments in biological science and technology*. submitted by Switzerland. This states that *States Parties to the BWC should seize the opportunity of the current intersessional process and the forthcoming Eighth Review Conference to discuss, develop and establish a dedicated structure that provides for a more systematic and comprehensive examination of scientific and technological developments. Such a structure could take on different forms. One example could be an open-ended working group composed of experts.*
- BWC/MSP/2013/WP.6 entitled *Confidence-Building Measures: taking discussions on enabling fuller participation forward to the Eighth Review Conference*. submitted by Switzerland. This recommends that *States Parties should:*

(a) Seek information from States Parties that do not submit CBM declarations on the specific reasons why they do not participate in the process;

(b) Consider revisions to the concept, content and operation of the CBM process

to ensure that States Parties perceive the measures as being useful, relevant and effective in terms of international transparency and confidence;

(c) Continue CBM discussions in the context of the Standing Agenda Item on Strengthening National Implementation, especially with regard to gaining better information on the status of national implementation and national legislation in particular.

- BWC/MSP/2013/WP.7 entitled *Step-by-step approach in CBM participation*. submitted by Australia, Canada, Japan, Malaysia, New Zealand, Republic of Korea, and Switzerland. This concludes that *Although submission of CBM returns is a politically binding obligation, the number of participating States Parties remains low and only one third of States Parties currently fulfil their commitment. As the United Kingdom and the United States pointed out in the 2013 Meeting of Experts, periodic compilation work regarding the BWC national implementation provides States Parties with valuable opportunities to review their current national status of BWC implementation and to consider further possible measures and improvements. In addition, it is critical to enhance transparency and to build confidence through the participation of a CBM regime as one of the measures to reinforce the effectiveness of the BWC and States Parties should continue their political efforts to increase the number of participants in CBMs. It added that As a measure to ease the burden for CBM submissions, this proposal encourages States Parties to submit each CBM form separately and to gradually increase submitting additional forms to meet the objective of CBMs. Japan/co-sponsor submitting this working paper propose(s) that the 2013 Meeting of States Parties encourages the States Parties that have never submitted or have not annually submitted its returns to submit one or two forms as an initial step for their forthcoming CBM submission*
- BWC/MSP/2013/WP.8 entitled *Exercice pilote de revue par les pairs Paris, 4-6 décembre 2013*. submitted by France. This described a peer review pilot exercise aimed at strengthening confidence between State parties, enhancing national implementation of the Convention and enabling exchanges of best practices conducted in Paris on 4 – 6 December 2013 with a panel of experts from nine countries (Canada, China, Germany, India, Mexico, Morocco, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States). It is stated that *The lessons learned from this pilot exercise and its detailed results will be presented at the next meeting of experts.*
- BWC/MSP/2013/WP.9 entitled *International Cooperation and Assistance of Japan related to Article X*. submitted by Japan. This provides information on cooperation and assistance activities carried out by Japan related to Article X that is comparable to that

provided at MSP/2013 in INF. documents submitted by Canada, Germany, the European Union and Iraq.

- BWC/MSP/2013/WP.10 entitled *Addressing Modern Threats in the Biological Weapons Convention: A food for thought paper* submitted by Australia, Canada, Chile, Colombia, Czech Republic, Finland, Ghana, Lithuania, Netherlands, Nigeria, Republic of Korea and Sweden. This concludes with the following way forward: *Australia, Canada, Chile, Colombia, Czech Republic, Finland, Ghana, Lithuania, Netherlands, Nigeria, Republic of Korea, and Sweden agree that BWC States Parties must continue to engage in constructive discussions with a goal of promoting effective actions on the implementation and enforcement of all aspects of the BWC. Provisions requiring particular attention include measures to promote biosafety and biosecurity, for addressing dual-use research and exports of concern, and for ensuring that all States Parties have the capability to effectively detect and respond to disease outbreaks. These discussions should include all relevant organisations with expertise in fields of interest, including in particular WHO, OIE, FAO, the International Plant Protection Convention (IPPC), the Organisation for the Prohibition of Chemical Weapons (OPCW), the International Criminal Police Organisation (INTERPOL), and the World Customs Organization (WCO). They should also seek to draw in BWC member states in regions where participation in the BWC has been less active. Discussions and actions should build towards positive and constructive outcomes on issues discussed earlier in this paper, including the importance of frameworks for biosafety, biosecurity, oversight, and training in laboratories and effective disease detection and monitoring systems, at the Eighth Review Conference, with the aim of having a stronger BWC capable of addressing these recent developments and emerging threats. To this end, we recommend that States Parties seek to develop clear understandings and recommendations on such issues in the reports of the Meetings of States Parties from 2013 to 2015.*

- BWC/MSP/2013/WP.11 entitled *Compliance* submitted by Australia, Canada, Costa Rica, Finland, Japan, Lithuania, New Zealand, Spain and Switzerland. This states that *Participation by a larger number of States Parties in the CBMs, the Compliance Report and Article X reporting enable more States Parties to demonstrate their commitment and their compliance with the provisions of the BWC. This enhances assurance for other States Parties.* It then adds that *While these measures provide some measure of assurance, they could be further enhanced in their scope. A number of recent proposals provide States Parties with the opportunity to better demonstrate their compliance with the BWC and thereby enhance assurance for other States Parties. The proposals include, inter alia:*
 - (a) Additional information included in CBMs;*

 - (b) A compliance assessment process, including potential national plans on biosecurity, where appropriate;*

 - (c) A Peer review mechanism; and*

(d) A Bio-transparency and Openness Initiative

This is not an exhaustive list. As mentioned in (earlier WP.11), other questions that could be also considered in this context include:

(a) whether there would be a role for mandatory declarations in demonstrating compliance, and if so, whether additional information to that which is already requested in the current CBMs would enhance assurance of compliance;

(b) whether the consultation and cooperation mechanisms under Article V require further development, including, for example, consideration of mutually agreed visits to sites of compliance concern;

(c) whether mechanisms for the investigation of alleged use of biological weapons (Article VI) require further attention, including the role of the UN Secretary-General's Investigation Mechanism;

(d) the potential impact of advances in the life sciences on demonstrating compliance and enhancing assurance of compliance, including, for example, the impact of rapid advances in bio-forensics.

This discussion can and should be complemented by side-events and workshops that support deliberations in the main sessions of the States Parties meetings, and as a whole, pave the way to substantive decisions on next steps or measures at the 2016 BWC Review Conference.

These are useful Working Papers which help to take forward the work of the Intersessional Process. It is particularly noteworthy that several Working Papers are submitted by groups of States Parties which include a broad range of States Parties – thus, BWC/MSP/2013/WP. 10 is submitted jointly by Australia, Canada, Chile, Colombia, Czech Republic, Finland, Ghana, Lithuania, Netherlands, Nigeria, Republic of Korea and Sweden and BWC/MSP/2013/WP.11 is submitted jointly by Australia, Canada, Costa Rica, Finland, Japan, Lithuania, New Zealand, Spain and Switzerland.

However, because the focus at the Meeting of States Parties is very much on developing language for the substantive paragraphs from the synthesis submitted by the Chairman (MSP/2013/L.1) rather than considering any new proposals put forward in Working Papers at the Meeting of States Parties, the useful ideas proposed are not reflected in the substantive paragraphs of the report of the States Parties. The effect of this practice is to underline the importance of ensuring that new proposals are **explicitly** stated in any Working Papers or statements or presentations made to the Meeting of Experts and to take care that these proposals are indeed **subsequently captured** accurately in **Annex I** to the report of the Meeting of Experts. In any case, the proposals made in the Working Papers submitted to MSP/2013 merit further consideration and discussion during the 2014 Meeting of Experts, capturing in the Annex to the Report of MX/2014, and in the Chairman's synthesis in 2014 and thus being carried forward to the Meeting of States Parties in 2014.

Outcome of the Meeting of States Parties

In this section, consideration is given to the evolution of the report of the Meeting of States Parties and to the development of the substantive paragraphs of that report.

