

**REPORT FROM GENEVA: THE
BIOLOGICAL WEAPONS
CONVENTION MEETING OF
EXPERTS AUGUST 2014**

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Report from Geneva: The Biological Weapons Convention Meeting of Experts August 2014

By **Graham S. Pearson[†]** in association with **Nicholas A. Sims^{††}**

Introduction

As recorded in *Report 35* (March 2012), the Seventh Review Conference of the Biological and Toxin Weapons Convention (BWC) held in Geneva from Monday 5 December to Thursday 22 December 2011 agreed an Intersessional Programme for 2012-2015. *Part III: Decisions and Recommendations* of the *Final Document* of the Seventh Review Conference stated that:

The Conference decides 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.*

9. The Conference decides 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);*
- (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 (2014 and 2015).*

At the Meeting of States Parties in December 2013, as reported in *Report 39* (March 2014), the arrangements for the Meeting of Experts and Meeting of States Parties in 2014 were considered. The Meeting decided that the Meeting of Experts would be held on 4 to 8 August 2014, and the Meeting of States Parties on 1 to 5 December 2014. The meeting approved the nomination by the Western Group of Ambassador Urs Schmid of Switzerland as the Chairman for 2014, the nomination by the NAM and Other States of Ambassador Mazlan Muhammad of Malaysia as one of the Vice-chairs, and the nomination on behalf of the East European Group of Ms. Judit Koromi of Hungary as the other Vice-chair.

Ambassador Urs Schmid of Switzerland wrote to the States Parties on 14 February 2014 to outline his plans for the Meeting of Experts and the Meeting of States

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Parties in 2014 saying that “*we have developed a sound and practical approach to our mandated task, and our work has been characterized by a sense of trust and common purpose. I intend to continue along this path, maintaining our tried and tested working practices, and to work with States Parties to build on the solid platform we have created together.*” He went on to say “*One way we can build on this foundation is to start giving greater focus to the **effective action** part of our mandate. The reports of the 2012 and 2013 Meetings of States Parties contain a broad range of **common understandings**, some quite detailed. In 2014, we will continue to discuss, and promote common understandings on the three standing agenda items and the biennial topic. But 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. I would therefore like to request your feedback and assistance in identifying which areas may be ripe for a greater focus on action, and how such action might be achieved in practical terms, within the limits of our mandate.* [Emphasis in original].

He then went on to add that: “*The other specific opportunity we have to build on our work is the new biennial topic. In 2014 and 2015, we will consider how to strengthen the implementation of Article VII, including the consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties. This is an important topic that is of immediate practical concern to many States Parties. Its relevance has only been further underlined by the recent events in Syria. He also said that “I also believe it important to continue the effort begun last year to “bring in more voices” to our work, to ensure that (1) our work programme benefits from a broader range of expertise and perspectives; and (2) that a larger proportion of States Parties can benefit directly from participation in our work programme. These efforts have yielded positive initial results and should be furthered.*

Ambassador Urs Schmid of Switzerland briefed the regional groups on 11 April 2014 when he said that:

- *As I noted in my letter, I intend to maintain the tried and tested working practices of my predecessors. I want to work with you to build on the solid platform we have already created together, and I am looking forward to a year of productive work.*
- *Again following in the footsteps of past Chairs, I hope to ensure that our regime continues to move forward. I will endeavour to expand our membership, to continue to bring in new voices, and to encourage a broader range of delegations to engage more actively.*
- *I am also hopeful that in 2014 we will identify additional common understandings across all three Standing Agenda Items. I want us to seize every opportunity on offer. I am keen to ensure that we prepare effectively for our meetings.*
- *I believe the time is ripe to start giving greater focus to the part of our mandate that calls upon us to promote effective action. As we move closer to the Eighth Review Conference in 2016, this year may be a suitable point to turn more of our attention towards options for promoting effective action.*

- *We also have a new biennial topic: strengthening the implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties.*

In regard to **promoting effective action**, he said:

- *We are now more than half way through this intersessional work programme. Whilst as I just highlighted, there is still much work to be done in discussion and promotion of common understandings, we must also consider how this translates into effective action in, and between, our countries. In line with the mandate for our work provided by the Seventh Review Conference, we shall identify any aspects ripe for the promotion of effective action.*
- *I have no preconceptions as to how we might accomplish this, but I am sure that if we work together it will be possible to capture this important aspect of our efforts.*
- *As we begin to think about how we might further our efforts to promote effective action, I believe that we must move forward transparently, deliberately, with forethought and at a speed with which all can keep up.*
- *We have a broad range of common understandings already identified by consensus. We have a constructive and collegial atmosphere, and we have our record of success. All we have to do now is to link these to effective action. If we share this common objective, I am sure we can succeed.*

He also spoke about the importance of **bringing in more voices** by saying:

- *Where they have insights or experience of particular relevance to our efforts, we must continue to bring in the necessary expertise from as many States parties as possible, from international organizations, and from other bodies.*
- *Having considered the relevant common understandings we have identified in the past, it is clear that there is an appetite amongst States Parties to hear, more clearly, the voices of industry and the private sector. I would appreciate any ideas, suggestions, or additional opportunities that you might bring to my attention.*

In regard to side events at MX/2014 he said that *Once again, I would like to ensure that our side event programme complements, and contributes effectively, to our official work. For that reason, as Ms. Körömi did last year, I am intending to reserve the lunchtime slots on the Tuesday, Wednesday and Thursday of the Meeting of Experts, until we have an overview on all the possible uses for them. In consultation with the Vice-Chairs, we will then contact those proposing events which best fit our schedule and invite them to make use of these slots.*

Ambassador Urs Schmid of Switzerland then wrote again to the States Parties on 28 May 2014 saying that *I have been consulting widely on how we might best prepare for the forthcoming Meeting of Experts and I would like to share with you my current thinking.* In regard to the **programme of work**, he said that *I remain committed to building upon the solid foundations laid by my predecessors. I am aware of the importance of retaining the correct balance between the various agenda items. The attached provisional programme of work is closely based on that of 2012 and 2013. It*

lists the sub-items of the respective Standing Agenda Items, highlighting those which were originally proposed for consideration in 2014 according to my distinguished predecessor, Ambassador Boujemâa Delmi of Algeria in his letter dated 1 June 2012. It also reflects the biennial item we are to consider this year according to the Final Document of the Seventh Review Conference. He went on to say that As we did last year, I am proposing that we assign one full day each to the three Standing Agenda Items as I believe this will facilitate the attendance of relevant experts, support a focused and structured discussion and allow us to match side events insofar as possible to the topics of the formal meeting. This means we will split our consideration of the biennial item on how to strengthen implementation of Article VII over two non-consecutive days. As this is a new topic, I hope that this will allow delegations to reflect on our deliberations in the first session, prior to the second session on this issue. I trust that delegations will find this draft programme acceptable and a useful aid for preparations for the meeting.

The **draft provisional programme of work** enclosed with his letter set out the Standing Agenda Items with all the sub-items as listed in the Final Document of the Seventh Review Conference.

In regard to **observers and guests of the meeting**, he said that *In line with past practice, and following feedback and suggestions provided in the course of my consultations, I have compiled the attached provisional list of relevant international organizations, professional and academic associations, and other NGOs and experts who might contribute to our work by sharing their experience and expertise at the Meeting of Experts. In accordance with our established procedures, as a first step I will be writing to the intergovernmental organizations to notify them of the meeting, and will invite the other organizations and experts to participate as guests of the meeting.* The attached list consisted of the following:

I. United Nations

United Nations Security Council Resolution 1540 Committee
United Nations Interregional Crime and Justice Research Institute (UNICRI)
United Nations Institute for Disarmament Research (UNIDIR)
United Nations Office for Disarmament Affairs (UN ODA)
United Nations Office for the Coordination of Humanitarian Affairs (OCT-TA)

II. International Organizations

Food and Agriculture Organization of the United Nations (FAO)
International Committee of the Red Cross (ICRC)
International Criminal Police Organization (INTERPOL)
International Plant Protection Convention (IPPC)
Organization for the Prohibition of Chemical Weapons (OPCW)
World Health Organization (WHO)
World Organization for Animal Health (OIE)

III. Guests of the Meeting

A. International professional and scientific organizations

Biotechnology Industry Organization (BIO)

Developing Countries Vaccine Manufacturers Network (DCVMN)
IAP: Global Network of Science Academies
International Federation of Pharmaceutical Manufacturers and Associations (IFPMA)

B. Other organizations and individual experts

Brigitte Dorner (Robert Koch Institute, Germany): Member of the laboratory network involved in a project for the Establishment of Quality Assurance for the Detection of Biological Toxins of Potential Bioterrorism Risk (EQUATOX).

George Church (Harvard Medical School, USA) and Ken Oye (Massachusetts Institute of Technology, USA): Corresponding authors of an article and a new technology for engineering wild populations and associated editorial on the potential security implications.

Kevin Mark Coggeshall (Oklahoma Medical Research Foundation, USA): Corresponding author of a recent paper detailing a new model for the lethality of inhalational anthrax.

Ron A. M Fouchier (Erasmus Medical Centre, Netherlands): Corresponding author of the proposal to perform gain-of function research experiments on H7N9 avian influenza virus.

Trevor Shoemaker (Centers for Disease Control and Prevention, Uganda): Co-author of a recent paper detailing the use of genomic analysis in disease response in a series of filovirus outbreaks.

Ambassador Urs Schmid of Switzerland briefed the regional groups again on 16 June 2014 when he recalled that in regard to the approach to the work in 2014 he had suggested that we start giving greater focus to the effective action part of our mandate. He said that:

- 1. I have only heard positive feedback and feel encouraged that as long as we build upon past practice and work on a basis of transparency and consensus, that there should be opportunities to promote effective action more explicitly.*
- 2. I have been thinking about how we might do this in practice. Firstly, I think it would be important to capture the excellent efforts taken at the national level relevant to the common understandings we have identified. And secondly, I would also like to find a way to explore actions we might undertake together in the future, either bilaterally or collectively.*
- 3. I think promoting effective action is something we might further consider at the Meeting of States Parties. I am bringing it to your attention now, so that we might hold the concept of effective action in mind during our deliberations at the Meeting of Experts.*

In regard to the biennial agenda item on strengthening Article VII, he said that:

- 1. Our current mandate is "How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the*

- provision of assistance and cooperation by States Parties". We have firm foundations on which to build and I believe it would be useful for us to focus on continuing the efforts States Parties have already begun.*
- 2. We have already reached a number of relevant agreements at past review conferences, notably at the 7th Review Conference. There were also relevant common understandings identified during our intersessional work:*
 - in 2004 we looked at "capabilities for responding to, investigating and mitigating the effects of cases of alleged use of biological or toxin weapons or suspicious outbreaks of disease".*
 - in 2010, we looked at "the provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons".*
 - 3. The background papers prepared by the ISU provide an overview of relevant agreements and understandings, as well as relevant capacity present in international organizations.*
 - 4. I believe States Parties could usefully provide briefings and updates at this Meeting of Experts on what relevant capacity they might have.*
 - 5. I will be requesting relevant international organizations to update the Meeting of Experts on what capacity exists elsewhere, but relevant to the Convention.*
 - 6. This would provide a comprehensive survey of capacity relevant to Article VII. It may be that this is as far as we can reasonably expect to get at the Meeting of Experts.*
 - 7. I hope that at the Meeting of States Parties we could then work together to start identifying where challenges to effective provision of assistance remain and start looking at opportunities and possibilities to strengthen current arrangements.*

In regard to contributions from guests of the meeting, he said that *highlighting when, and on what, we may have contributions from guests will assist States Parties prepare for the meeting and will make it easier for our guests to know what we are asking of them. In general:*

- 1. For the standing agenda items, I am proposing that we set aside the first hour and a half of the afternoon session on each topic for contributions by relevant guests.*
- 2. For the biennial item, I am suggesting that we start by hearing what capacity already exists in other forums, and have set aside time to do this at the start of the first session on Monday. We will then revisit this item on Friday morning to focus on the capacity present in States Parties.*

Ambassador Urs Schmid of Switzerland then wrote again to the States Parties on 20 June 2014 saying that following his consultations with the regional groups on 16 June 2014, he had been asked to provide more information on the Guests of the Meeting. Ambassador Schmid responded by saying that as noted in his letters of 14 February and 28 May 2014, he intended to *rely on our tried and tested working practices and to make use of the solid foundations laid by my predecessors.*

Drawing from past practices, I circulated a list of organizations and individual experts in my letter of 28 May that I intend to invite under my own authority as Chairman. I will invite them to speak in a particular part of the programme and to address a specific element of our work at the Meeting of Experts. In the attached list, I am providing additional information on which topics I envisage they might most usefully contribute. I

also hope that our Guests of the Meeting, as they have done in the past, will interact with other experts to highlight for us important issues and that we might capture elements of their contributions in the report of the Meeting of Experts.