On **Wednesday** a paper, BWC/MSP/2013/CRP.1 dated 11 December 2013 and entitled *Draft report of the Meeting of States Parties* was circulated. This comprised a draft of the procedural aspects of the report that left a gap between paragraphs 18 and 46 for the insertion of the substantive paragraphs. The gap is clearly based on the 2012 report (MSP/2012/5) when the substantive paragraphs appeared as paragraphs 19 to 45 inclusive.

On **Thursday morning** a note annotated *Chairman 12 December 2013 10.00* and headed

Draft elements for inclusion in the Report of the Meeting of States Parties was distributed. This comprised a draft of the substantive paragraphs which commenced with an introductory paragraph:

19. States Parties recalled the common understandings identified in 2012 and further agreed as follows:

It then provided paragraphs 20 to 30 (with 26 subparagraphs) on the Standing Agenda Item on Cooperation and Assistance, paragraphs 31 to 40 (with 31 subparagraphs) on the Standing Agenda Item on Advances in Science and Technology, paragraphs 41 to 47 (with 20 subparagraphs) on the Standing Agenda Item on Strengthening National Implementation and paragraphs 48 to 50 (with 13 subparagraphs) on the Biennial Item on *how to enable fuller participation in the Confidence-building Measures (CBMs)*. A final paragraph 51 entitled *Further steps:*

51. Recognizing that many of the common understandings identified above would require additional action by the ISU, States Parties are encouraged to consider providing voluntary funding to increase the Unit's capacity to undertake such tasks. States Parties are also encouraged to contribute to the Sponsorship Programme established by the Seventh Review Conference.

Friday morning 10.00 version, 13 December 2013

On **Friday morning** a note annotated *Chairman 13 December 2013 10.00* and headed *Draft elements for inclusion in the Report of the Meeting of States Parties* was distributed. This draft comprised 10 paragraphs (with 17 subparagraphs – reduced from 26 subparagraphs) on the Standing Agenda Item on Cooperation and Assistance, 9 paragraphs (with 15 subparagraphs – reduced from 31 subparagraphs) on the Standing Agenda Item on Advances in Science and Technology, 6 paragraphs (with 7 subparagraphs – reduced from 20 subparagraphs) on the Standing Agenda Item on Strengthening National Implementation and two paragraphs (with 9 subparagraphs – reduced from 13 subparagraphs) on the Biennial Item on *how to enable fuller participation in the Confidence-building Measures (CBMs)*. This draft was as follows – additions to the 12 December draft are shown in **bold** and deletions indicated ~~thus~~:

18/19. In accordance with the decision of the Seventh Review Conference, and

recalling the common understandings reached during the 2003-2005 and 2007-2010 intersessional work programmes **and by the Meeting of States Parties in 2012**, States Parties developed the following additional common understandings on each of the three standing agenda items and the biennial item.

~~19. States Parties recalled the common understandings identified in 2012 and further agreed as follows:~~

A. Standing agenda item: cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

20. States Parties recalled their legal obligation to facilitate and their 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 and not to hamper the economic and technological development of States Parties.

21. States Parties recalled their agreement on the importance of taking full advantage of the 2012-2015 intersessional process, as well as the other outcomes of the Seventh Review Conference, to strengthen international cooperation and assistance. States Parties recognized the value of elaborating further the existing common understandings related to Article X.

Ways and means to target and mobilize resources

23. To further **reinforce** efforts to work together to target and mobilize resources, States Parties agreed on the value of:

(a) Promoting international cooperation **on accordance with Article X** that is not limited to financial resources but also includes the exchange of information, experiences, lessons learned, good practices and technical knowledge;

(b) Exploring different ways ~~of~~ **to address gaps and needs for assistance and cooperation**, including ~~triangular~~, **cooperation from developed to developing States Parties and South-South cooperation**; ~~North-South, South-North and North-North~~;

(c) Submitting clear, specific, and timely national reports on implementation of Article X as agreed at the Seventh Review Conference, ~~and consider whether a comprehensive electronic database for international cooperation in the context of Article X could play a useful role in mobilizing and targeting resources.~~

22. In order to further enhance the function of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of, assessing its functionality, strengthening its utilization and improving its operation. States Parties agreed on the value of:

(a) Making offers of assistance accessible on the open section of the website and feature a prominent link to these offers on the home page;

(b) Encouraging States Parties that have submitted offers to regularly update contact and other information;

(c) the ISU Exploring more effective means of bringing assistance requests to the attention of States Parties that have made potentially relevant offers of assistance;

(d) the Chairman and the ISU Highlighting the database and related assistance in course of their outreach efforts;

(e) Reviewing the status of these efforts, and the use of the database, on the basis of the Report of the ISU for 2014.

Challenges and obstacles to developing international cooperation, assistance and exchange in the biological sciences and technology

24. To further efforts to address challenges and obstacles to developing international cooperation, assistance and exchange in the biological sciences and technology, States Parties noted the value of:

(a) Pursuing a global, long-term, sustainable and systematic approach to the provision of cooperation and assistance;

(b) The removal of any unjustified restrictions on the development and exchange of technology, materials and equipment needed to promote capacity building in the fields of sanitary control, detection, diagnosis and control of infectious diseases;

(c) Helping requesting countries to provide a thorough explanation of their needs and to define in specific terms the type of support that could best address those needs;

(d) Leveraging existing bilateral and multilateral partnerships, and create new ones, to better coordinate plans and develop joint solutions to the challenges in exchange of assistance during public health and medical emergencies;

(e) Encouraging the private sector to play a greater role in ensuring both innovation and access.

Measures for the full and comprehensive implementation of Article X taking into account all of its provisions

25. In addressing a range of specific measures for the full and comprehensive implementation of Article X taking into account all of its provisions, including facilitation of cooperation and assistance, including in terms of equipment, materials and scientific and technological information for peaceful purposes, and identification of critical gaps and needs in these areas, States Parties further recognized the value of:

(a) Providing open and transparent reporting of activities of States Parties in transferring knowledge, information, technologies, materials and equipment

designed to combat infectious diseases, irrespective of their funding sources;

(b) Strengthening implementation of Article III which would ensure that the cooperation envisaged under Article X is not abused. At the same time it is important that factors like lack of technical capability in developing countries are not used to hamper international cooperation.

Education, training, exchange and twinning programmes and other means of developing human resources

26. Recognizing the value of twinning programmes and other means of international exchange in education and training for strengthening cooperation among States Parties, for capacity-building and sharing of advanced expertise, **including** in developing countries, and for improving global capacity for disease detection and control, States Parties recognized the value of developing and facilitating such programmes, including by **expanding opportunities for training in advanced laboratories, sharing results of advanced research in life sciences, and streamlining administrative procedures.** ∴

(a) Ensuring that visa and other administrative requirements are proportionate, fair and efficiently administered so as to enable access to advanced facilities by students, scientists and other personnel from other countries, in particular developing countries;

(b) Sharing results of advanced research in life sciences so that scientists, engineers, students and teachers in developing countries are aware of opportunities and can take full advantage of new developments in biological sciences and technology;

(c) Providing opportunities for training in advanced laboratories and working with cutting-edge technology to help build defenses against disease whether naturally occurring or deliberate, especially in developing countries.

Capacity-building through international cooperation

27. In order to further efforts to strengthen national capacity through international cooperation to prevent accidental or deliberate releases of biological agents, as well as for detecting, reporting, and responding to outbreaks of infectious disease or biological weapons attacks, States Parties noted the value of:

*(a) Providing assistance **upon request** with logistic challenges related to storing and dealing with pathogens, development of scientific research capacity and training of national specialists;*

*(b) Facilitating the transport, entry, exit, processing and disposal of biological substances and diagnostic specimens, reagents and other diagnostic materials for public, **animal and plant** health response **and other peaceful** purposes;*

*(c) Developing international capacity to provide urgent assistance, including testing systems and diagnostic equipment, **medical countermeasures and related logistical support**, ~~means of specific and general immunization~~, biological environmental monitoring devices, and advice and expert assistance;*

(c) bis Identifying and addressing legal, regulatory, logistical and other barriers to the provision or receipt of such assistance;

(d) Promoting interagency coordination and multi-sectoral cooperation to prepare for, detect, and respond to infectious disease outbreaks whether natural, accidental or deliberate in nature;

*(e) Developing and implementing appropriate, sustainable, and effective laboratory safety and security measures, through international cooperation and assistance, **including** on exchanges of ~~new technology~~ **ies**, training materials and resources.*

*28. In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits of ~~biotechnology, genetic engineering, microbiology~~ **developments in the life sciences**, States Parties noted the value of harnessing the recent advances, **including** in enabling technologies in order to strengthen the sustainable development of States Parties, taking into account ~~humanitarian considerations~~ and the needs of developing countries in meeting health-related challenges.*

~~Coordination of cooperation with other relevant international and regional organizations, and other relevant stakeholders~~

*29. Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, **taking into account the mandates of existing mechanisms established by those organizations**, States Parties noted the value of: ~~taking into account the mandates of existing mechanisms established by these organizations~~ **(a) closer cooperation and coordination between States Parties and relevant international organization, in accordance with their respective mandates**, including in order to build an integrated approach on biosecurity and biosafety;*

~~(b) Strengthening the role of the Convention as a mechanism that coordinates BWC related assistance that is provided through other formats.~~

30. States Parties recalled their agreement on the importance of continuing discussions on full and effective implementation of Article X obligations, including in light of various proposals made by States Parties.

B. Standing agenda item: review of developments in the field of science and technology related to the Convention

~~New science and technology developments that have potential benefits for the Convention~~

31. States Parties identified certain developments in science and technology that have potential benefits for the Convention, including:

(a) improving identification of agents for both ~~public~~ health and security purposes, resulting from advances in **life sciences research, including metagenomics, immunological methods, molecular probes, amplification of nucleic acids, and in microbial forensics;**

~~(b) increasing capacity to investigate the possible use of biological weapons, resulting from advances in comparative genomics, which would be of great utility in investigation of~~ **increase the capacity to investigate** alleged use of biological weapons;

(c) improved, more efficient and economical ~~healthcare~~ **vaccine and diagnostic technologies, resulting from advances in:**

(i) identifying new targets and reducing the timescale for the development of vaccines, **drugs and diagnostics;**

(ii) production of vaccines **including** through developments in single-use or disposable bioreactor systems, which can increase yield, cost-effectiveness, portability and safety, and novel **vaccine production methods such as vaccine production methods, including cell cultures and cell suspension bioreactors, recombinant DNA, metabolic engineering and synthetic biology, chemical peptide synthesis; and transgenic animals and plants;**

(iii) vaccine distribution and delivery, such as encapsulation in silk matrices, nano-vesicles, and nanotechnology-based patches;

(iv) point-of-care diagnostic systems suitable for use in low resource settings resulting from advances in microfluidics, nanotechnology, lateral flow immunoassays and new techniques emerging from multidisciplinary collaborations that combine different approaches into simple devices;

(d) enhanced epidemiological capacity including for identifying unknown pathogens, outbreak sources and animal reservoirs, resulting from advances in faster and less expensive high-throughput DNA sequencing, along with parallel advances in computational biology.

~~New science and technology developments that have potential for uses contrary to the provisions of the Convention~~

32. States Parties agreed that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, now or in the future, including: ~~(a) manipulating the pathogenicity, host-specificity, transmissibility, resistance to drugs, or ability to overcome host immunity to pathogens; (b), and increasing the effectiveness of biological weapons agents, such as through improved targeting; (c) simpler, faster,~~

~~cheaper, and more efficient production of potential biological weapons agents. States Parties also agreed on the importance of facilitating the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention.~~

~~33. In order to further efforts to facilitate the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention, States Parties also agreed on the value of:~~

~~(a) Promoting access to, and use of, the technologies they reviewed, including through the development of inexpensive and field-portable implementations;~~

~~(b) Developing appropriate national oversight measures to identify and manage such risks, ensuring that they are proportional to the assessed risk, take into account both risks and benefits, and avoid hampering legitimate peaceful activities including international cooperation;~~

~~(c) Supporting the full and open exchange of scientific knowledge and technology, especially between developed and developing countries;~~

~~(d) Recognizing that a one-size-fits-all approach is unsuitable, exploring international approaches for developing guiding principles that could be tailored to national circumstances;~~

~~(e) Undertaking efforts to engage the scientific community, research-funding organizations and, when appropriate, industry in dialogue about how best to identify and manage these risks; including targeted outreach to key influential individuals~~

~~(f) Sharing information about oversight frameworks, guiding principles, and practical experience with other States Parties.~~

Possible measures for strengthening national biological risk management

34. Recognizing the importance of sharing information on all the above developments, and in order to further seize opportunities for maximizing benefits from advances in science and technology while minimizing the risk of their application for prohibited purposes, States Parties noted the value of:

~~(a) Promoting access to, and use of, the technologies they reviewed, including through the development of inexpensive and field-portable implementations; [previously para 33 (a)]~~

~~(b) **Promoting** Developing appropriate national oversight measures to identify and manage such risks, ensuring that they are proportional to the assessed risk, take into account both risks and benefits, and avoid hampering legitimate peaceful activities including international cooperation; ; [previously para 33 (b)]~~

(d) Recognizing that a one size fits all approach is unsuitable, exploring international approaches for developing guiding principles that could be tailored to national circumstances; [previously para 33 (d)]

(e) Undertaking efforts to engage the scientific community, research funding organizations and, when appropriate, industry in dialogue about how best to identify and manage these risks; ~~including targeted outreach to key influential individuals~~ [previously para 33 (e)]

(f) Sharing information about oversight frameworks, guiding principles, and practical experience with other States Parties. [previously para 33 (f)]

(g) Continuing discussion under the Convention on dual use research, bringing in a wide range of national and international stakeholders and focusing on specific instances in order to consider relevant research trends; [previously para 34 (a)]

*(h) The elaboration of **common principles on the basis of which** ~~models to inform~~ risk assessment and oversight of scientific research activities that have dual-use potential, **which** should be carried out during all phases of the research cycle. [previously para 34 (b)]*

~~**Voluntary codes of conduct and other measures to encourage responsible conduct by scientists, academia and industry**~~

~~*35. States Parties recalled their agreement of their role in determining the development, content, promulgation and adoption of codes in accordance with relevant national laws, regulations and policies, consistent with the provisions of the Convention. States Parties agreed on the value of ensuring that codes of conduct should cover unforeseen results and avoid restricting exchanges of scientific discoveries in the field of biology for prevention of disease and other peaceful purposes when fully consistent with the peaceful object and purpose of the Convention.*~~

~~**Education and awareness-raising about risks and benefits of life sciences and biotechnology**~~

~~*36. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties agreed on the value of using concepts such as “Responsible Science” as an overarching theme to enable parallel outreach efforts across inter-related scientific disciplines, as well as taking full advantage of active learning techniques, **consistent with national laws and regulations.***~~

~~*37. States Parties agreed on the value of: **promoting education on the Convention and the dual-use nature of biotechnology, including through preparing easily accessible and understandable courses, integrating consideration of biosecurity with broader efforts on bioethics, and assessing the impact of such education.***~~

- ~~(a) Assessing the impact of education about the dual use of biotechnology;~~
- ~~(b) Expanding international networking among engaged stakeholders, including academia and industry;~~
- ~~(c) Preparing easily accessible and understandable courses and changes in curricula of life scientists;~~
- ~~(d) Promoting and developing tools to ensure that research activities only have peaceful purposes and not those prohibited by the Convention;~~
- ~~(e) Integrating consideration of biosecurity with broader efforts on bioethics.~~

~~Science and technology-related developments relevant to the activities of multilateral organizations such as the WHO, OIE, FAO, IPPC and OPCW~~