I would like to take this opportunity to reiterate the invitation made in my previous letters and during the regional group meetings for possible additions to the list of Guests of the Meeting.

He then added that to provide some time for reflection he would wait until the end of the month before inviting the Guests of the Meeting.

The additional information provided on the possible guests of the meeting was as follows:

- Biotechnology Industry Organization - to provide a briefing on activities relevant to ways and means to target and mobilize resources to address gaps and needs for assistance and cooperation.
- Developing Countries Vaccine Manufacturers Network - to provide a briefing on activities relevant to ways and means to target and mobilize resources to address gaps and needs for assistance and cooperation.
- International Federation of Pharmaceutical Manufacturers and Associations – to provide a briefing on activities relevant to ways and means to target and mobilize resources to address gaps and needs for assistance and cooperation.
- IAP: Global Network of Science Academies - to provide a briefing on activities relevant to education, training, exchange and twinning programmes and other means of developing human resources in the biological sciences and technology relevant to the Convention.
- Brigitte Dörner (Robert Koch Institute, Germany) - to provide a briefing on a project for the Establishment of Quality Assurance for the Detection of Biological Toxins of Potential Bioterrorism Risk (EQUATOX), as discussed in the ISU background paper on relevant developments in science and technology.
- George Church (Harvard Medical School, USA) and Ken Oye (Massachusetts Institute of Technology, USA) - to provide a briefing on a new technology for engineering wild populations and associated editorial on the potential security implication, as discussed in the ISU background paper on relevant developments in science and technology.
- Kevin Mark Coggeshall (Oklahoma Medical Research Foundation, USA) – to provide a briefing on a new model for the lethality of inhalational anthrax, as discussed in the ISU background paper on relevant developments in science and technology.
- Ron A. M. Fouchier (Erasmus Medical Centre, Netherlands) - to provide a briefing on a proposal to perform gain-of-function research experiments on H7N9 avian influenza virus, as discussed in the ISU background paper on relevant developments in science and technology.

- Trevor Shoemaker (Centers for Disease Control and Prevention, Uganda) – to provide a briefing on the use of genomic analysis in disease response in a series of filovirus outbreaks, as discussed in the ISU background paper on relevant developments in science and technology.

Commentary

Ambassador Urs Schmid of Switzerland, the Chair for the Meetings in 2014, in his preparations for the Meeting of Experts in August 2014 made it clear from the outset that he was keen to give greater focus to the **effective action** part of the mandate. He made the point that, as the Eighth Review Conference in 2016 becomes closer, it is timely to give more attention towards promoting effective action. He therefore encouraged States Parties to help identify which areas may be ripe for a greater focus on action and also to address how such action might be achieved in practical terms. Although he saw this as a task especially for the Meeting of States Parties in December 2014, he hoped that during the Meeting of Experts participants would hold the concept of effective action in mind.

This initiative is indeed timely as after 2014 there is only one further year of the Intersessional Process before the Eighth Review Conference and past experience has demonstrated clearly that for proposals for action to attract consensus at the Review Conference they need to have been discussed by States Parties in advance of the Review Conference itself. A new proposal first proposed during the Review Conference itself is unlikely to be agreed.

Further Developments

In May 2014, Graham Pearson and Nicholas Sims published Bradford Briefing Paper No. 10 entitled *Moving Forward Towards Consensus* (available at http://www.brad.ac.uk/acad/sbtwc/briefing/three_bw_briefing.htm). In this, we note that at the Seventh Review Conference in 2011 and in the subsequent Intersessional Process in 2012 and 2013 it was evident that **all** States Parties are keen to find ways in which they can move collectively towards greater confidence that States Parties are effectively implementing the Biological and Toxin Weapons Convention. The Briefing Paper gives further examination to the positions being expressed by the groups of States Parties and considers how States Parties might move forward towards consensus as we look forward to the Eighth Review Conference in 2016. It is noted that, States Parties are **all** essentially in agreement that the Convention needs to be strengthened and that the way forward requires the sharing of *best practices and experiences* and of ideas so that they can be considered further by other States Parties. We make some proposals that might with advantage be addressed by States Parties in considering how they might best move forward **collectively** to the more effective implementation of all Articles of the Convention. In addition, a more inclusive approach to listing proposals and options is recommended, as preferable to consensus by deletion, when seeking agreed language for the Reports of the Meetings of States Parties. All of this would be much more constructive than the current situation in which there is an apparent reluctance to admit that there are indeed **shared** goals and a tendency to reiterate the same language time and time again rather than putting

forward **practical** proposals that build upon shared *best practices and experiences*, understandings and common ground.

Meeting of Experts, 4 to 8 August 2014: Opening Plenary Session

The Meeting of Experts began on Monday 4 August 2014 with Ambassador Urs Schmid of Switzerland in the Chair in a plenary session when he welcomed all those present. He noted that this was the third Meeting of Experts of the Intersessional Period between the Seventh Review Conference in 2011 and the Eighth Review Conference in 2016. He said he would be following the working practices established at the meetings in 2012 and 2013 and would aim to make efficient and productive use of the valuable intersessional meeting time and he asked States Parties for their support, cooperation and understanding in achieving this.

Then turning to procedural matters, he noted, in regard to the adoption of the Agenda (Agenda item 2) in BWC/MSP/2014/MX/1 (all official papers are available at <http://www.unog.ch/bwc>), that agenda items 5 to 8 had been taken from the text of the report of the Seventh Review Conference that provided the mandate for the Intersessional Period. The Agenda was adopted. Moving on to Agenda item 3 the consideration of the provisional programme of work (BWC/MSP/2014/MX/2) he noted that this showed the overall structure of the meeting and the time allocated for each Standing Agenda Item and for the biennial topic. He said that this should be read in conjunction with the rolling indicative schedule which showed what was planned for each item. This rolling schedule is on the [unog.ch/bwc](http://www.unog.ch/bwc) website. This schedule was by no means final and he encouraged States Parties to adjust the schedule or to request the floor to make interventions regarding the schedule. He also noted that sessions would be open or closed; open sessions would be open for guests and observers whilst closed sessions would be open to States Parties and Signatory States only. He said that he had received a request from NGOs to make statements and he proposed the inclusion of an informal session for such statements later in the morning. The draft programme was adopted.

The Chair then noted that there were a number of side events and mentioned that there would be a poster session directly outside the conference room on Monday evening from 6.00 pm to 7.30pm following the afternoon session. He thanked Canada, Germany, the United Kingdom and the United States for making refreshments available for the poster session.

The Chair then said that the Implementation Support Unit had prepared four background papers: BWC/MSP/2014/MX/INF. 1 on international organizations that may be involved in the provision of and coordination of assistance relevant to Article VII, BWC/MSP/2014/MX/INF. 2 on previous agreements and understandings under the Convention relevant to strengthening the implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties, BWC/MSP/2014/MX/INF. 3 on advances in science and technology related to the Convention, and BWC/MSP/2013/MX/INF. 4 on challenges and obstacles to developing international cooperation, assistance and exchange. He went on to say that because of the very limited translation budget all Working Papers would be reproduced in the language of submission. However, the report and any substantive documents would be produced in all languages. All information would be provided on the website.

The Chair then considered item 4 of the Agenda on adoption of rules of procedure. He proposed to continue as in 2012 and 2013 when the rules of procedure of the Seventh Review Conference were adopted *mutatis mutandis*. Formal credentials would not be required as all that was needed was a note verbale to the ISU. The Chair hoped that all had been registered by now. The rules of procedure were adopted.

The Chair then went on to speak about participation at the Meeting of Experts. He said two States non-Party, Israel and Mauritania, had requested observer status. This was agreed. He then went on to say that the Meeting of Experts would be addressing a wide range of topics with a broad range of actors. He said that a small number of guests of the meeting had been invited on the initiative of the Chair who would only participate in open sessions. In addition, seven international organizations had requested observer status: European Union, FAO, ICRC, Interpol, OPCW, WHO and OIE. This was agreed.

He went on to say that he had had positive results from his request to States Parties to provide sponsorship as this had been provided by Australia, Germany and the United States which had enabled representatives of four States – Gabon, Lao People's Democratic Republic, Haiti and Mauritania – to participate. Some other representatives were attending under bilateral arrangements. He commended States Parties in a position to sponsor participation to do so as it made a very real difference.

The Chair said that this completed the formalities and he now proposed to move on to any introductory statements which would then be followed by the statements by NGOs. Following that he would then move on to the Agenda items. He said that he encouraged the asking of questions and comments after any presentations so as to promote a general exchange and discussion. He asked that because of time constraints, any statements be limited to no more than 5 minutes and any presentations to 15 minutes so as to ensure that there was time for discussion.

He said that he was seeking a similar outcome to that in previous years. Any proposals would be extracted to form part of the Annex to the Report of the Meeting of Experts. As previously this would not be an agreed document but would serve as an important resource for the synthesis paper for the Meeting of States Parties. He looked forward to productive and stimulating discussions and a continuation of the constructive atmosphere of previous years.

Eighty four States Parties to the Convention participated in the Meeting of Experts as follows: Algeria, Argentina, Australia, Austria, Bahrain, Belarus, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Libya, Lithuania, Madagascar, Malaysia, Malta, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of) and Yemen. This was one more States Party than the eighty three States Parties who had participated at the Meeting of Experts in 2013: twelve

States Parties participated in 2014 which did not in 2013 – Cyprus, Ethiopia, Gabon, Lao People’s Democratic Republic, Latvia, Nigeria, Oman, Panama, Qatar, Serbia, Singapore and Yemen – and eleven who had participated in 2013 did not in 2014 – Albania, Azerbaijan, Croatia, Democratic Republic of the Congo, Ghana, Honduras, Kazakhstan, Montenegro, Romania, Senegal and Tunisia.

In addition, four states that had signed the Convention but had not yet ratified it participated in the Meeting of Experts: Haiti, Myanmar, Nepal and the United Republic of Tanzania. Two states, Israel and Mauritania, neither parties nor signatories to the Convention, participated in the Meeting of Experts as observers. Seven international organizations also participated as observers: The European Union, the Food and Agriculture Organization of the United Nations (FAO), the International Committee of the Red Cross (ICRC), the International Criminal Police Organization (INTERPOL), the Organisation for the Prohibition of Chemical Weapons (OPCW), the World Health Organization (WHO) and the World Organisation for Animal Health (OIE). In addition, at the invitation of the Chairman, in recognition of the special nature of the topics under consideration at this Meeting and without creating a precedent, four scientific, professional, and academic organizations and experts participated in informal exchanges in the open sessions as guests of the Meeting of Experts: the Developing Countries Vaccines Manufacturers Network (DCVMN), Global Network of Science Academies (IAP), Biotechnology Industry Organization (BIO) and Kenneth A. Oye. This was three fewer guests than had participated at the Meeting of Experts in 2013 and five fewer guests than the nine guests identified by the Chair in his letter to States Parties of 20 June 2014 when he said that he would wait until the end of the month before inviting the guests.

It was also agreed that as at previous meetings, this meeting would be suspended on Monday 4 August at about midday and resume in informal session with the Chairman remaining in the Chair to hear statements from a number of NGOs. In the event, the first six NGO statements were made at the end of the morning session and a further four NGO statements were made at the start of the afternoon session. Some twenty NGOs attended the meeting either as guests of the meeting or as NGO participants.

There were over 430 participants at the Meeting of Experts of which over 330 came from States Parties including close to 150 participants from capitals. Total numbers were slightly larger than the participation at the Meeting of Experts in 2013 when there were close to 400 participants of which over 320 came from States Parties including over 150 participants from capitals.

This was the first BTWC meeting for many years without the presence on the podium and leading its secretariat of Richard Lennane, who had resigned as Head of the Implementation Support Unit and left the UN Secretariat on 28 February 2014. While awaiting a permanent appointment, the Unit had been placed under the Acting Headship of a senior official from the UN Office for Disarmament Affairs in New York. Accordingly, Gabriele Kraatz-Wadsack, Chief, Regional Disarmament Branch, Office for Disarmament Affairs, New York, served as Secretary of the Meeting of Experts. Ngoc Phuong Van Der Blij, Political Affairs Officer, Implementation Support Unit, served as Deputy Secretary. Katherine Prizeman, Associate Political Affairs Officer, Office for Disarmament Affairs, New York, served in the Secretariat.