~~38. In light of the growing convergence between the fields of biology and chemistry, States Parties agreed on the value of order to furthering efforts to build and sustain coordination between the Convention and the Chemical Weapons Convention, while respecting the legal and institutional bases of each convention. States Parties recognized the value of exploring appropriate ways and means to bring together expert communities from the CWC and the Convention to analyze potential risks and threats posed by relevant advances in science and technology.:~~ ~~(a) lessons learned from the experience with the Scientific Advisory Board of the CWC and its temporary working group on the convergence of biology and chemistry;~~ ~~(b) Discussing at the Eighth Review Conference appropriate ways and means to bring together expert communities from the CWC and the Convention to analyze potential risks and threats posed by relevant advances in science and technology.~~

~~38. bis States Parties agreed on the value of making life science technical experts routine members of delegations to Meetings of Experts, encouraging interaction and collaboration, and considering optimal ways that technical experts and diplomats can exchange information at BWC meetings to mutual benefit.~~

~~Any other science and technology developments of relevance to the Convention~~

~~39. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, and of keeping pace with rapid changes in a wide range of fields, States Parties agreed on the value of considering ways of establishing a more systematic and comprehensive means of review. Possibilities could include:~~

- ~~(a) Making life science technical experts routine members of delegations to Meetings of Experts, and encouraging interaction and collaboration;~~
- ~~(b) Considering optimal ways that technical experts and diplomats can exchange information at BWC meetings to mutual benefit;~~

~~(c) A board to provide science advice, similar to the Scientific Advisory Board of the GWG, or based on a different model;~~

~~(d) An open-ended working group to consider the implications of advances in science and technology, including the convergence of chemistry and biology;~~

~~(e) Encouraging States Parties that host national or international meetings addressing relevant science and technology developments to prepare a summary on the implications for the Convention.~~

40. States Parties recognized the valuable contribution to their work of associated stakeholders in science, academia and industry and agreed on the importance of continuing to encourage them to participate, as appropriate, in the intersessional programme.

C. Standing agenda item: strengthening national implementation

41. States Parties recalled their legal obligation, in accordance with their constitutional processes, to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of biological weapons and to prevent their 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 organizations to manufacture or otherwise acquire them.

42. States Parties recalled their agreement to continue to work to strengthen national implementation, taking into account differences in national circumstances and legal and constitutional processes. States Parties agreed on the need to pursue national implementation through the current intersessional programme to foster regional and sub-regional cooperation to promote awareness of the Convention and strengthen regional discussions on the topics of the current intersessional programme. States Parties recognized the value of elaborating further the existing common understandings related to national implementation.

Specific measures

~~43. States Parties identified specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV, and agreed on the value of:~~

~~(a) Ensuring that national legislative frameworks cover definitions, prohibition of certain activities, extraterritorial application, national biosafety and biosecurity measures, transfer controls, and legislative enforcement;~~

~~(b) Ensuring that national implementation covers both prohibition and prevention;~~

~~(c) Keeping up-to-date information on their legislative, administrative and other national measures;~~

~~(d) Making use of existing sources of relevant information, such reports made to the United Nations Security Council Resolution 1540 Committee or surveys of legislations prepared by others;~~

~~(e) Reviewing, evaluating and helping to improve the implementation guide under development through the EU action to support the Convention.~~

~~Ways and means to enhance national implementation, sharing best practices and experiences~~

44. In order to further efforts to strengthen national implementation, continue to share best practices and experiences, taking into account differences in national circumstances and legal and constitutional processes, States Parties noted the value of:

(a) Better information on the current status of implementation efforts through the sharing of up-to-date information on their legislative, administrative and other national measures; [previously para 43 (c)]

~~(b) Making use of existing sources of relevant information, such reports made to the United Nations Security Council Resolution 1540 Committee or surveys of legislations prepared by others;~~ [previously para 43 (d)]

~~(c) Considering development of a more structured and organized way of compiling and updating information on national implementation, making it more readily searchable, and using it to identify opportunities for the targeted provision of assistance.~~ [previously para 44 (f)]

~~(d) Continuing to strengthen the national institutions which play a role in national implementation, including establishing a national authority and through forums, committees and other structures to improve coordination and collaboration;~~ [previously para 44 (c)]

~~(d) Enhancing coordination between national law enforcement institutions;~~ [previously para 44 (d)]

~~(a) Gathering information on the needs of States Parties, including through reports of cooperative endeavours such as regional workshops or peer reviews, and national surveys such as those conducted by the Verification Research, Training and Information Centre (VERTIC);~~

~~(b) Identifying in more concrete terms the specific areas that need to be covered by implementation activities;~~

~~(c) Continuing to strengthen the national institutions which play a role in national implementation, including establishing a national authority and through forums, committees and other structures to improve coordination and collaboration;~~

~~(d) Enhancing coordination between national law enforcement institutions;~~

~~(e) Actively sharing with all States Parties information regarding potentially controversial scientific research or biodefence activities;~~

~~(f) Considering development of a more structured and organized way of compiling and updating information on national implementation, making it more readily searchable, and using it to identify opportunities for the targeted provision of assistance.~~

45. States Parties agreed on the value of continuing to develop measures for, and taking advantage of, international cooperation **in accordance with Article X** to strengthen implementation of the Convention. States Parties noted the value of such international cooperation including public health, socio-economic development, biological safety and security, as well as national capacities to detect and respond to biological threats.

~~National, regional and international measures to improve laboratory biosafety and security of pathogens and toxins~~

46. In order to further efforts to mitigate biological risks, States Parties noted the value of, **in accordance with national laws and regulations:**

~~(a) Promoting regulation, at the national level, of possession, use and transfer of potentially dangerous biological agents and toxins;~~

~~(b) Promoting oversight of pathogens, at the national level, by harmonizing and updating **applicable biosafety and biosecurity** standards and guidelines, and clarifying and updating biocontainment requirements.~~

~~Any potential further measures, as appropriate, relevant for implementation of the Convention~~

47. Recognizing the importance of building international confidence in the full implementation of the Convention, States Parties **noted the value of continuing to discuss and explore ways and means of building confidence in** ~~considered a number of possible approaches to demonstrating their compliance with the national implementation obligations of the Convention, including **in light of various proposals made by States Parties.** :~~

~~(a) As part of a non-discriminatory, legally binding agreement, including on verification, dealing with all articles of the Convention in a balanced and comprehensive manner;~~

~~(b) Detailed annual or periodic reporting on national implementation;~~

~~(c) Providing information and regular updates to the Implementation Support Unit's National Implementation Database and to the Security Council Resolution~~

~~1540 Committee;~~

~~(d) Voluntary peer review processes on national implementation or compliance assessment;~~

~~(e) Hosting visits to biodefence or other facilities in order to build an environment of openness and collaboration in national biodefence;~~

~~(f) Conducting national biodefence conferences with open access to representatives of all States Parties;~~

~~(g) Making better and more systematic use of the Confidence-building Measures.~~

D. Biennial item: how to enable fuller participation in the Confidence-building Measures (CBMs)

48. Recalling their recognition of the importance of annual exchanges of information to provide transparency and build mutual trust, States Parties noted the value of:

~~(a) Demonstrating the relevance and clarity of purpose of the CBMs, and raising awareness of their utility and function;~~

(b) **Encouraging** Seeking information from States Parties that **have** ~~do not participated~~ regularly in the CBMs or have never participated, **to share information** on the specific reasons **on why** they do not participate; the Chair ~~or the Implementation Support Unit~~ could seek information from these States.

(c) Consider **voluntarily** making all, or part, of their CBM returns public, as it helps in increasing their utility and consequently the level of participation.

49. Recalling their agreement on the value of activities identified in 2012 for addressing the technical difficulties experienced by some States Parties in completing full and timely CBM submissions, States Parties agreed to work to:

(a) Provide further technical assistance and support to States Parties, on request, for preparing and submitting CBM submissions, including through bilateral cooperation on CBMs and the provision of assistance, using the national point of contact list available on the ISU website;

(b) Continue to develop the electronic CBM platform that was demonstrated at the Meeting of States Parties, including through collaborating with the ISU to test and refine the system;

(c) Further improve access by States Parties to the information submitted in CBMs by examining the financial and technical feasibility, benefits and implications of various means of making CBM submissions available in more UN languages;

(d) Convene regional seminars and workshops to promote awareness of CBMs and to provide an opportunity for States Parties to report on their difficulties and needs for assistance;

(e) Consider a "step-by-step" approach in CBM participation whereby States Parties submit CBM forms separately or one by one, as the information is collected and updated. In this approach, submitting a "less than perfect" CBM initially, and subsequently updating and completing it, would not have negative consequences;

(f) Establish a CBM assistance network, to be coordinated by the ISU, which facilitates voluntary information sharing among government officials.

50. States Parties recognised that as yet there is no common understanding on the merits and demerits of all of the possible measures to build international confidence in the full implementation of the Convention. States Parties agreed nevertheless on the need to:

(a) continue discussing and exploring ways and means of building confidence in compliance with the Convention; and to take stock of these possible measures at future intersessional meetings under the Standing Agenda Item on national implementation with a view to possible decisions at the Eighth Review Conference;

(b) keep in view the question of the level of CBMs responses in future discussions on the standing agenda item on national implementation; and revisit the overall CBM questions including modalities at the Eighth Review Conference with a view to further action, and take into account scientific and technological developments;

(c) Considering what revisions to the concept and operation of the CBM process could be adopted at the Eighth Review Conference to ensure that the measures are useful, relevant and effective.

(d) Consider joint steps that could make it possible to treat CBMs as one of the legally binding instruments of a possible verification mechanism.

E. Further steps

51. Recognizing that many of the common understandings identified above would require additional action by the ISU, States Parties are encouraged to consider providing voluntary funding to increase the Unit's capacity to undertake such tasks. States Parties are also encouraged to contribute to the Sponsorship Programme established by the Seventh Review Conference.

[It is noted that this second (Friday morning 10.00 am) version of the draft substantive paragraphs comprised 10 (reduced from 11) paragraphs on the Standing Agenda Item on cooperation and assistance, 9 paragraphs (reduced from 10) on the Standing Agenda Item on

science and technology, 6 paragraphs (reduced from 7) on the Standing Agenda Item on strengthening national implementation and 2 (reduced from 3) paragraphs on the biennial topic on CBMs. The introductory and final paragraphs were also removed.]

Friday afternoon 17.30 version, 13 December 2013

The next draft of the substantive paragraphs was distributed on **Friday afternoon** in a note annotated *Chairman 13 December 2012 17.30* and headed *Revised Draft elements for inclusion in the Report of the Meeting of States Parties*. This draft comprised 10 paragraphs (with 21 subparagraphs – increased from 17 subparagraphs) on the Standing Agenda Item on Cooperation and Assistance, 9 paragraphs (with 15 subparagraphs – the same as the 31 subparagraphs in the previous draft) on the Standing Agenda Item on Advances in Science and Technology, 6 paragraphs (with 6 subparagraphs – reduced from 7 subparagraphs) on the Standing Agenda Item on Strengthening National Implementation and three paragraphs (with 7 subparagraphs – reduced from 9 subparagraphs) on the Biennial Item on *how to enable fuller participation in the Confidence-building Measures (CBMs)*. This draft (additions shown in **bold** and deletions so indicated) was as follows:

*18/19. In accordance with the decision of the Seventh Review Conference, and recalling the common understandings reached during the 2003-2005 and 2007-2010 intersessional work programmes and by the Meeting of States Parties in 2012, States Parties **continued to** ~~developed the following additional~~ common understandings on each of the three standing agenda items and the biennial item.*

A. Standing agenda item: cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

20. States Parties recalled their legal obligation to facilitate and their 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 and not to hamper the economic and technological development of States Parties.

21. States Parties recalled their agreement on the importance of taking full advantage of the 2012–2015 intersessional process, as well as the other outcomes of the Seventh Review Conference, to strengthen international cooperation and assistance. States Parties recognized the value of elaborating further the existing common understandings related to Article X.

22. To further reinforce efforts to work together to target and mobilize resources, States Parties agreed on the value of:

*(a) Promoting international cooperation **providing for the fullest possible** ~~in~~ accordance with Article X ~~that is not limited to financial resources but also includes the exchange of~~ **equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes in accordance with Article X of the Convention and not limiting this cooperation to financial resources;***

experiences, lessons learned, good practices and technical knowledge;

*(b) Continuing to work together to target and mobilize resources, including financial resources, ~~Exploring different ways~~ to address gaps and needs for assistance and cooperation, including **in particular** ~~cooperation~~ from developed to developing States Parties and **also exploring different ways of cooperation, including** South-South cooperation;*

(c) Submitting clear, specific, and timely national reports on implementation of Article X as agreed at the Seventh Review Conference.

23. In order to further enhance the function of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of, assessing its functionality, strengthening its utilization and improving its operation. States Parties agreed on the value of:

(a) Making offers of assistance accessible on the open section of the website and feature a prominent link to these offers on the home page;

(b) Encouraging States Parties that have submitted offers to regularly update contact and other information;

(c) Exploring more effective means of bringing assistance requests to the attention of States Parties that have made potentially relevant offers of assistance;

*(d) Highlighting the database and related assistance in **the** course of outreach efforts;*

(e) Reviewing the status of these efforts, and the use of the database, on the basis of the Report of the ISU for 2014.

*24. To further efforts to address challenges and obstacles to developing international cooperation, assistance and exchange in the biological sciences and technology, **including equipment and material for peaceful purposes to their full potential, and possible means of overcoming these**, States Parties noted the value of:*

(a) Pursuing a long-term, sustainable and systematic approach to the provision of cooperation and assistance;

*(b) **Avoiding imposing restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials under Article X;***

(c) Helping requesting countries to provide a thorough explanation of their needs and to define in specific terms the type of support that could best address those needs;

(d) Leveraging existing bilateral and multilateral partnerships, and create new ones, to better coordinate plans and develop joint solutions to the challenges in exchange of assistance during public health and medical emergencies;

(e) Convene regional seminars and workshops to explore ways and means of promoting the full and effective implementation of Article X. Encouraging the private sector to play a greater role in ensuring both innovation and access.

25. Recognizing the value of twinning programmes and other means of international exchange in education and training for strengthening cooperation among States Parties, for capacity-building and sharing of advanced expertise, including in **particular with** developing countries, and for improving global capacity for disease detection and control, States Parties recognized the value of developing and facilitating such programmes, including by:

(a) Sharing results of advanced research in life sciences so that scientists, engineers, students and teachers including in particular in developing countries are aware of opportunities and can take full advantage of new developments in biological sciences and technology;

(b) Providing ~~expanding~~ opportunities for training in advanced laboratories and working with cutting-edge technology to help build defenses against disease, whether naturally occurring or deliberate, including in particular to developing countries. ~~sharing results of advanced research in life sciences, and streamlining administrative procedures.~~

26. In order to further efforts to strengthen national capacity through international cooperation to prevent accidental or deliberate releases of biological agents, as well as for detecting, ~~reporting~~, and responding to outbreaks of infectious disease or biological weapons attacks, States Parties noted the value of:

(a) Providing assistance upon request with challenges related to storing and dealing with pathogens, development of scientific research capacity and training of national specialists;

(b) Facilitating the transport, entry, exit, processing and disposal of biological substances and diagnostic specimens and materials for public, animal and plant health response and other peaceful purposes;

(c) Developing international capacity to provide urgent assistance, including testing systems and diagnostic equipment, medical countermeasures and related logistical support, biological environmental monitoring devices, and advice and expert assistance;

*(d) ~~is~~ Identifying and addressing **specific impediments** ~~legal, regulatory, logistical and other barriers to the provision or receipt of international such assistance~~ **in response to an attack or unusual disease outbreak;***

(d) Promoting interagency coordination and multi-sectoral cooperation to prepare for, detect, and respond to infectious disease outbreaks whether natural, accidental or deliberate in nature;

(e) Developing and implementing appropriate, sustainable, and effective laboratory safety and security measures, through international cooperation and assistance, including on exchanges of technology, training materials and resources.