Introductory Statements

Iran spoke first on behalf of the Group of the **Non-Aligned Movement and Other States Parties** saying that the Group would like to re-emphasise its position as reiterated in the final document of the NAM XVII Ministerial Conference held in Algiers, Algeria on 16 – 25 August 2012:

199. 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 humankind. 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-technical exchange. They underlined the importance to maintain close coordination among the NAM States Parties to the Convention and 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.

200. The Heads of State or Government of the NAM States Parties to the BTWC welcomed the active participation by NAM States Parties in the Seventh BTWC Review Conference held in Switzerland from 5-22 December 2011, to advance their positions on this Convention, particularly their key role in the adoption of the important decisions related to the implementation of Article X of the BTWC, especially by emphasizing the need for enhancing international cooperation, assistance and exchanges in toxins, biological agents equipment and technology for peaceful purposes, bearing in mind the Action Plan on the implementation of Article X submitted by the NAM States Parties at the Sixth Review Conference, and the additional NAM States Parties' proposal on a mechanism for the full implementation of Article X of the Convention presented more recently. They further encouraged the BTWC States Parties to implement the Article X, as set forth in paragraphs 50-61 of the Final Document of the seventh BTWC Review Conference. They also welcomed the outcome of the Seventh Review Conference and in particular its decision to include cooperation and assistance as one of the Standing Agenda Items, with a particular focus on strengthening cooperation and assistance under Article X, as well as the Conference's decision to establish a database system to facilitate requests for and offers of exchange of assistance and cooperation among States Parties, and the establishment of a Sponsorship Programme, funded by voluntary contributions from States Parties in order to support and increase the participation of developing States Parties in the meetings of the intersessional programme in the framework of the BTWC.

The statement went on to say that *We are of the view that a successful inter-sessional programme is vital for the next Review Conference that is expected to take further action on the outcome of the inter-sessional meetings. To this end, the results of this Meeting of Experts would enrich our deliberations and promote common understanding and effective action on the issues in the agenda of our meeting of States Parties in December.* The statement went on to add 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. In this context we welcome the decision of the 7th*

Review Conference to include cooperation and assistance as one of the standing agenda items, with a particular focus on strengthening Article X implementation. However, we continue to believe that there is 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 last year that need to be considered further in the Meeting of Experts. We are sure that this working paper contributes to the promotion of common understandings and effective actions by the inter-sessional Program in 2014 and beyond, and that its elements will be reflected in the reports of the Meetings of Experts. The enhancement of international cooperation for the use of biological agents for peaceful purposes is an essential part of compliance with the Convention and is crucial for the realization of the purpose and objective of the Convention.

The statement also noted that *While the Group recalls its position on proposals related to the compliance assessments, reiterates 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. It went on to conclude by noting that I would like to emphasize that maintaining the delicate balance reached in the Review Conference outcome by organization of work is of utmost importance for this Group. We hope that this delicate balance will be preserved through the entire inter-sessional program.*

[The unog.ch/bwc website shows that Iran has not submitted a CBM in 2014]

Pakistan then spoke saying *Pakistan recalls the successful conclusion of the Seventh Review Conference and believes that the outcome as contained in its final document embodies a delicate balance that should be preserved during the current inter-sessional period from 2012-2015. We value the efforts that you and your delegation have undertaken in order to maintain the balance in the work program of the 2014 BWC meetings. The statement went on to say that Pakistan is concerned about some new developments in Science and Technology that have the potential for uses contrary to the provisions of the Convention. The recent advances in synthetic biology raise immediate concerns related to ethics, safety and security. In this regard, States should employ utmost transparency and confidence building measures during all their activities related to synthetic biology. There is also a need for strict regulation on the development of synthetic biology, to ensure it does not lead to any concerns related to safety and security, as well as incidents of proliferation ... It then said that There is also an urgent need to strictly regulate the industry and various laboratories including in the public and private sector, in the wake of various reports concerning experiments that have been taking place, with highly contagious, virulent flu strains like H5N1, motivated mainly by commercial interests. There have been recent reports about researchers in an advanced country producing several new strains of viruses that are both contagious and deadlier than the 1918 Spanish flu that killed almost 50 million people. Similarly, there were alarming revelations about lapses in bio-security practices, such as the recent discovery of deadly smallpox (variola) virus dating back to the 1950's, which was believed to be eradicated as well as a number of other dangerous pathogens ranging from influenza and dengue fever to rickettsia and Q-fever. ... Pakistan believes that all scientific activities and experiments should be carried out under strict regulation and*

control, solely for prophylactic, protective and other peaceful purposes, as permitted under the Convention.

The statement went on to add that *The threats posed by the dual-use of biotechnology are real and cannot be over-stated. ... In the backdrop of these latest developments and trends, the need to conclude a non-discriminatory, legally binding instrument on verification provisions, is therefore, ever-pressing and necessary.* It then went on to consider the biennial item on Article VII and said *we would like to request a detailed information paper to be prepared by the ISU, ahead of the 2014 Meeting of States Parties, focusing on the complete procedure and mechanism that would come into play, if the provisions of Article VII were ever to be invoked by a State Party.* It then said that *While the absence of a dedicated verification mechanism for the Biological and Toxin Weapons Convention, to ensure compliance with the Convention, is an area of concern, the Secretary-General's mechanism is an effective and operation tool for investigation after an actual "use" of biological and toxin weapons has occurred. The Secretary General's mechanism, however, does not substitute the need for a dedicated verification mechanism for the Convention, which would ensure that biological and toxin weapons are never developed, produced, stockpiled or otherwise acquired or retained, thereby precluding their use by States Parties. Pakistan believes that the only credible and 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.*

[The unog.ch/bwc website shows that Pakistan has not submitted a CBM in 2014]

Indonesia then spoke saying that it associated itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement went on to say that *First, 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.* It went on to say that *... Indonesia welcomes any possible cooperation with related partners in conducting trainings and advocacy on biosafety and biosecurity. Strengthen capacity building and enhancing collaboration and networking within the ASEAN region and other developed countries as well.*

Second, Indonesia views that discussion on science and technology as part of the standing agenda item will further enhance exchange of knowledge and technology among States Parties. Indonesia continuously develops bioscience technology in the midst of the spread of pandemics. With the growing cases of avian influenza, more and more biosecurity laboratories have been established in Indonesia, more and more people are increasingly aware of biological pathogen risks. The development of National Code of Conduct is necessary and timely response to the spread of biosafety laboratories facilities in Indonesia. In addition with the rise of several local issues on bioterrorism and global issues on dual use of research concern.

Third, on the standing agenda item on national implementation, it has become a priority for Indonesia to formulate a draft law on bio-security which does not only emphasize the implementation of the Convention itself, but also the implementation of the World Health Organization (WHO) based regulations. Noting the importance of complementing the WHO based provisions with the BWC provisions, Indonesia sees

the merit in enhancing partnerships between experts in bio-security/non-proliferation and public health.

Fourth, Indonesia welcomes the discussion of biennial item on how to strengthen implementation of Article VII in 2014 and 2015. ... Indonesia is of the view that States Parties' national preparedness contributes to international capabilities to response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons. The statement concluded by saying that Indonesia calls on the need for strengthening not only national, but also regional and international capacity to respond to the alleged use of biological weapons and in disease surveillance, detection, diagnosis and preparedness as well as public health systems, including science and technology transfer.

[The unog.ch/bwc website shows that Indonesia has not submitted a CBM in 2014]

Brazil then spoke saying that it associated itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement went on to say that *We highlight the need to strengthen cooperation and capacity building as a way to promote compliance. States Parties, in particular developing countries, should be given the ways and means to adopt adequate measures in order to fully implement the provisions of the Convention. As we know, national measures are an essential path for implementation, given the broad scope of the BWC and its impact on numerous areas, from research to industry. It then added that I would like to recall that cooperation is a fundamental pillar of the BWC. Brazil believes that full, effective and non-discriminatory implementation of the provisions of Article X is essential for the realization of the objectives and purpose of this Convention. Furthermore, international cooperation serves as an incentive for more States to adhere to the BWC and to guarantee biological substances will be exclusively used for peaceful purposes.* The statement then went on to make comments on some points made in the background information document BWC/MSP/2014/MX/INF.4 submitted by the ISU.

[The unog.ch/bwc website shows that Brazil has submitted its CBM in 2014 although this is not available on the public section of the website]

Colombia then spoke saying that Colombia supported the statement made by Iran on behalf of the NAM. Colombia went on to say that they have, since 2011, been submitting reports on Confidence Building Measures. This enables Colombia to monitor the implementation of the convention at a national level and it also promotes interagency cooperation. In regard to the most recent Confidence Measure Report, submitted on 15 April, Colombia had great support thanks to a guide prepared by Canada. This was extremely useful for them as they prepared and presented their CBM report. The statement went on to add that Colombia is very happy to provide information on the progress they are making towards establishing a national authority responsible for the implementation of the Biological Weapons Convention. Colombia is making progress in preparing a draft decree through which such an authority can be established. In 2013 an informal working group was created to achieve this objective. The group has met on four occasions since its creation under the form of workshops organized as part of the EU Joint Action Programme. Through this programme they have been able to convene the national actors which are competent in the area of prohibition and control of biological weapons, to promote greater knowledge and dissemination and broaden the knowledge as regards to applications entered into by a state when it is a party to the convention. The statement continued to outline

workshops recently held by Colombia such as one on exchange of good practice, as regards to the establishment of national authorities for the implementation of the convention on biological weapons. The statement concluded by thanking the European Union for its cooperation and also the UN Office for Disarmament Affairs and the Implementation Support Unit for their efforts in regards to coordination, particularly when it came to implementing a Joint Action Programme. Colombia would also like to highlight the support received from some state parties as well as UNLIREC and VERTIC helping Colombia's efforts to effectively implement the convention.

[The unog.ch/bwc website shows that Colombia has submitted its CBM in 2014 although this is not available on the public section of the website]

India then spoke saying that it associated itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement said that *India remains committed to improving the effectiveness of the BWC and strengthening its implementation and universalization. We believe this is necessary in view of the new challenges to international peace and security emanating from proliferation trends, including the threats posed by terrorists and other non-state actors seeking access to biological agents or toxins for terrorist purposes. It is the responsibility of States Parties to ensure that their commitments and obligations under the Convention are fully and effectively implemented. 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. India shares the widespread interest among states parties to strengthen the effectiveness and improve the implementation of the convention through the negotiation and conclusion of a Protocol for that purpose.* The statement went on to say that *the standing agenda item on review of S & T developments presents the best opportunity for States Parties to keep pace with the rapid developments in biological science and technology which might impact the implementation of the Convention.... Our focus this year should continue to be on high risk dual use research with specific focus on advances on our understanding of pathogenicity, virulence, toxicology and immunology. ... An important aspect of these discussions is how to balance risks and benefits. The measures taken to mitigate biological risks should be proportional to the assessed risk and not hamper legitimate peaceful activities including international cooperation. ... India looks forward to continuing discussions on Codes of Conduct and education and awareness raising to explore ways to achieve further progress under the Convention.* The statement then said that *India attaches 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 this regard should be given due consideration. We believe that strengthened implementation of Article III would ensure that the cooperation envisaged under Article X is not abused.* The statement added that *The standing agenda item on strengthening 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 bio-safety and bio-security.* The statement concluded by noting in regard to the biennial item on Article VII, that *India views Article VII as a legal obligation of States Parties, as clearly laid out in the Convention ... It is clear that the lack of a comprehensive Protocol to strengthen all aspects of the BWC has created a gap in the international community's capacity to respond effectively to provide assistance to States Parties to the BWC. An event*

relating to violation of the BWC is more than a public health emergency under the IHR (2005). While coordination and cooperation with relevant UN bodies such as the WHO, FAO, OIE, etc, are important complementary measures, the lack of an institutional mechanism to provide assistance remains a concern to the international community.