27. In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits developments in the life sciences, States Parties noted the value of harnessing the recent advances, including in enabling technologies, in order to strengthen the sustainable development of States Parties, taking into account the needs of developing countries in meeting health-related challenges.

28. Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, taking into account the mandates of existing mechanisms established by those organizations, States Parties noted the value of closer cooperation and coordination between States Parties and relevant international organization, in accordance with their respective mandates, including in order to build an integrated approach on biosecurity and biosafety;

29. States Parties recalled their agreement on the importance of continuing discussions on full and effective implementation of Article X obligations, including in light of various proposals made by States Parties.

B. Standing agenda item: review of developments in the field of science and technology related to the Convention

*30. States Parties identified certain developments in science and technology that have potential benefits for the Convention **and agreed on the need to share information on these developments**, including:*

*(a) improving identification of **biological agents and toxins** for both health and security purposes, resulting from advances in life sciences research, including metagenomics, immunological methods, molecular probes, amplification of nucleic acids, and in microbial forensics;*

*(b) advances in comparative genomics, which **would** increase the capacity to investigate alleged use of biological weapons;*

(c) improved, more efficient and economical vaccine and diagnostic technologies, resulting from advances in:

(i) identifying new targets and reducing the timescale for the development of vaccines, drugs and diagnostics;

(ii) production of vaccines including through developments in single-use or disposable bioreactor systems, which can increase yield, cost-effectiveness, portability and safety, and novel vaccine production methods, including cell cultures and cell suspension bioreactors, recombinant DNA, metabolic engineering and synthetic biology,

chemical peptide synthesis; and transgenic animals and plants;

(iii) vaccine distribution and delivery, such as encapsulation in silk matrices, nano-vesicles, and nanotechnology-based patches;

(iv) point-of-care diagnostic systems suitable for use in low resource settings resulting from advances in microfluidics, nanotechnology, lateral flow immunoassays and new techniques emerging from multidisciplinary collaborations that combine different approaches into simple devices;

(d) enhanced epidemiological capacity including for identifying unknown pathogens, outbreak sources and animal reservoirs, resulting from advances in faster and less expensive high-throughput DNA sequencing, along with parallel advances in computational biology.

*31. States Parties agreed that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, ~~new or in the future~~, including manipulating the pathogenicity, host-specificity, transmissibility, resistance to drugs, or ability to overcome host immunity to pathogens, and increasing **the production efficiency and** the effectiveness of biological weapons agents. States Parties also agreed on the importance of facilitating the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention.*

32. ~~Recognizing the importance of sharing information on all the above developments, and~~ In order to further seize opportunities for maximizing benefits from advances in science and technology while minimizing the risk of their application for prohibited purposes, States Parties noted the value of:

*(a) Promoting access to, and use of, the technologies they reviewed, including through the development of inexpensive and field-portable **applications implementations**;*

(b) Promoting appropriate oversight measures to identify and manage such risks, ensuring that they are proportional to the assessed risk, take into account both risks and benefits, and avoid hampering legitimate peaceful activities;

(c) Recognizing that a one-size-fits-all approach is unsuitable, exploring approaches for developing guiding principles that could be tailored to national circumstances;

(d) Undertaking efforts to engage the scientific community, research funding organizations and, when appropriate, industry in dialogue about how best to identify and manage these risks;

(e) Sharing information about oversight frameworks, guiding principles, and practical experience with other States Parties.

*(f) Continuing discussion under the Convention on dual use research, bringing in a wide range of national and international stakeholders and focusing on specific instances in order to **better understand options for mitigating risks** ~~consider relevant research trends;~~*

*(g) The elaboration of **models to inform** ~~common principles on the basis of~~ ~~which~~ risk assessment and oversight of scientific research activities that have **significant** dual-use potential, which should be carried out during all phases of the research cycle*

*33. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties agreed on the value of using **science responsibly** ~~concepts such as “Responsible Science”~~ as an overarching theme to enable parallel outreach efforts across inter-related scientific disciplines, as well as taking full advantage of active learning techniques, consistent with national laws and regulations.*

34. States Parties agreed on the value of promoting education on the Convention and the dual-use nature of biotechnology, including through preparing easily accessible and understandable courses, integrating consideration of biosecurity with broader efforts on bioethics, and assessing the impact of such education.

*35. In light of the growing convergence between the fields of biology and chemistry, States Parties agreed on the value of furthering efforts to build and sustain coordination between the Convention and the Chemical Weapons Convention, while respecting the legal and institutional bases of each convention. States Parties recognized the value of exploring appropriate ways and means to **promote greater collaboration between** ~~bring together expert communities from the CWC and the Convention to analyze potential~~ **benefits, risks and threats resulting from** ~~posed by~~ relevant advances in science and technology.*

*36. ~~bis~~ States Parties agreed on the value of **increasing the participation of scientific and making life science technical experts in national** ~~routine members of delegations to Meetings of Experts, encouraging interaction and collaboration, and considering optimal ways that technical experts and diplomats can exchange information at BWC meetings to mutual benefit.~~ **States Parties also recognized the value of contributions to the Sponsorship Programme to facilitate such participation.***

*37. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, and of keeping pace with rapid changes in a wide range of fields, States Parties agreed on the value of considering, **in future meetings, possible** ways of establishing a more systematic and comprehensive means of review.*

38. States Parties recognized the valuable contribution to their work of associated stakeholders in science, academia and industry and agreed on the importance of continuing to encourage them to participate, as appropriate, in the intersessional

programme.

C. Standing agenda item: strengthening national implementation

39. States Parties recalled their legal obligation, in accordance with their constitutional processes, to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of biological weapons and to prevent their 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 organizations to manufacture or otherwise acquire them.

40. States Parties recalled their agreement to continue to work to strengthen national implementation, taking into account differences in national circumstances and legal and constitutional processes. States Parties agreed on the need to pursue national implementation through the current intersessional programme to foster regional and sub-regional cooperation to promote awareness of the Convention and strengthen regional discussions on the topics of the current intersessional programme. States Parties recognized the value of elaborating further the existing common understandings related to national implementation.

41. In order to further efforts to strengthen national implementation, continue to share best practices and experiences, taking into account differences in national circumstances and legal and constitutional processes, States Parties noted the value of:

(a) ~~Better Information on the current status of implementation efforts through the sharing of up-to-date information on their legislative, administrative and other national measures;~~

(b) Continuing to improve and update data handling of information provided by States Parties on their national implementation;

~~(b) Making use of existing sources of relevant information, such reports made to the United Nations Security Council Resolution 1540 Committee or surveys of legislations prepared by others;~~

~~(c) Considering development of a more structured and organized way of compiling and updating information on national implementation, making it more readily searchable, and using it to identify opportunities for the targeted provision of assistance.~~

~~(c) Continuing to strengthen the national institutions which play a role in national implementation, including establishing a national authority and through forums, committees and other structures to improve coordination and collaboration;~~

*(d) Enhancing **national** coordination between ~~national~~ law enforcement institutions.*

42. States Parties agreed on the value of continuing to develop measures for, and taking advantage of, international cooperation in accordance with Article X to strengthen implementation of the Convention. States Parties noted the value of such international cooperation including public health, socio-economic development, biological safety and security, as well as national capacities to detect and respond to biological threats.

43. In order to further efforts to mitigate biological risks, States Parties noted the value of, in accordance with national laws and regulations:

(a) Promoting regulation, at the national level, of possession, use and transfer of potentially dangerous biological agents and toxins;

(b) Promoting oversight of pathogens, at the national level, by harmonizing and updating applicable biosafety and biosecurity standards and guidelines, and clarifying and updating biocontainment requirements.