[The unog.ch/bwc website shows that India has submitted its CBM in 2014 although this is not available on the public section of the website]

Kenya then spoke saying that it associated itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement went on to say that *In recognition of the importance of the BTWC, Kenya continues to undertake activities geared towards its implementation. These include: i. Engaging Governors, farmers, academia, and public on biosecurity and biosafety programme, ii. Developing regulation on accreditation and registration of research institutes and regulations on licensing of research in Kenya under ST&I Act, 2013, that will ensure biosecurity and biosafety...* together with other activities on biosecurity and biosafety. The statement went on to add that *The advances in science and technology creates the need to strengthen bilateral and multilateral collaborations to ensure safety of humans, animals, plants and environment. It is therefore important to encourage States Parties that are able to do so, to support other States Parties who are in the initial stages of implementation of Article IV and Article X of the Convention. In the same spirit of cooperation and assistance, there is need for the following: i. Creation of linkages between universities with curriculum on biosecurity with those who do not have. ii. Provision of equipment for emergency response in case of suspected biological weapons attack. iii. Strengthening disease surveillance divisions and regional, national and county levels, and iv. Continuous training on biosecurity and biosafety.*

[The unog.ch/bwc website shows that Kenya has submitted its CBM in 2014 although this is not available on the public section of the website]

Cuba then spoke saying that it fully agreed with the statement made by Iran on behalf of the NAM and Other States Parties. They went on to say that Cuba attaches a great deal of importance to the Biological Weapons Convention and are absolutely convinced of its contribution to international security and peace. In addition Cuba believes that the possibility of using toxin and biological agents as weapons need to be totally excluded and in that regard they attach great importance to strengthening the Convention in all its aspects through multinational negotiation of a protocol that would be legally binding and include all the basic pillars of the Convention, including cooperation and assistance. The statement went on to add that Cuba attaches great importance to the implementation of the Convention. Since 1976, the date when Cuba ratified this Convention, they have implemented a range of legal instruments which are essentially aimed at guaranteeing the protection of both man and the environment as part of the peaceful use of biological and toxin agents. Legislation in this area and their implementation programmes and actions have been strengthened through a system of control mechanisms that cover all premises that have a biological risk and also those which are part of their national accounting and control system. The statement then said that one of the priorities of Cuba is the full effective and non-discriminatory implementation of Article X. Developed countries need to promote international cooperation to the benefit of developing countries and do away with restrictions on the free exchange of equipment, materials, scientific and technological information for the use of toxin and biological agents for peaceful purposes. The statement concluded by recalling the importance of preserving the mandate of this meeting in compliance with

what was agreed upon at the 7th Review Conference and indeed the need to strike and maintain the delicate balance when agenda items are addressed.

[The unog.ch/bwc website shows that Cuba has submitted its CBM in 2014 although this is not available on the public section of the website]

China then spoke saying that it supported the position put forward by Iran on behalf of the NAM. The statement then said that the rapid development of biotechnology together with the threat to the convention from biological weapons has not yet been eliminated, and the misuse of biology and technology and epidemics and by terrorism are problems that are increasing. In this context, multilateralism, international cooperation and the promotion of a greater role for the Convention eliminating and preventing the proliferation of biological weapons and in promoting biology for peaceful purposes, all constitute common interests for the State Parties to the Convention. The statement went on to say that China has long been engaged in exchanges and collaboration with a number of countries and regions as well as international organizations in order to tackle questions of epidemics and biosecurity and are open to continuing such cooperation under the Convention. With the rapid development of biotechnology, new tendencies are emerging and we must follow these developments closely to see what impact they have on our Convention. To reinforce biological security and share our experience in risk control, prevent misuse and make sure that we pursue the objectives of the Convention and put this technology at the service of humanity. China is in favour of States Parties sharing best practices in the monitoring of biological risks and we feel that capacity should be enhanced when it comes to ensuring biological security. This should be done taking into account national conditions to make sure that voluntary standards for the developments of biology are developed which are appropriate and we must see the appropriate practitioners trained in order to monitor biological risks and dangers.

The statement then noted that better measures for the implementation of the convention are an important guarantee to ensure compliance with the Convention on the part of States Parties and that implementation is more effective. Untiring efforts have been conducted by States Parties in the last few years and China considers that such efforts should be pursued and that the implementation mechanism should be improved gradually, countries should be taking into account their own conditions in doing so. As regards recently proposed steps, China considers the principles of progressivity and a voluntary principle are applicable here. At the same time China considers that the best way to achieve this is to conclude a verifiable protocol which will strengthen the Convention in a comprehensive manner. The statement then went on to say that China supports the idea of national assistance in the event of a State Party invoking Article VII of the Convention and requesting assistance.

[The unog.ch/bwc website shows that China has submitted its CBM in 2014 although this is not available on the public section of the website]

The **Russian Federation** then spoke saying that they *would like to address the underlying issues relating to the BWC. The Convention opened for signature in 1972, has made then a contribution to strengthening international law pertaining to the prohibition of biological and toxin weapons. That being so, the Convention also remains a product of its time. In particular, this manifests itself in the absence in its provisions of the prohibition on the use of biological and toxin weapons and the absence of compliance control mechanism. The need to strengthen the Convention*

due to its obvious weaknesses was realized a long time ago. As early as the Second Review Conference in 1986 the Soviet Union proposed to elaborate a legally binding Protocol to the Convention to include a compliance control mechanism, and for that purpose to convene a special conference of States Parties. Such interest was shared by many other States Parties. However, such Special Conference became possible only in 1994. It was preceded by an important and substantive work of the Group of Governmental Experts (VEREX) established by the Third Review Conference. The VEREX by consensus arrived at a finding that the application of verification measures could reinforce the Convention and contribute to improving its implementation. Based on such a finding, States Parties having set up an Ad Hoc Group began elaborating a legally binding instrument which became known as the Protocol. Not only compliance promotion measures were envisaged in the Protocol, but also important measures to foster implementation of Article X (international co-operation) and Article VII (assistance and protection from biological and toxin weapons). Since 2001, due to the known circumstances the development of the Protocol has been suspended. Nonetheless the 1994 negotiating mandate remains in force, and the fruits of all substantive work on the Protocol for the period 1995 – 2001 remain with us. The statement went on to say that In the year 2015 the Convention will mark its 40th anniversary. What has been done to strengthen it? Little can be said to our credit, apart from the introduction of the confidence-building measures in 1987 (expanded in 1991 and revised in 2011) whose limited effectiveness and utility are obvious.... The Russian delegation believes that a sorry future may await the Convention and its regime unless States parties come to an agreement regarding effective ways of strengthening the Convention. This May, in the context of preparations for the Eighth Review Conference in 2016, Russia launched an initiative on seeking views of States Parties on the prospects of resuming multilateral negotiations to develop a legally binding instrument to strengthen the Convention pursuant to the 1994 mandate. To that end we have circulated among all States Parties a note verbale with a questionnaire asking them to send in replies by 13 July. Bearing in mind that States Parties required additional time to consider their replies, we will continue receiving them until the end of November so that a final review can be presented at the Meeting of States Parties this December. As of late July, we have received replies from 28 States Parties Of them only three replies contain a negative answer. Other States Parties have not sent in negative answers while many have clearly spoken in favour of resuming negotiations. The statement then said that The Russian initiative is aimed at a collegial examination of opportunities that we can utilize to strengthen the Convention through a legally binding instrument. The 1994 mandate agreed by all of us is formulated in such a way that it does not presuppose how the legally binding instrument may look like at the end. We emphasise that the Russian initiative pursues ways of strengthening the BWC based on the 1994 mandate and it is not intended to bring us back to the situation of 2001. We are of the view that the time remaining before the Eighth Review Conference in 2016 should be utilized by us to collectively reflect on how the Conference may contribute in creating appropriate conditions for resuming negotiations and on their conclusion for the adoption of the legally binding instrument to strengthen the Convention.

[The unog.ch/bwc website shows that the Russian Federation has submitted its CBM in 2014 although this is not available on the public section of the website]

Malaysia then spoke saying that it associated itself with the statement made by Iran on behalf of the NAM and other States Parties. The statement went on to say that *Malaysia reiterates its views that the existence of deadly biological and toxin weapons, as well as its potential misuse, constitute a serious threat to international peace and*

security as well as causes economic losses. It is also ironic that the magnitude of the threat is also growing with the dynamism of biomedical technology and advancement in the field of biotechnology. The statement went on to add that The advancements in the field of bio-sciences and the remarkable benefits for humankind continue to evolve as we speak. Yet, the concerns of the dual-use aspects remain. Oversight frameworks for bio-safety and bio-security are crucial to ensure research in bio-sciences is not diverted for the production of biological weapons. The statement then noted that in regard to strengthening national implementation of the BWC, Malaysia will be conducting a 2-day seminar entitled "Bio-Threats and Bio-Risk: Bridging Science and Security" that will be held on 27-28 October 2014. This will be followed by a Regional Workshop on Bio-Threats and Bio-Security: Multisectoral Coordination ... It is our hope that States Parties to the BWC in South East Asia would be able to participate in this workshop. Both events are in partnership with the Cooperative Biological Engagement Program (CBEP),... The events will focus mainly on national and regional practices, challenges and strategies for biosecurity measures in relation to the BWC, IHR and UNSCR 1540. The statement then added that Given the continuous evolution in the field of bio-sciences, there is a growing need for greater scientific and technological cooperation among States Parties. Article VII and Article X of the Convention provides for this.

[The unog.ch/bwc website shows that Malaysia has not submitted its CBM in 2014 although it did submit its CBM in 2013 which is not available on the public section of the website]

Algeria then spoke saying that it endorsed the statement made by Iran on behalf of the NAM. The statement went on to say that Algeria is firmly committed to the implementation of the Convention and continues to believe that the bolstering of the Convention via a verification mechanism is necessary in order to ensure the effective implementation of all the provisions of the Convention, and in order to achieve real transparency when it comes to biological activities and programmes. It then added that Algeria has always supported the idea that reinforcing the Convention via verification is important and considers that the drafting of a verification instrument will be a contribution to reinforcing the implementation of the Convention especially when it comes to Article X which deals with cooperation and assistance. The point is to assist developing countries in having access to the benefits of scientific technologies for peaceful purposes without any limits nor any restrictions as provided for by the Convention. Algeria would like to express the desire that circumstances might come about for negotiation to take place in this regard. In regard to the Meeting of Experts, Algeria said they hoped that the discussions to take place this week will take the shape of a rich exchange of ideas and information in order to look at ways and means to move towards tangible ways to implement various aspects of the Convention as set out in the agenda of the meeting focusing in particular on international cooperation, science and technology and the national implementation as also biennial issues when it comes to the reinforcement of Article VII of the Convention. In considering advances in science and technology, Algeria said that these developments, therefore, especially when it comes to dual use capabilities, are matters to which we should pay particular attention especially when it comes to permeable frontiers, borders and terrorist risks. We need to look at the possible risks of research in this area from the point of view of the Convention, especially when it comes to the potential misuse of such technology. Then on strengthening national implementation, Algeria said that the debate should allow us more clearly to address how this aspect of the Convention can be enhanced and to ensure that we can deliver measures to enhance efforts here and to make sure that we can base our efforts on enhanced international cooperation in order to push forward

implementation mechanisms. The statement concluded by noting the importance of the biennial item on Article VII of the Convention saying that our debate should shed light on the role that could be played by relevant international organizations such as the WHO, the United Nations Organization and the IOE and the FAO and the Secretariat of the International Convention on the Protection of Plant Species, pursuant to the mandate of each of the above-mentioned organizations.

[The unog.ch/bwc website shows that Algeria has submitted its CBM in 2014 although this is not available on the public section of the website]

France then spoke saying that France supports the statement to be made by the European Union. The statement went on to say that the biennial topic this year is on Article VII under which States Parties undertake to provide assistance or facilitate assistance if another Party is exposed to a danger because of a violation of the Convention. This is a very operational issue, it is been the subject of a specific provision within the Convention and it is very important that we take our common thinking further on this. Two elements require more in depth study, first of all the specific role of the Convention's bodies as regards to implementation of such an article and secondly how a request for assistance could be made and the formalities thereof. The issue of coordinating assistance measures is also an important topic. The statement then said that in regard to strengthening national implementation, this is very much a long term issue and many proposals have been made regarding this. France during the last review conference proposed the setting up of a peer-review mechanism. The report of the pilot exercise, which was held in Paris last December, is available on the ISU website. It sets out both the organizational methodologies used by France and also provides a summary of the expert contributions of the experts that were participating in that meeting. The organization of this pilot experience or exercise enables us to get a better grasp of the aims behind this proposal.

[The unog.ch/bwc website shows that France has submitted its CBM in 2014 although this is not available on the public section of the website]

The **United States** then spoke saying that they had not intended to speak during the Introductory Statements session. However, a number of States Parties had alluded to recent biosafety/biosecurity lapses in the US and consequently the US wanted to emphasize the seriousness with which these events were being addressed, the transparent way in which this was being done and noted that the head of the CDC Select Agents programme was a member of the US delegation who would be addressing these points in a presentation later in the week. In addition, the US responded to Russia's statement that the US was one of the 28 countries that had responded to the Russian note verbale to say that the US would not be responding to the survey as the US considered it a counterproductive and divisive initiative.