~~47. Recognizing the importance of building international confidence in the full implementation of the Convention, States Parties agreed on~~ noted the value of continuing **discussion on measures to strengthen** ~~to discuss and explore ways and means of building confidence in compliance with the national implementation obligations of the Convention, including in light of various proposals made by States Parties.~~

D. Biennial item: how to enable fuller participation in the Confidence-building Measures (CBMs)

45. Recalling their recognition of the importance of annual exchanges of information to provide transparency and build mutual trust, States Parties noted the value of:

(b) Encouraging States Parties that have not participated regularly in the CBMs or have never participated, to share information on the specific reasons on why they do not participate; ~~the Chair could seek information from these States.~~

(c) Consider voluntarily making all, or part, of their CBM returns public, ~~as it helps in increasing their utility and consequently the level of participation.~~

46. **Recalling their previous understanding of the value of the Chairman writing each year to all States Parties to remind them of the call by the Seventh Review Conference to participate annually in the CBMs, States Parties recognized the value of including in this reminder a request for information on issues affecting their participation in the CBMs.**

47. Recalling their agreement on the value of activities identified in 2012 for addressing the technical difficulties experienced by some States Parties in completing full and timely CBM submissions, States Parties agreed to work to:

(a) Provide further technical assistance and support to States Parties, on

request, for preparing and submitting CBM submissions, including through bilateral cooperation on CBMs and the provision of assistance, using the national point of contact list available on the ISU website;

(b) Continue to develop the electronic CBM platform that was demonstrated at the Meeting of States Parties, including through collaborating with the ISU to test and refine the system;

(c) Further improve access by States Parties to the information submitted in CBMs by examining the financial and technical feasibility, benefits and implications of various means of making CBM submissions available in more UN languages;

(d) Convene regional seminars and workshops to promote awareness of CBMs and to provide an opportunity for States Parties to report on their difficulties and needs for assistance;

*(e) Consider a “step-by-step” approach in CBM participation whereby States Parties submit CBM forms separately or one by one, as the information is collected and updated, **working towards the end goal of updating and completing CBM submissions while upholding the Decisions of the Seventh Review Conference.** In this approach, submitting a “less than perfect” CBM initially, and subsequently updating and completing it, would not have negative consequences;*

E. Further steps

This was the final version of the substantive paragraphs – however, as the paragraph numbers in the 17.30 draft commence at paragraph 18/19 and then run on to paragraph 47, these are renumbered in the Report to run from paragraph 18 through to paragraph 46.

It is noted that the final version of the substantive paragraphs now comprised 10 paragraphs with 21 subparagraphs (compared to 11 paragraphs and 26 subparagraphs in the first draft on Thursday) on the Standing Agenda Item on cooperation and assistance, 9 paragraphs with 15 subparagraphs (compared to 10 paragraphs with 31 subparagraphs in the first draft on Thursday) on the Standing Agenda Item on science and technology, 6 paragraphs and 6 subparagraphs (compared to 7 paragraphs and 20 subparagraphs in the first draft on Thursday) on the Standing Agenda Item on strengthening national implementation and 3 paragraphs and 7 subparagraphs (compared to 3 paragraphs and 13 subparagraphs in the first draft on Thursday) on the biennial topic on CBMs.

Reflections

There were some 500 participants at the Meeting of States Parties of which 445 came from 102 States Parties including some 197 participants from capitals. This was considerably better than the participation at the Meeting of Experts in August 2013 when there were close to 400 participants at the Meeting of Experts of whom over 320 came from 83 States Parties, including

over 150 participants from capitals. It was very similar to the 2012 Meeting of States Parties when there were some 520 participants at the Meeting of States Parties of which 445 came from 101 States Parties including some 193 participants from capitals. The Meetings of Experts in 2013 and 2012 were also very similar with close to 400 participants on both occasions with 320 from 83 States Parties on both occasions.

The meeting was open throughout, as had been the Meeting of States Parties in 2009, 2010 and 2012 and the Meetings of Experts in 2008, 2009, 2010, 2012 and 2013 thus enabling all those present to follow the developments and to better understand the issues that presented difficulties to some delegations. There can only be benefit in all stake-holders being present throughout such meetings as this significantly enhances the understanding of all concerned.

The Meeting of States Parties displayed some positive and forward-looking indications although it was evident that there was a reluctance by several States Parties to move forward constructively from and to build upon what had been agreed at the Seventh Review Conference. It was also clear that States Parties were feeling their way towards language that, as the Chair sought, built upon the *common understandings and effective action* agreed at the MSP/2012 without repeating what had been agreed at MSP/2012 and focused on what was new.

It was also clear that in moving from 2013 to 2014 there would be a welcome continuity in the office holders with the Meeting of States Parties appointing the same three individuals as Chair (Ambassador Urs Schmid of Switzerland) and Vice-Chairs (Ambassador Mazlan Muhammad of Malaysia and Ms. Judit Körömi of Hungary) for 2014 as one Vice-Chair exchanged places with the Chair.

Another welcome step forward was the submission of Working Papers by groups of States Parties which extended across the boundaries of the usual Groups showing that those States Parties were engaged constructively in trying to move the Intersessional Process forward. Particular examples are:

- a. BWC/MSP/2013/WP.4 *Getting Past Yes: Moving From Consensus Text to Effective Action*. Submitted by Australia, Canada, France, Germany, Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America
- b. BWC/MSP/2013/WP.7 and Corr.1 *Step-by-step approach in CBM participation*. Submitted by Australia, Canada, Japan, Malaysia, New Zealand, Republic of Korea, and Switzerland.
- c. BWC/MSP/2013/WP.10 *Addressing Modern Threats in the Biological Weapons Convention: A food for thought paper*. Submitted by Australia, Canada, Chile, Colombia, Czech Republic, Finland, Ghana, Lithuania, Netherlands, Nigeria, Republic of Korea and Sweden.
- d. BWC/MSP/2013/WP.11. *Compliance*. Submitted by Australia, Canada, Costa Rica, Finland, Japan, Lithuania, New Zealand, Spain and Switzerland.

It is also noteworthy that a working paper (BWC/MSP/2013/WP.4) entitled *Getting past yes:*

moving from consensus text to effective action submitted jointly by Australia, Canada, France, Germany, Netherlands, the United Kingdom, and the United States of America states that *we have carefully reviewed the Chairman's synthesis paper (BWC/MSP/2013/L.1), as well as the compilation of considerations, lessons, perspectives, recommendations, conclusions and proposals shared at the Meeting of Experts in August, and submit for consideration **the following proposed common understandings** on topics under discussion.* [Emphasis added]. Although the title is about *moving from consensus text to effective action*, the paper actually proposes consensus text and unfortunately doesn't go on from the necessary consensus text to develop proposals for effective action.

As we noted last year in our Report from Geneva (*Review no. 37*) on the MSP/2012, this failure to move forward to effective action tends to suggest that the Intersessional Process appears to be focusing on one paragraph of its mandate which states:

15. The Eighth Review Conference will consider the work and outcome of these meetings and decide on any further action.

whilst apparently overlooking the earlier paragraphs which state both that:

14. All meetings, both of experts and of States Parties, will reach any conclusions or results by consensus.

and the overall mandate of the annual meetings:

6. The purpose of the intersessional programme is to discuss, and promote common understanding and effective action on those issues identified for inclusion in the intersessional programme by this Seventh Review Conference.

There is nothing in the mandate taken as a whole that precludes the States Parties from reaching conclusions and acting on them. Accordingly, they are free to record agreement on – or agree on the value of – taking certain steps to improve the situation each year in regard to the Standing Agenda Items and the biennial topic being considered. And, in so doing, this in no way prejudices the ability of the Eighth Review Conference *to decide on any further action.*

One area in which we had argued for effective action in our report on the Meeting of Experts in August 2013 related to the biennial topic on CBMs. In our report we said that:

As the Meeting of Experts considered three Standing Agenda items and also a biennial topic (on CBMs) which will not be considered further in the formal Intersessional Process, attention needs to be given at the Meeting of States Parties as to what common understandings and effective action should be agreed in regard to the biennial topic on how to enable fuller participation in the Confidence-Building Measures so that an up-to-date well considered situation can be presented prior to the Eighth Review Conference in 2016. One possible approach that has been suggested already is that the Chair could ask one of the Vice Chairs to maintain a watching brief on the topic of Confidence-Building Measures and to provide an annual report on developments to the successive annual Meetings of States Parties. Such an approach would help to ensure that Confidence-Building Measures are not overlooked in the coming two years.