[The unog.ch/bwc website shows that the United States has submitted its CBM in 2014 and this is available on the public section of the website]

Mexico then spoke saying that they agreed with some of the statements made by other delegations. Namely, there is a need to ensure that the Convention has some sort of verification mechanism and it is hoped that in the upcoming Review Conference, 2016, State Parties will be able to reach agreement in that sense. Either way, Mexico is flexible as regards to the form in which this is done or how such a mechanism could be achieved. The statement then went on to add that Mexico also is doing all it can to

ensure that we reach out to the scientific community given the close links between this Convention and other mechanisms in the area of international public health, where significant progress has been made recently including the 2005 health regulations coming from the WHO, which allow us to address health situations caused by biological weapons attacks. There is a protocol that has been approved by the membership or multilateral agreements when it comes to access to WHO medicines through the strategic reserves and these have brought about many innovative ways of addressing problems such as early warning when there are pandemics.

[The unog.ch/bwc website shows that Mexico has submitted its CBM in 2014 although this is not available on the public section of the website]

The **European Union** then spoke saying that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Ukraine, the Republic of Moldova, Armenia and Georgia aligned themselves with this statement. The statement went on to say *We are looking forward to the discussions of the new biennial topic on how to strengthen implementation of Article VII; we hope these will help identify the issues, challenges and potential solutions to the problems we face in making this Article effective.* The statement noted that *The EU and its Member States are also engaged to a considerable degree in supporting improvements in bio-safety and bio-security around the world. These activities contribute not only to the implementation of article X but also support our efforts to achieve universality of the BTWC. In this regard, the Council Decision of 18 November 2013 provides support, through the technical expertise of the WHO, projects aimed at promoting bio-risk awareness, laboratory bio-risk management, and development of national laboratory strategies to counter biological risks and to enhance the core facilities. These projects are fitting under the overarching International Health Regulations that significantly contribute to global public health and security.* The statement went on to say that *The EU has continued to make progress with the implementation of the CBRN Centres of Excellence Initiative, funding, mobilising national, regional and international resources to develop a coherent CBRN policy at all levels. This aims at enhancing the institutional capacity of partner countries to mitigate CBRN risks, offering a coherent and comprehensive approach covering legal, regulatory, enforcement and technical issues irrespective of their origin. Current projects address issues such as: knowledge development and transfer of best practices on bio-safety, bio-security and bio-risk management; strengthening laboratory bio-safety and bio-security through the development of a laboratory ISObank system; creation of an international network of universities and institutes for raising awareness on dual-use concerns in biotechnology.*

The statement then noted that *The BTWC is first and foremost a disarmament and non-proliferation treaty that is clearly embedded in the international security architecture. Nevertheless, facilitating exchange in biological sciences and technology, including equipment and material for peaceful purposes, is a legitimate goal under the BTWC. However, in accordance with Article III, appropriate technology transfer controls are also necessary in order to prevent deliberate or inadvertent transfers of technology to states or non-state actors for purposes prohibited under Article I. They contribute to the confidence in compliance by all parties involved and, as a result, help to promote trade, and scientific and technological assistance and exchanges under Article X. I would like to stress once more our collective responsibility to ensure that we are not inadvertently assisting in developing biological weapons under the guise of cooperation in biological sciences or in the economic and technological fields.* The statement went on to say that *Verification remains a central element of a complete and effective BTWC*

*disarmament and nonproliferation regime. However, there is currently no consensus on a verification concept for the BTWC. Appropriate verification measures have the objective to build further confidence among states parties in the continued adherence to the obligations under the Convention. We need to continue to think about how we maintain and strengthen compliance with the Convention as we move towards the Eighth Review Conference in 2016. The EU and its Member States are working towards identifying fresh options that could achieve these objectives. As part of their concrete efforts to strengthen confidence in compliance with the BTWC, the EU and its Member States promote measures aimed at increasing the quality and relevance of CBM declarations. Although not a substitute for a verification mechanism, the politically agreed CBMs represent a unique instrument to help increase mutual trust, generate transparency and thus help demonstrate compliance with the Convention. ... We must continue to work to make the CBM process as effective as possible and this includes considering and identifying further modifications, enhancements and new, useful measures, and deciding upon them at the 2016 Review Conference. The statement concluded by saying that *Effective national implementation is fundamental for the integrity of the Convention. We remain committed to identifying ways and means to achieve this goal. Sustained efforts are needed here.... The current inter-sessional process offers also an opportunity to identify innovative approaches, to enhance national implementation through voluntary exchanges of information, such as the proposed peer-review mechanism.**

[The unog.ch/bwc website shows that **all** the 28 EU countries have submitted their CBMs in 2014 and that over half are available on the public section of the website, whilst those for Croatia, Cyprus, Estonia, France, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, Poland, Slovakia and Spain are not available on the public section of the website]

After the statement by the European Union the formal meeting was suspended and resumed with the Chairman remaining in the chair to hear statements from ten NGOs. The first NGO statement was made at 12.28 and after six statements had been made, the Chairman resumed the formal session saying the remaining four NGO statements would be taken at the start of the afternoon session which would be considering the biennial topic *“How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties”*.

The Secretary announced that there would be a side event during the lunch interval in Room XXII by Bavarian Nordic on a table top exercise on responding to the terrorist use of a biological weapon. She also reminded participants interested in participating in the Poster session following the afternoon session to register with the ISU.

The afternoon session opened with the Chairman resuming the informal session to hear the remaining four NGO statements. In total, the following NGOs spoke

- a. **University of Bradford.** Graham S Pearson.
- b. **University of London.** Nicholas Sims
- c. **International Network of Engineers and Scientists.** Kathryn Nixdorff.
- d. **VERTIC.** Yasemin Balci

- e. **Pax Christi International.** Trevor Griffiths
- f. **Scientists' Working Group on CBW.** Filippa Lentzos
- g. **Biosecurity Working Group of the InterAcademy Panel on International Issues.** Ryszard Slomski
- h. **Landau Network Centro Volta & Bradford Disarmament Research Centre.** Tatyana Novossiolova
- i. **University of Bath.** Brett Edwards
- j. **University of Calgary iGEM team.** Laura Fader.

These statements are all available at unog.ch/bwc

The Chairman then thanked the NGOs who had made statements for their constructive comments and thanked the NGOs for their support. The meeting then went on to consider Agenda item 8 the *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*.

In addition, it should be noted that, as at the Sixth and Seventh Review Conferences in 2006 and 2011 respectively and at the Meeting of Experts 2007, 2008, 2009, 2010, and in 2012 and 2013 and the Meeting of States Parties 2007, 2008, 2009, 2010, and in 2012 and 2013, Richard Guthrie in association with the BioWeapons Prevention Project provided daily reports on the Meeting of Experts that were made available in hard copy to the delegations as well as electronically. These reports are available at <http://www.bwpp.org/reports.html>.

Side Events

During the Meeting of Experts there were side events at lunchtime each day from Monday to Thursday, evening events on Monday 4 and Tuesday 5 August as well as breakfast events at 09.00 am on Tuesday 5 and Wednesday 6 August.

The first lunchtime event on **Monday 4 August** was organized by Bavarian Nordic entitled *Viral Gale: A Tabletop Exercise on Responding to the Terrorist Use of Biological Agent*. No information about this side event has been made available at unog.ch/bwc.

The second side event was a Poster Session held in the hallway outside the Conference Room following the afternoon session on Monday 4 August. Posters were exhibited by the following:

- United Kingdom: *Rabies in Azerbaijan: Engagement, Technical Assistance and Applied Research*
- United Kingdom: *The Epidemiological situation of Brucellosis among Human and Animal Populations in the Republic of Tajikistan*

- United Kingdom: *Extending the Impacts of Scientific Engagement by Support for the Professional Promotion and Communication of Recipient Institute outputs arising from UK Biological Engagement Programme (UKBEP) Projects in Central Asia*
- Canada: Global Partnership Program: *Countering Biological Threats & Strengthening Global Biological Security*
- Bavarian Nordic: *Potential avenues for re-emergence of smallpox*
- University of Hamburg, Research Group on Biological Arms Control: *Open Source Tools for Assessment of Compliance with the BWC*
- University of Calgary: *What and who is iGEM*
- Malaysia: *National Implementation of the BTWC*
- Malaysia: *US Partnership (STRIDE, MINDEF Malaysia & CBEP, DTRA, US DOD): Biosecurity/Biothreats: Multisectoral Coordination Programs*
- ICIS/Landau Network-Centro Volta: *EU CBRN Centres of Excellence Initiative:*
 - *EU CBRN Cof E Project 3*
 - *EU CBRN Cof E Project 18*
- University of Bradford: *Gain of Function Experiments and The Need for Biosecurity Education*
- FOI Sweden: *Separation & analysis of Ricin peptides/glycopeptides using CZE/MS*
- George Washington University: Milken Institute of Public Health: *Laboratory Capacities & Biological Risks*
- US State Department Biosecurity Engagement Program, Canadian Global Partnership Program, UK Global Partnership Programme, US DoD Cooperative Biological Engagement Program and Jordan University of Science and Technology Princess Haya Biotechnology Center: *Building Middle East & North Africa Regional Biorisk Management & Genomics Capacities*
- United States Department of Defense: *Cooperative Biological Engagement Programme.*
- United States Agency for International Development: *Emerging Pandemic Threats*
- United States Bureau of Arms Control, Verification & Compliance: *Workshop Enhancing Collaboration to Address Microbial Forensic Challenges*
- United States State Department, Office of Export Control Cooperation: *Export Control & Related Border Security (EXBS) Programme*

There were 18 posters. None of these are available on the unog.ch/bwc website.

The third side event on the morning of **Tuesday 5 August** from 9.00 to 10.00 am was entitled *Global Health Security Agenda* and organized by the United States. The presentations were the following:

- Beth Cameron, United States National Security Council, Moderator.
- *Introductory Remarks*: Christopher Buck, Charge d’Affaires, U.S. Delegation to the Conference on Disarmament
- *Overview of GHSA*: Jyn Järviaho, Deputy Permanent Representative to the Conference on Disarmament, Permanent Mission of Finland in Geneva
- *Country Commitment to GHSA*: H.E. Mr. Edi Yusup, Ambassador and Deputy Permanent Representative of the Republic of Indonesia to the United Nations
- *Discussion*

The fourth side event was at lunchtime on Tuesday 5 August and was entitled *International Cooperation in Ensuring Biosecurity: Utilising Mobile Units* and presented by the Russian Federation. The presentations were as follows:

- Vyacheslav Smolenskiy, Director, Department of Science and International Cooperation: Moderator.
- *Mobile units of sanitary and epidemiological service as tools to control biological situation*, Yulia V. Demina, Deputy Director, Department of epidemiological surveillance of Rospotrebnadzor
- *Utilizing Specialized Antiepidemic Units to ensure biosecurity at public events*, Dmitriy V. Efremenko, Head of laboratory, Stavropol Antiplague Scientific Research Institute of Rospotrebnadzor
- *Perspectives of utilizing mobile units (Specialized Antiepidemic Units, SAEU) at international level*, Valentin A. Safronov, Senior researcher, Russian Antiplague Scientific Research Institute “Microbe” of Rospotrebnadzor
- *Discussion*

The fifth side event followed the afternoon session on Tuesday 5 August and was entitled *Strengthening the BWC through a legally binding instrument* and presented by the Russian Federation. The moderator was Vladimir Ladanov, Counsellor, Ministry of Foreign Affairs, Deputy Head of Delegation. A six page document entitled *Strengthening the BWC through a legally binding instrument (Protocol): Discussion points* dated 5 August 2014 is available on the unog.ch/bwc website.

The sixth side event on the morning of **Wednesday 6 August** from 9.00 to 10.00 am was entitled *Can we Learn from History?: The Past and Future Implications of Scientific Developments for the BWC* and organized by the University of Exeter. The presentations were as follows:

- Professor Kathryn Nixdorff, University of Darmstadt, Moderator.
- Professor Brian Balmer, University College London: *Can we Learn from History?: The Past and Future Implications of Scientific Developments for the BWC*
- Professor Malcolm Dando, University of Bradford: *The Formulation and Non-Formulation of Security Concerns: Findings in Regard to Neuroscience*
- Dr. Sam Evans, University of California, Berkeley: *Taking care of security in synthetic biology research*

- Dr Chandre Gould, Institute for Security Studies, South Africa and Professor Brian Rappert, University of Exeter: *Confidence, The Prohibition and Learning from The Past*

These presentations are available at <http://people.exeter.ac.uk/br201/Research/Bioweapons/Non/Symposium/index.htm> – a more direct link than that on the unog.ch/bwc website.

The seventh side event was held at lunchtime on Wednesday 6 August and was entitled *Developments in Science & Technology Relevant to the BWC* and organized by the US National Academy of Sciences and King's College, London. The presentations were:

- Prof Alemka Markotić (University of Rijeka) and Prof John D. Clements (Tulane University): *Science Needs for Microbial Forensics: Developing Initial International Research Priorities*
- Prof Nancy D. Connell (New Jersey Medical School): *Understanding Pathogenicity*
- Dr Claire Marris (King's College London): *Synthetic Biology and Biosecurity: How Scared Should We Be?*

The first and third presentations are available at the unog.ch/bwc website.

The eighth and final side event was held at lunchtime on **Thursday 7 August** and was entitled *Biosecurity Education: Towards an Integrated Approach* and organised by the University of Bradford and the University of Insubria. The presentations were as follows:

- Special Representative Ms. Judit Koromi of Hungary, Chair
- Tatyana Novossiolova, University of Bradford, UK: *Building Sustainable Capacity in Biosecurity: The Benefits of Team-Based Learning*
- Alice Baldini, Landau Network – Centro Volta, Italy: *EU CBRN Centres of Excellence Project 18: International Network of Universities and Institutes for Raising Awareness on Dual Use Concerns in Biotechnology*
- Jo Husbands, U.S. National Academy of Sciences: *Responsible Science and Active Learning as Tools for Biosecurity Education*
- Roberta Ballabio, University of Insubria, Italy: *EU CBRN Centres of Excellence Project 3: Knowledge Development and Transfer of Best Practice on Biosafety, Biosecurity and Biorisk Management*
- Maurizio Martellini, Landau Network – Centro Volta, Italy: *The Nuclear Security Summit (NSS) as a Model for the Launch of a Biosecurity Summit (BSS): BSS as a Platform for a Coordinated Education and Awareness Global Effort*
- Special Representative Ms. Judit Koromi of Hungary: *Concluding Remarks*.

All five presentations are available at the unog.ch/bwc website.

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

This item was first addressed on the Monday afternoon 4 August 2014. The ISU introduced two of their background papers: BWC/MSP/2014/MX INF.2 *Previous agreements and understandings under the Convention relevant to strengthening the implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties* on understandings reached at earlier BWC meetings on Article VII and BWC/MSP/2014/MX INF.1 and INF.1 Add.1 *International organizations that may be involved in the provision of and coordination of assistance relevant to Article VII*. Representatives from the following international organisations then spoke: OIE, WHO, OPCW, UN Office for Coordination of Humanitarian Affairs, ICRC, UN Office for Disarmament Affairs gave presentations on their activities relevant to the biennial item; the presentations made by the OIE, WHO and the OPCW are available at the unog.ch/bwc website together with a factsheet provided by UNODA and the statement made by the ICRC. This was followed by statements from: Germany, Iran (on behalf of the NAM), Haiti, South Africa, Australia, Canada, France, USA, and the UK. India asked to speak at the next session on the biennial item on Friday morning..

The presentation made by Germany on the European Mobile Laboratory (EMLab) Project entitled *Development of Mobile Laboratories up to Risk Group 4 in combination with CBRN Capacity Building in sub-Saharan Africa* is available on the unog.ch/bwc website together with the statements made by Iran on behalf of the NAM and by the United Kingdom. The following Working Papers on the biennial item were submitted: BWC/MSP/2014/MX/WP. 1 *Making Article VII Effective* (UK); BWC/MSP/2014/MX/WP. 3 *Focusing Efforts to Strengthen Article VII: A proposed agenda for international cooperation and assistance in preparing for and responding to biological incidents* (USA); BWC/MSP/2014/MX/WP. 5 *Responding to a case of suspected biological weapons use: The command and control element at the scene* (UK); BWC/MSP/2014/MX/WP. 9 *Article VII – Procedures* (South Africa); and BWC/MSP/2014/MX/WP. 13 *Avenues for action on implementing Article VII under the BTWC* (France).

The Chair closed the session and noted that they would return to consider this topic further on Friday morning thus allowing time for reflection. He said this concluded the formal work for the day and encouraged delegations to stay for the poster session immediately following. He said that the formal session would resume on Tuesday morning at 10.00 am with consideration of Agenda item 5 on the Standing Agenda Item on *Cooperation and assistance*.

Standing Agenda item on Cooperation and Assistance

Consideration of this Standing Agenda item commenced on the Tuesday morning with some statements on the overall topic by Iran on behalf of the NAM, Ecuador, Georgia, Malaysia, Russia, Australia, Mexico, India, Ukraine, Cuba, Germany, China, Switzerland, USA, Netherlands, Pakistan, Iran (a national statement), the ISU and Canada. The statements made by Iran on behalf of the NAM and by the USA are available at unog.ch/bwc.

The afternoon session on Tuesday 5 August continued the consideration of the Standing Agenda item on Cooperation and Assistance. It started with presentations by a guest of the meeting, the Biotechnology Industry Organization (BIO), when a presentation was made by Dr. Paul Sheives of BIO entitled *Advances in Technology for*

Biosurveillance and Detection for Preparedness under the Biological Weapons Convention and then a member of (BIO), SIGA Technologies, made a presentation describing an example of a public/private partnership in producing a smallpox antiviral drug. Following discussion, a statement was then made by INTERPOL on their contribution to Global Health Security. This was then followed by a presentation by a further guest of the meeting, the Developing Countries Vaccine Manufacturing Network (DCVMN) International entitled *Improving vaccination for all people*. Statements were then made by Italy, Canada, India, and the UK. The Chair noted that the WHO had intended to make a briefing this afternoon but their representative had been called to a crisis meeting and had asked to make the presentation in the next two days. He went on to say that the session was coming to an end and said that Cuba had asked for the right of reply to a statement made by the USA on Tuesday morning. Following the intervention by Cuba, the USA also exercised their right of reply. The Chair then returned to consideration of Agenda item 5 to enable Iran to make a national statement from the floor.

The presentations made by BIO, DCVMN and the statements made by Italy and the UK are available at unog.ch/bwc. No working papers were submitted on this Standing Agenda Item on Cooperation and Assistance although the United States submitted an Information Paper BWC/MSP/2014/MX/INF. 5 *Report on USA Implementation of Article X of the Biological and Toxin Weapons Convention*.

This concluded the afternoon session which was adjourned at 1705. The Chair said that the formal session would continue on Wednesday 6 August at 10.00 am with consideration of the Standing Agenda item on *Advances in Science and Technology*. The Secretary said that there would be a side event on *Strengthening the BWC* organized by the Russian Federation immediately after the end of this session and also there would be a side event on Wednesday morning at 09.00 by the University of Exeter on *Lessons from History*.

Standing Agenda Item on Science and Technology

On the Wednesday morning, the formal session began with a presentation by Pierre Fomenty of the WHO on the ongoing Ebola situation in West Africa which had been deferred from the Tuesday afternoon session. This presentation is available at the unog.ch/bwc website. Mauritania, a State not party to the BWC, spoke noting that, as current holder of the Presidency of the African Union, it was particularly concerned about the Ebola situation. The Chair said that he hoped that Mauritania would soon become a State Party to the BWC.

The meeting then went on to consider the Standing Agenda item on *Review of developments in the field of science and technology related to the Convention* with a particular focus on *advances in the understanding of pathogenicity, virulence, toxicology, immunology and related issues*. The morning session focussed on

- *New science and technology developments that have potential for uses contrary to the provisions of the Convention;*
- *New science and technology developments that have potential benefits for the Convention, including those of special relevance to disease surveillance, diagnosis and mitigation;*

- *Possible measures for strengthening national biological risk management, as appropriate, in research and development involving new science and technology developments of relevance to the Convention.*

The ISU introduced its background paper, BWC/MSP/2014/MX/INF. 3 and INF.3/Corr. 1 entitled *Advances in Science and technology related to the Convention*. Statements/presentations were then made by Iran (on behalf of the NAM), Sweden, Germany, Russia, UK, Mauritania, Switzerland, Netherlands, USA, Australia, India, Pakistan and Iran (a national statement). The statements made by Iran (on behalf of the NAM) and the UK are available at the unog.ch/bwc website together with the presentations made by Sweden and Germany.

The afternoon session on Wednesday 6 August continued the consideration of the Standing Agenda item on *Review of developments in the field of science and technology related to the Convention* with a particular focus on:

- *Voluntary codes of conduct and other measures to encourage responsible conduct by scientists, academia and industry;*
- *Education and awareness-raising about risks and benefits of life sciences and biotechnology;*
- *Science and technology-related developments relevant to the activities of multilateral organizations such as the WHO, OIE, FAO, IPPC and OPCW;*
- *Any other science and technology developments of relevance to the Convention.*

Presentations were made by a guest of the meeting, Kenneth Oye of the Center for International Studies of the Massachusetts Institute of Technology entitled *On Regulating Gene Drives: A New Technology for Engineering Populations in the Wild*, and then by the OIE and the OPCW. These are all on the unog.ch/bwc website. Statements were made by Canada, USA, India, UK and Cuba. The following Working Papers were introduced: BWC/MSP/2014/MX/WP. 2 *Advances in Science and Technology: Understanding Pathogenicity and Virulence* (USA); BWC/MSP/2014/MX/WP. 4 *Advances in Science and Technology: Evasion of the host immune response by pathogens* (UK); BWC/MSP/2014/MX/WP. 7 and Corr. 1 *The United States of America government policy for oversight of life sciences dual use research of concern (DURC)* (USA).

Standing Agenda Item on Strengthening National Implementation

On the Thursday morning, the Chair outlined the process for the adoption of the report of the Meeting of Experts. As in previous years, the report would be in three parts; a procedural section, a list of the documents submitted, and an annex listing *Considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting*. The Chair circulated BWC/MSP/2014/MX/CRP. 1, the first part of the annex containing the proposals made on Monday and Tuesday to enable delegates to check that their ideas had been accurately reflected. A first draft of the procedural session, BWC/MSP/2014/ MX/CRP. 2, was circulated in the afternoon.

The Chair then moved on to consideration of the Standing Agenda Item on *Strengthening national implementation* with a particular focus on:

- *A range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV;*
- *Ways and means to enhance national implementation, sharing best practices and experiences, including the voluntary exchange of information among States Parties on their national implementation, enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions;*
- *Regional and sub-regional cooperation that can assist national implementation of the Convention.*

Statements or presentations were given by Iran (on behalf of the NAM), Chile, Iraq, Japan, Mexico, Spain, USA, Canada, Malaysia, Thailand, Mongolia, Russia, France, Netherlands, Australia, Switzerland, Cuba, Pakistan, India and Iran (a national statement). The statements made by Iran (on behalf of the NAM) and the Russian Federation and the presentations made by Chile and the USA are available on the unog.ch/bwc website.

The Netherlands statement included the announcement of a forthcoming Peer Review exercise to be conducted jointly by Belgium, Luxembourg and the Netherlands, following the pilot exercise by France of which they expressed warm appreciation. The three States Parties were currently planning the modalities of their own Peer Review exercise.

The afternoon session continued consideration of the same Standing Agenda item with a particular focus on:

- *National, regional and international measures to improve laboratory biosafety and security of pathogens and toxins;*
- *Any potential further measures, as appropriate, relevant for implementation of the Convention.*

The afternoon session started with presentations from international organisations and then statements by delegations. Statements or presentations were given by: the coordinator of the group of experts that supports the committee established by UN Security Council resolution 1540, UN Office for Disarmament Affairs, Japan, Germany, Russia, USA, UK, China, Pakistan and Iran (a national statement). The presentations by the 1540 Committee and by Japan and the statement made by the UK are available at the unog.ch/bwc website. The following Working Papers were submitted in regard to this Standing Agenda Item: BWC/MSP/2014/MX/WP. 6 *Strengthening national implementation of the Convention: A tool for evaluating facilities with biological agents* (Chile, Colombia, Spain and Mexico); BWC/MSP/2014/MX/WP. 8/Rev. 1 *Strengthening national implementation: Elements of an effective national export control system* (Australia, Canada, Germany, France, Japan, Netherlands, Spain and the USA); BWC/MSP/2014/MX/WP. 10 *A Response to BWC/MSP2012/WP.11: "We need to talk about compliance"* (USA), BWC/MSP/2014/MX/WP. 11 *National Implementation of the Biological Weapons Convention* (Australia, Japan, Malaysia, Republic of Korea and Thailand); and BWC/MSP/2014/MX/WP. 12 *Peer review pilot exercise held from 4 to 6 December 2013 in Paris* (France)

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

Further consideration was given on the Friday morning to the Biennial Item on *how to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties*. Statements were made by India, Sweden, Pakistan, Nepal, UK, Netherlands, Russia, Mexico, USA, Switzerland, Australia, Japan and Cuba. Only the statement made by the UK is available at the unog.ch/bwc website.