The outcome recorded in MSP/2013/5 is disappointing in that no *effective action* is agreed to follow up the 2012-13 biennial item on CBMs through the next two years (such as putting it under the continuing care of one of the Vice-Chairs). This makes it all the more necessary to have some work on CBMs done in the margins of the intersessional process, to compensate for CBMs no longer being on the official agenda. The initiative being shown by the Chair for 2014 in his letter of 14 February 2014 in which he specifically focuses on the need to address effective action is greatly welcomed, where he says that ... *as we move closer to the Eighth Review Conference in 2016, this may be a suitable point to turn more of our attention towards options for promoting effective action*. It is very much to be hoped that this consideration of effective action could include consideration of how best to ensure that the biennial topic on CBMs does **not** come to the Eighth Review Conference insufficiently prepared – which is the likely outcome if no action is taken to change the current situation.

Another positive step forward was the proposal submitted by Switzerland in a Working Paper to establish a dedicated structure such as an Open-Ended Working Group for the review of developments in science and technology:

BWC/MSP/2013/WP.5 *Establishing a dedicated structure for the review of developments in biological science and technology*. Submitted by Switzerland

This approach was clearly supported by Ukraine in its statement in the General Debate when it said *States parties should consider creating an Open Ended Working Group (OEWG) of experts. Such Open Ended Working Group of experts should be set up in close cooperation with the ISU to consider and report annually on the implications for the BWC of rapid advances in the Life sciences and of further trends in the convergence of Chemistry and Biology relevant to the Convention*. There would be clear benefits from giving further consideration to such an approach at the Meetings in 2014.

The significance of the growing convergence of chemistry and biology was also recognized in the statements made by the Russian Federation, Italy and Uruguay and led to useful language in the Final Report (BWC/MSP/2012/3) that recognized the value of furthering efforts to build and sustain coordination between the Biological Weapons Convention and the CWC:

34. *In light of the growing convergence between the fields of biology and chemistry, States Parties agreed on the value of furthering efforts to build and sustain coordination between the Convention and the Chemical Weapons Convention, while respecting the legal and institutional bases of each convention. States Parties recognized the value of exploring appropriate ways and means to promote greater collaboration between the CWC and the Convention to analyze potential benefits, risks and threats resulting from relevant advances in science and technology.*

The Final Report is remarkable in the way in which the subject of compliance is treated. It is worth noting that at the Meeting of Experts in August 2013 there were four Working Papers that specifically addressed compliance:

a. BWC/MSP/2013/MX/WP.1 *We need to talk about compliance: A response to BWC/MSP/2012/WP.11* – Submitted by the United Kingdom of Great Britain and

Northern Ireland

- b. BWC/MSP/2013/MX/WP.2 *BWC compliance – a conceptual discussion: preliminary views by Australia* – Submitted by Australia
- c. BWC/MSP/2013/MX/WP.12 *Compliance with the BWC: preliminary considerations by Switzerland* - Submitted by Switzerland
- d. BWC/MSP/2013/MX/WP.18 *Preliminary views on the paper entitled “We need to talk about compliance”* – Submitted by Japan

This led to the recording of 38 items relating to *compliance* by 11 States Parties in *Annex I Considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting* to the report of the Meeting of Experts (BWC/MSP/2013/MX/3).

The subsequent Synthesis document compiled by the Chair – BWC/MSP/2013/L.1 – contained only three mentions of *compliance* – all of these were in a single paragraph 19, 19(d) and 19 (h) of subitem *D. Any potential further measures, as appropriate, relevant for implementation of the Convention* of the Standing Agenda Item on Strengthening national implementation. This in turn led to three mentions of *compliance* in the Chair’s first draft of the substantive paragraphs for the report of MSP/2013 – in paragraphs 47, 47 (d) and 50 (a). This was reduced to a single mention – in paragraph 47 – of the Chair’s second draft which led to no mention at all in the final draft of the substantive paragraphs for the report of MSP/2013.

This failure to have any language relating to *compliance* in the report of MSP/2013 is in sharp contrast to the four Working Papers on compliance submitted to MX/2013 and the 38 mentions of compliance in Annex I to the report of MX/2013. It is also in marked contrast to the inclusion of two Working Papers relating to confidence and compliance submitted to MSP/2013:

- a. BWC/MSP/2013/WP.8 *Exercice pilote de revue par les pairs Paris, 4-6 décembre 2013*. Submitted by France
- b. BWC/MSP/2013/WP.11. *Compliance*. Submitted by Australia, Canada, Costa Rica, Finland, Japan, Lithuania, New Zealand, Spain and Switzerland.

This difficulty in regard to *compliance* reflects the failure of the States Parties to recognize that they all actually have a **shared** goal of building confidence in the implementation of the Convention and in enhancing its effectiveness. There is one group of States Parties, typified by the Non-Aligned Movement, who at every Meeting reiterate *that multilateral negotiations aimed at concluding a non-discriminatory legally binding agreement dealing with all Articles of the Convention, in a balanced and comprehensive manner, would sustainably strengthen the Convention*. There is also another group of States Parties, typified by the JACKSNNZ States Parties, who recognize that *Strengthening implementation at the national, regional, and international levels remains the best way available to States Parties to ensure their compliance with their obligations under Article I and thereby embracing the Convention’s security norm. JACKSNNZ members have been developing options to further improve national implementation and assurances in compliance*. A further group of States Parties, typified by

the EU, has *engaged constructively in the inter-sessional process by actively promoting universality, national implementation and full compliance with the Convention.*

It is evident that all three groups are actually seeking to build confidence in the full implementation of all Articles of the Convention thereby achieving an effective strengthening of the Convention. It needs to be recognized, however, that the shared goal would be more widely appreciated if States Parties in their statements were to use language that showed that there is much discussion and negotiation to be carried out prior to reaching a situation in which detailed procedures and processes can be elaborated and agreed internationally. Whilst such an internationally agreed situation is the eventual outcome sought by all States Parties, it is unhelpful to presuppose at this stage what form the final agreement will take. There is much to be said for all States Parties to recognize that they need to start consideration of how best to move forward, such as by engaging in an open-ended conceptual discussion of compliance without preconditions, to build confidence in the full implementation of all Articles of the Convention thereby achieving an effective strengthening of the Convention.

In addition, in looking forward to the Intersessional Process in 2014 it is evident that all participants – whether States Parties, guests of the meeting, or international organizations – can help to ensure that the points that they make are indeed captured in Annex I *Considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting* to the report of the Meeting of Experts by ensuring that their working papers, presentations or statements conclude by **explicitly** stating what they recommend that the Meeting of States Parties should do about the topic that they are discussing. Some States Parties are to be commended for already providing explicit proposals regarding what the Meeting of States Parties should do in their Working Papers. In addition, all participants need to ensure that they review the draft Annex I to the Report of the Meeting of Experts when that is made available and provide any amendments to the ISU within the allotted time for such amendments. This then increases the likelihood that the points made will be taken forward into the Chairman's synthesis paper that provides the starting point for the substantive language in the report of the Meeting of States Parties.

Overall the Meeting of States Parties had a modest outcome and it is evident that the opportunity to carry forward further consideration, perhaps by using one of the Vice-Chairs in 2014 and 2015, of the biennial topic *How to enable fuller participation in the CBMs* addressed in 2012 and 2013 has not been taken. The failure to even mention *compliance* in the Final Report of MSP/2013 is regretted as is the lack of *effective action*. However, the letter of 14 February 2014 from the Chair for 2014, Ambassador Urs Schmid, with his proposal for increased emphasis on focusing on effective action encourages hope that he will be able to achieve more in the coming year and make real progress.



HSP is an inter-university collaboration for research, communication and training in support of informed public policy towards chemical and biological weapons. The Program links research groups at Harvard University in the United States and the University of Sussex in the United Kingdom. It began formally in 1990, building on two decades of earlier collaboration between its founding co-directors.

<http://hsp.sussex.ac.uk>