Nepal, a signatory to the Convention, also used its statement to inform the meeting that it had initiated the process towards ratification. The Chairman expressed the hope that the States Parties would see Nepal become a full member as soon as possible. India also encouraged Nepal to ratify, reporting on its existing cooperation with Nepal over the Convention and adding that it stood ready to give further help in the spirit of friendship.

Closing Session: Adoption of the factual report reflecting the deliberations of the meeting

The meeting considered the following material:

- a. BWC/MSP/2014/MX/CRP.1 *Draft elements for the compilation of the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting* [This covers material presented until 18.00 on Tuesday 5 August 2014]
- b. BWC/MSP/2014/MX/CRP.2 *Draft report of the Meeting of Experts*
- c. BWC/MSP/2014/MX/CRP. 3 *Draft elements for the compilation of the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting* [This covers material presented until 18.00 on Wednesday 6 August 2014]
- d. In-room Paper, Chairman, 10.00 8 August 2014 *Draft elements for the compilation of the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting* [This covers material presented until 18.00 on Thursday 7 August 2014]
- e. Draft annex part 4 *Draft elements for the compilation of the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting* [This covers material presented during the morning session of Friday 8 August 2014]

[It should be noted that whilst all five of these documents appeared on the unog.ch/bwc website prior to the final report BWC/MSP/2014/MX/3 becoming available, only the first three are listed in Annex II to the Report of the Meeting of Experts and none are now available on the unog.ch/bwc website]

The report of the meeting was quickly adopted as it is a factual report of the meeting and Annex I to the report is a paper prepared by the Chair, under his own responsibility and initiative, which lists considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the agenda items under discussion at the Meeting. This paper is not agreed and has no status. It was the Chair's view that the paper could assist delegations in their preparations for the Meeting of States Parties in December 2014 and in its consideration of how best to *discuss, and promote common understanding and effective action* on the topics in accordance with the decision of the Seventh Review Conference.

The Chair then closed the meeting, reflecting on the successful blend of formal and informal discussion in the conference room and in the margins. He thanked NGOs and especially the BioWeapons Prevention Project and Richard Guthrie for the overnight bulletin available every morning, with the final bulletin expected the following week. He next thanked each member of the Implementation Support Unit, and all who had supported it, for their hard work in preparation for the meeting. After also thanking the interpreters, secretaries, conference room officers and documentation staff, the Chair expressed special thanks to his personal assistant Dr Piers Millett. He wished everyone bon voyage and a safe return on 1 December 2014 for the Meeting of States Parties. The Meeting of Experts was accordingly closed at 12.57, at the end of the Friday morning session

Outcome of the Meeting of Experts

During the Meeting of Experts, 13 Working Papers (5 less than at MX/2013) were submitted by 4 States Parties and 3 on behalf of three groups of States Parties with the numbers submitted by individual States Parties ranging from one to four: France (12, 13), South Africa (9), United Kingdom (1, 4, 5) and United States (2, 3, 7, 10). The papers submitted by groups of States Parties were one each by the following: Chile, Colombia, Spain and Mexico (6), Australia, Canada, Germany France, Japan, Netherlands, Spain and the USA (8) and Australia, Japan, Malaysia, Republic of Korea and Thailand (11). In addition, the USA submitted an Information Paper, BWC/MSP/2014/MX/INF. 6 entitled *Report on USA implementation of Article X of the BTWC*. The working papers related to the Standing Agenda item on developments in science and technology - WP. 2 (USA), WP. 4 (UK), WP. 7 (USA) - to the Standing Agenda item on strengthening national implementation - WP. 6 (Chile, Colombia, Spain and Mexico), WP. 8 (Australia, Canada, Germany France, Japan, Netherlands, Spain and the USA), WP. 10 (USA), WP.11 (Australia, Japan, Malaysia, Republic of Korea and Thailand), WP. 12 (France) - and to the biennial item on Article VII of the Convention - WP. 1 (UK), WP. 3 (USA), WP. 5 (UK), WP. 9 (South Africa), WP. 13 (France).

The difference from MX/2013 was the reduction of 5 in the number of Working Papers and the submission of three Working Papers by new groups of States Parties: one by Chile, Colombia, Spain and Mexico; one by Australia, Canada, Germany France, Japan, Netherlands, Spain and the USA; and one by Australia, Japan, Malaysia, Republic of Korea and Thailand. Those working papers with sponsors that extend across Group boundaries are particularly to be welcomed. One example at MX/2014 was WP.11 which Australia and Japan and South Korea from the Western Group (and JACKSNNZ)

co-sponsored with Malaysia and Thailand from the NAM. Another was WP.6 which Spain from the Western Group (and EU) co-sponsored with Chile, Colombia and Mexico from the NAM and from a different region too (Latin America & Caribbean). Such crossing of Group boundaries is vital to strengthening the Convention as it demonstrates that States Parties do share common objectives and aspirations.

There were no Working Papers submitted on behalf of the NAM or on behalf of the JACKSNNZ group. Another difference is that there were no Working Papers on the Standing Agenda Item on Cooperation and Assistance although the United States submitted an Information Paper on the USA implementation of Article X. Another difference was that, unlike MX/2012 when the Russian Federation, one of the three co-Depositaries along with the United Kingdom and the United States, submitted 4 Working Papers, none were submitted by the Russian Federation at MX/2014 or at MX/2013. However, the Russian Federation did submit a six page paper dated 5 August 2014: *Strengthening the BWC through a legally binding instrument (Protocol): Discussion points*. [available on the unog.ch/bwc website under 'Side Events' at MX/2014] The significance of this is analysed in our Reflections later in this report.

As noted above, on the Thursday morning and afternoon and on Friday morning and again towards the close of the meeting, preliminary compilations (CRP.1, CRP. 3, In-room Paper, Chairman 8 August, and Draft annex part 4) of the proposals made at the Meeting of Experts were circulated. Participants at MX/2014 were advised that any corrections should be notified to the ISU by email (to bwc@unog.ch) by 18.00 pm local time on Tuesday 12 August 2014. An updated version was subsequently issued as Annex 1 to the report of the meeting (MX.3). These were helpfully grouped under subheadings.

These subheadings essentially follow the proposals made in the Chair's letter of 28 May and promulgated as the provisional programme of work in MSP/2014/MX/2. There is one variation to the subheadings in Annex I. In regard to the Standing Agenda Item on Cooperation and Assistance, there is no section with the subheading of the first sub-topic discussed under this Standing Agenda Item:

Reports by States Parties on their implementation of Article X, and reports by the ISU on the operation of the database system to facilitate assistance requests and offers;

This followed the practice that appears to have been followed at MX/2012 and again at MX/2013 when the same divergence from the sub-topics listed in the provisional programme of work in MSP/2013/MX/2 occurred.

An analysis of the 464 proposals in the tabulation below shows that they came from 28 States Parties and one State Signatory, 7 international organizations and 2 guests of the meeting together with proposals from Working Papers submitted by groups of States Parties, namely: WP. 6 (Chile, Colombia, Spain and Mexico), WP. 8 (Australia, Canada, Germany France, Japan, Netherlands, Spain and the USA) and in WP.11 (Australia, Japan, Malaysia, Republic of Korea and Thailand). (this overall is slightly more than at MX/2013 when 421 proposals were recorded from 33 States Parties, 4 international organizations and 3 guests of the meeting). The largest number of proposals at MX/2014 came from the United Kingdom (67 proposals). Other major contributors were the United States (63), Iran (on behalf of the NAM) (44), India (33), Pakistan (30), Russia (22), Cuba (18), France (16), Switzerland (16), and China (10). From the twelve

international organizations, proposals came from seven: OCHA (9), ICRC (5), OPCW (4), EU (3), WHO (2), UNODA (1) and OIE (1) – none came from the FAO, INTERPOL, the UN 1540 Committee, UNICRI or UNIDIR. From the four guests of the meeting, proposals came from two: BIO (4) and Ken Oye (2) – none came from the Developing Countries Vaccines Manufacturers Network (DCVMN), or the Global Network of Science Academies (IAP). In the tabulation below the numbers of proposals made by each State Party or Signatory, by each international organization, and by each guest of the meeting are shown for each of the six subheadings for cooperation and assistance (C &A), the seven subheadings for science and technology (S & T), and the five subheadings for strengthening national implementation (SNI) as well as for the biennial topic on Article VII.

State	C & A 1	C & A 2	C & A 3	C & A 4	C & A 5	C & A 6	S & T 1	S & T 2	S & T 3	S & T 4	S & T 5	S & T 6	S & T 7	SNI 1	SNI 2	SNI 3	SNI 4	SNI 5	Art VII	Total
Algeria																			1	1
Australia												1		1	2				5	9
Brazil	4	2																	3	9
Canada		1			1						1				1		1		1	6
China		2		1	3				1					1	1		1			10
Cuba	2	3					1	2		1			1	1					7	18
Ecuador	1																			1
France															4				12	16
Germany								3											2	5
India	4	3						1	4	1	1		2	1	2				14	33
Indonesia					1	1													1	3
Iran (NAM)	7	2	2	1	8	2	2	4	2	2			1	2	2	1		1	5	44
Iran	3						1							1		1		3		9
Japan														2			2		1	5
Kenya				2	2												3		1	8
Malaysia		1							1					1	1				1	5
Mexico		1	1			1								1		2	1		1	8
Mongolia														1						1
Nepal							1							2						3
Netherlands									2						1				5	8
Pakistan	2	1	1	1	1		5	3	1				1		6				8	30
Russian Fedn	1	1				1	4	1	3				1		1			7	2	22
South Africa																			3	3
Sweden							1	1	1											3
Switzerland		1	2					2	1		1	1	1	1	3				3	16
Thailand														1						1
Ukraine																			1	1
UK		5			1		1	15	1				1		7				36	67
USA	4	5	5	4	1		2	5	1	1			1	1	2		5	9	17	63
Total	28	28	11	9	18	5	18	37	18	5	3	2	9	17	33	4	13	20	130	408

(No. of States)	(9)	(13)	(5)	(4)	(8)	(4)	(9)	(10)	(11)	(4)	(3)	(2)	(8)	(14)	(13)	(3)	(6)	(4)	(22)	(29)
WP. 6 States																	2		1	3
WP. 8 States		1												7						8
WP.11 States					1									5	6	3	2			17
EU		1													2					3
UNODA																			1	1
ICRC																			5	5
OCHA																			9	9
OIE																			1	1
OPCW								1											3	3
WHO																			2	2
Ken Oye							1		1											2
BIO	1		2		1															4
Total	29	30	13	9	20	5	19	38	19	5	3	2	9	29	41	7	17	20	152	464

A comparison of the proposals that appeared in Annex I to BWC/MSP/2014/MX/3 and those included in CRP. 1, CRP. 3 and Advance Friday-AM.pdf documents shows which States took advantage of the opportunity provided to make modifications to the proposals attributed to them between the end of the Meeting of Experts on Friday 8 August 2014 and the completion a few days later of BWC/MSP/2014/MX/3, which has a date of 20 September 2014. These were Canada, China, Cuba, France, India, Iran (Islamic Republic of), Iran (on behalf of the NAM), Japan, Nepal, Pakistan, Russian Federation, Switzerland, United Kingdom, and the United States – some 14 of the 29 States making an additional 78 proposals.

However, a careful examination of points made by the States Parties and the European Union in the Introductory Statements shows that a number of significant points made by States Parties have not been captured in Annex I to MX/2014. As we are particularly keen to see progress towards strengthening the effectiveness of the Convention and improving its implementation, we have examined what we have reported above in the section on Introductory Statements and find the following points which are all relevant to strengthening the effectiveness of the Convention and might be expected to appear in Annex I under the proposals recorded for 5. *Any potential further measures, as appropriate, relevant for the implementation of the Convention* for the Standing Agenda item on Strengthening National Implementation. The points are listed in the order in which the Introductory Statements were made:

- **India** in a statement on 4/8 said

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. India shares the widespread interest among states parties to strengthen the effectiveness and improve the implementation of the convention through the negotiation and conclusion of a Protocol for that purpose.

- The **Russian Federation** in a statement on 4/8 said

The Russian initiative is aimed at a collegial examination of opportunities that we can utilize to strengthen the Convention through a legally binding instrument. The 1994 mandate agreed by all of us is formulated in such a way that it does not presuppose how the legally binding instrument may look like at the end. We emphasise that the Russian initiative pursues ways of strengthening the BWC based on the 1994 mandate and it is not intended to bring us back to the situation of 2001.

- **Algeria** in a statement on 4/8 said

Algeria is firmly committed to the implementation of the Convention and continues to believe that the bolstering of the Convention via a verification mechanism is necessary in order to ensure the effective implementation of all the provisions of the Convention, and in order to achieve real transparency when it comes to biological activities and programmes. It then added that Algeria has always supported the idea that reinforcing the Convention via verification is important and considers that the drafting of a verification instrument will be a contribution to reinforcing the implementation of the Convention especially when it comes to Article X which deals with cooperation and assistance.

- **Mexico** in a statement on 4/8 said

there is a need to ensure that the Convention has some sort of verification mechanism and it is hoped that in the upcoming Review Conference, 2016, State Parties will be able to reach agreement in that sense. Either way, Mexico is flexible as regards to the form in which this is done or how such a mechanism could be achieved.

- The **European Union** in a statement on 4/8 said

Verification remains a central element of a complete and effective BTWC disarmament and nonproliferation regime. However, there is currently no consensus on a verification concept for the BTWC. Appropriate verification measures have the objective to build further confidence among states parties in the continued adherence to the obligations under the Convention. We need to continue to think about how we maintain and strengthen compliance with the Convention as we move towards the Eighth Review Conference in 2016.

A comparison of the proposals that appeared in Annex I of BWC/MSP/2014/MX/3 and the corresponding number that appeared in 2013 in Annex I to BWC/MSP/2013/MX/3 shows that the number of proposals made in 2014 of 408 from 29 States is better than the 406 proposals made in 2013 from 33 States Parties so that the Chair's campaign to 'bring in more voices' succeeded at least in so far as the States Parties were concerned. In regard to the international organizations, the number of proposals recorded in Annex I in 2014 was 24 from seven international organizations (EU, UNODA, ICRC, OCHA, OIE, OPCW and WHO) compared to 6 in 2013 from four international organizations (EU, ICRC, WHO and the 1540 Committee). And for guests of the meeting, 6 proposals were made in 2014 by two of the four guests of the meeting compared to 6 from three of the seven guests of the meeting in 2013.

As in previous years, the Chair has said that, for the Meeting of States Parties, he would create a synthesis paper that distills the essence of the many ideas and proposals contained in Annex I to the report of the Meeting of Experts. [This appeared as an attachment to a letter from the Chair on 7 October 2014 in which he said that he would consider working on the synthesis paper further in the light of feedback from States Parties prior to the Meeting of States Parties on 1 December 2014.]

The substantive paragraphs to be adopted by the Meeting of States Parties for each of the Standing Agenda Item topics will need to be looking forward not only to what the States Parties may do as a cohesive entity but also to what direction the further consideration of these topics should take in 2015. Attention also needs to be given to the cross fertilization between the elements of the Standing Agenda items. For example, the Standing Agenda item on science and technology includes the sub-item:

5. Education and awareness-raising about risks and benefits of life sciences and biotechnology

which is closely related to the sub-item of the Standing Agenda item on national implementation which reads:

1. A range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV

Another example relates to the Standing Agenda item on cooperation and assistance which has a sub-item:

5. Capacity-building, through international cooperation, in biosafety and biosecurity, and for detecting, reporting, and responding to outbreaks of infectious disease or biological weapons attacks, including in the areas of preparedness, response, and crisis management and mitigation

which is closely related to the sub-item of the Standing Agenda item on national implementation which reads:

4. National, regional and international measures to improve laboratory biosafety and security of pathogens and toxins;

The solution is probably for the substantive paragraphs in the report of the Meeting of States Parties to avoid any reference to the sub-items and to focus on what is relevant to the totality of each of the Standing Agenda items as well as to how these inter-relate as an integrated approach is vital for maximizing and realizing the benefits in the strengthening of the Convention. Whilst the substantive paragraphs in the report of the Meeting of States Parties, as at MSP/2013, are likely to be listed under the individual Standing Agenda items, consideration could usefully be given to also having some substantive paragraphs that address material that relates to more than one Standing Agenda item thereby helping to promote an integrated and comprehensive approach.

Reflections

The Meeting of Experts heard a great many proposals for common understandings and effective action. As noted in the preceding analysis of the outcome, not all were included in Annex I. These omissions should be rectified, as it is important that the material transmitted from the Meeting of Experts to the Meeting of States Parties is as comprehensive as possible. So priority should be given to retrieving those proposals which, presumably not at the instigation of the individual States Parties responsible for them, have unaccountably dropped out of the documentation which links August with December.

Further, there is a strong case, as also noted in the preceding Analysis, for bringing together certain elements which, although not omitted, are currently found in different parts of Annex I because they arose under different agenda items or sub-items. Inter-related elements need to be identified and brought together so that the Meeting of States Parties is better placed to deal effectively with them.

However, the value of the Meeting of States Parties rests not just upon the comprehensiveness of the input it receives from the Meeting of Experts but, vitally, upon the impetus its Report gives to the intersessional process as a whole and to preparations for a successful Eighth Review Conference. The Report of MSP/2014 ought, as the Chairman has emphasised, to identify **effective action**.

As proposed earlier this year in the Bradford Briefing Paper No. 10 '*Moving Forward Towards Consensus*', we recommend an **inclusive** approach to the drafting of the Report of MSP/2014. It ought to be possible to record proposals for effective action without necessarily committing the Meeting of States Parties collectively to their endorsement. The danger is that otherwise many proposals are dropped from the record between the Meeting of Experts and the Report of the Meeting of States Parties. 'Consensus by deletion' has been the prevailing

pattern in the past; now is the time to try a different, more inclusive, method of recording the outcome of the MSP.

We would encourage such an inclusive approach to be extended in the Report of MSP/2014 to inclusion of the Russian Federation initiative in approaching States Parties in May 2014 to seek views on the prospects of resuming multilateral negotiations to develop a legally binding instrument to strengthen the Convention pursuant to the 1994 mandate. It became clear at the side event during MX/2014 that the Russian Federation approach is a **flexible** one which seeks to explore how best to take forward approaches to strengthening the Convention and improving its implementation during the time before the Eighth Review Conference when appropriate decisions might then be taken. After all, as we pointed out in our Briefing Paper No. 10 *Moving Forward Towards Consensus*, it is evident that many groups of States Parties such as the NAM, the JACKSNNZ group, and the EU all express the view that steps need to be taken to strengthen the effectiveness of the Convention and improve its implementation. The fullest range of views on what steps are needed should be widely shared and debated.

Effective action in respect of Strengthening National Implementation could include mention of the expanding participation in Compliance Assessment and Peer Review respectively. The Czech Republic joined Canada and Switzerland in Compliance Assessment in 2012 and it is greatly to be hoped that a fourth State Party will be announced as joining them shortly. Likewise, Peer Review which France has pioneered is to be practised in a different but related exercise by three other States Parties – Belgium, Luxembourg and the Netherlands – working together, as announced by the Netherlands during the Meeting of Experts.

It is evident that no one is making exclusive claims for Compliance Assessment, Peer Review or any other single approach. States Parties which have reservations about those particular approaches, instead of accusing them groundlessly of distracting attention from other ways of strengthening the Convention, would do better to put forward their own preferred methods of demonstrating their strengthened national implementation.

As noted in our Briefing Paper No. 10 on *Moving Forward Towards Consensus*, it is evident that various groups of States Parties – specifically the NAM, the JACKSNNZ and the EU – have a shared goal of building confidence in the effective implementation of the Convention but there is less agreement over how such effective implementation is best demonstrated. Some States Parties have made a start in finding ways to demonstrate their own compliance through sharing the details of their national implementation, mostly on an individual basis, occasionally in concert with one another. Whether this is called ‘compliance assessment’ or something else, the intention is clear and the effort laudable. But too many States Parties just say they comply with their obligations and leave it at that. States Parties need to be encouraged to make the effort to start demonstrating their compliance, by following the examples of best practice among the small number of pioneers or by finding alternative ways to achieve comparable transparency.

It is worth noting that the First Committee of the General Assembly is again this year considering its resolution on *Compliance with non-proliferation, arms limitation and disarmament agreements and commitments* on which the United States has said *compliance is an essential element of international peace and security*.¹ Although the relationship between strengthening national implementation and demonstrating compliance is not accepted by all, we continue to see the two as integrally linked. Within the agenda agreed in 2011 for the

¹ Rose Gottemoeller, Under Secretary for Arms Control and International Security, United States, 69th General Assembly First Committee, 7 October 2014. Available at: <http://www.state.gov/t/us/2014/232698.htm>

current intersessional programme, Strengthening National Implementation is the Standing Agenda Item which lends itself to consideration of what States Parties understand by compliance and how best each State Party can demonstrate its own compliance with all the obligations arising from the Convention. A common understanding to this effect would be a valuable achievement of the Meeting of States Parties.

Another area in which the Meeting of Experts has shown a clear way forward for the Meeting of States Parties is in improving arrangements for the review of relevant developments in science and technology (S&T). Increasing support was evident for a proposed Open Ended Working Group (OEWG) as the forum to which S&T review should be entrusted. An OEWG would be more effective in providing systematic and comprehensive review of S&T than the present intersessional arrangement, constrained as it is by pressure on time to give very limited attention to each of a long list of sub-items and topical scientific subjects agreed in 2011. The Eighth Review Conference will, however, only reach agreement on setting up an OEWG if the proposal is very thoroughly prepared and brought forward by a wide-ranging coalition of States Parties crossing the boundaries of the established Groups. Demonstrating the broad support for an OEWG on S & T is the key next step. The Meeting of States Parties could usefully propel the OEWG proposal forward by elaborating the detailed case for systematic and comprehensive review of S&T developments and by showing why such review conducted by an OEWG would be an improvement on the present S&T review procedures. It should also, in any case, recommend to the Eighth Review Conference the allocation of more adequate time for S&T review at the Conference itself and in each of the five years following.

The importance of education and awareness raising for all those engaged in the life sciences is evident – it is relevant to all three Standing Agenda Items – and is an area in which effective action would be a significant step forward. A requirement for all States Parties to set out what steps they require to be taken nationally to ensure effective education in biosecurity for all those engaged in the life sciences whether in government, industry and academia would demonstrate where action has been taken and where it is needed.

And, in regard to the Standing Agenda Item on cooperation and assistance, where it is noted that only a few States Parties have provided reports, an effective action would be to request the ISU to produce a list of all the reports on the implementation of Article X thus far submitted by States Parties since such reports were encouraged by the Seventh Review Conference. In addition, it is evident that the database for assistance is little used. Again, an effective action would be to request the ISU to compile a listing of those States Parties that have provided offers of assistance and also of those States Parties that have submitted a request for assistance together with their appreciation as to why the database is little used.

On the biennial item concerned with Article VII, the Report of the Meeting of Experts has provided the basis for a substantial number of practical recommendations for assistance which the Meeting of States Parties can readily convert into a consensus on effective action. However, the Article VII discussions in August also revealed a number of issues which the Meeting of States Parties will need to resolve. These include whether the scope of Article VII extends to biological emergencies where the event or incident has not yet been attributed to a violation of the Convention; whether the Implementation Support Unit should be tasked with producing for the Eighth Review Conference, or even sooner, a set of procedures governing the eventual implementation of Article VII; and the relationship between Article VII and Article VI, both of which presuppose a decision of the UN Security Council in closely related but distinct circumstances.

Looking ahead to the Eighth Review Conference in 2016, we are encouraged by a number of ideas for strengthening the Convention. In addition to those already noted, proposals for a

legally binding compliance framework deserve closer examination, as does the development of appropriate international procedures for handling compliance questions under Article V in addition to the one such procedure already identified – the contingency mechanism of a Formal Consultative Meeting – which itself might usefully be strengthened. As a treaty regime evolves, it is worth considering the formalisation of procedures based on politically binding commitments even when such procedures do not have the status of legally binding obligations. Such matters would benefit from discussion during the time remaining before the Eighth Review Conference in 2016. The same applies to proposals for updating the requirements and increasing the usefulness of the system of Confidence Building Measures, for introducing regular discussion of CBM returns and other reports submitted by States Parties, and for opening negotiations towards a legally binding instrument on the basis of the 1994 mandate for improving implementation and strengthening the Convention. Even though it is recognized that the timing of the Eighth Review Conference shortly after the US Presidential election in November 2016 may limit the ability of the United States to accept significant changes in 2016, it certainly should be possible to find a way in which consideration can be given to moving forward to enhancing the effectiveness of the Convention and improving its implementation after the Eighth Review Conference. Without wide-ranging discussion between 2014 and 2016, these matters will not be ripe for resolution at the Eighth Review Conference, which would be an opportunity missed – or rather a whole set of opportunities missed – for strengthening the Convention.



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.

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