

The Biological Weapons Convention Meeting of Experts, August 2007

As reported in the *CBW Conventions Bulletin* 74 (December 2006), the Sixth Review Conference of the Biological and Toxin Weapons Convention (BWC) held in Geneva from Monday 20 November to Friday 8 December 2006 was very successful in its agreement of a Final Declaration, with its Article by Article review, and in the Decisions and Recommendations section with its elements on the topics: Work of the 2003-2005 Meetings of States Parties, Implementation Support Unit, Intersessional Programme 2007-2010, Confidence-Building Measures, and Promotion of Universalisation.

The Intersessional Programme for 2007-2010 agreed that six topics should be considered: two in 2007, two in 2008, one in 2009, and one in 2010. Each Meeting of States Parties will be prepared for during a one-week Meeting of Experts – a reduction from the two-week Meetings of Experts in 2003 to 2005. Otherwise the mandate is essentially the same as for the 2003 to 2005 meetings: *to discuss, and promote common understanding and effective action on:*

- (i) *Ways and means to enhance national implementation, including enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions.*
- (ii) *Regional and sub-regional cooperation on BWC implementation.*
- (iii) *National, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins.*
- (iv) *Oversight, education, awareness raising, and adoption and/or development of codes of conduct with the aim to prevent misuse in the context of advances in bio-science and bio-technology research with the potential of use for purposes prohibited by the Convention.*
- (v) *With a view to enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases:*
 - (1) *for States Parties in need of assistance, identifying requirements and requests for capacity enhancement, and*
 - (2) *from States Parties in a position to do so, and international organizations, opportunities for providing assistance related to these fields.*
- (vi) *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, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems.*

It was also agreed at the Sixth Review Conference that the Meetings in 2007 would be chaired by the President of

the Sixth Review Conference, Ambassador Masood Khan of Pakistan, thereby providing valuable continuity from the Review Conference; that the Meetings in 2008 should be chaired by the Eastern Group, those in 2009 by the Western Group and those in 2010 by the NAM based on the principle that the President of the Review Conference should chair the first intersessional meetings and that the Chairman of the last intersessional meetings should not be from the same Group that chairs the next Review Conference.

Meeting of Experts, 20 to 24 August 2007: Opening Plenary Session

The Meeting of Experts began on **Monday 20 August** with a plenary session where the Chairman, Ambassador Masood Khan, welcomed all those present. He particularly welcomed the presence of Mr. Sergio Duarte, the Secretary-General's High Representative for Disarmament Affairs who was making his first visit to Geneva following his recent appointment. The Chairman went on to welcome the fact that four new States Parties had acceded to the Convention since the Sixth Review Conference: Montenegro, Kazakhstan, Trinidad and Tobago, and, on Thursday 16 August 2007, Gabon. This had brought the number of States Parties to a total of 159.

The Chairman then turned to procedural matters. In regard to the adoption of the Agenda, he noted that BWC/MSP/2007/MX/1 (all official papers are available at <http://www.opbw.org> and at <http://www.unog.ch/bwc>) had been circulated in all languages. This was adopted. The programme of work (BWC/MSP/2007/MX/2), which had been developed from the Chairman's letter of 10 July 2007, had likewise been circulated and was adopted. He noted that the Implementation Support Unit (ISU) had prepared two background papers (BWC/MSP/2007/MX/INF.1 and INF.2). MX/INF.1 is a 7 page document containing a summary of previous statements and proposals from States Parties related to enhancing national implementation. This summary is drawn from the Final Declarations of successive Review Conferences relating to Article IV and also from the proposals made by individual States Parties during the Meetings of Experts and States Parties in 2003. These are collected under five headings: Implementing Article IV; Scope of national implementation measures; Enhancing domestic cooperation; International and regional cooperation and assistance; and Transfers and export controls. MX/INF.2 is a 6 page document summarising seven various existing international and regional initiatives and activities aimed at enhancing national implementation of the Convention; namely, Association of South East Asian Nations (ASEAN); European Union (EU); International Committee of the Red Cross (ICRC); Interpol; Pacific Region; United Nations Security Council Resolution 1540 Committee; and Verification Research, Training and Information Centre (VERTIC). The Chairman also noted that Working Papers submitted would be reproduced in the language of submission only and would be made available on the website www.unog.ch/bwc as soon as possible.

Ambassador Khan then moved on to consider the Rules of Procedure noting that at the 2003 to 2005 annual meetings, the Rules of Procedure of the Fifth Review Conference had been applied *mutatis mutandis*. He proposed that the current series of meetings should operate under the Rules of Procedure of the Sixth Review Conference applied *mutatis mutandis*. However, he pointed out that formal accreditation would not be required for the annual meetings; registration would be sufficient. These Rules of Procedure were agreed.

It was then agreed that the following five Signatory States should participate in the Meeting of Experts: Egypt, Haiti, Nepal, Syrian Arab Republic, United Arab Emirates. In addition, it was agreed that one State neither Party nor Signatory should participate as an observer: Israel. Five intergovernmental organizations also participated as observers: The African Union Commission, the International Committee of the Red Cross (ICRC), the International Criminal Police Organization (Interpol), the League of Arab States, and the Organisation for the Prohibition of Chemical Weapons (OPCW). It was also agreed that, as at previous meetings, this meeting would be suspended on Monday 20 August at 16.30 and resume in informal session with the Chairman remaining in the Chair to hear statements from a number of NGOs. The Chairman then concluded the procedural matters by asking any State Party that wished to make a presentation during the Meeting of Experts to contact the ISU to advise when they would wish to make such a presentation. Because of time constraints, the Chairman suggested that such presentations be limited to 20 to 15 minutes.

Ninety-three States Parties to the Convention participated in the Meeting of Experts as follows: Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, China, Colombia, Congo, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Malaysia, Mexico, Morocco, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, and Yemen. This was fourteen States Parties less than the number that had participated in the Sixth Review Conference in November/December 2006, but ten States Parties more than those that participated in the Meeting of Experts in 2003; Armenia, Azerbaijan, Barbados, Belarus, Bolivia, Cambodia, Congo, Ecuador, Georgia, Iraq, Kazakhstan, Lithuania, Portugal, Rwanda, Singapore, Sudan, the former Yugoslavian Republic of Macedonia, Tunisia and Uruguay participated in MX 2007 whilst Afghanistan, Ethiopia, Iceland, Malta, Monaco, Mongolia, Oman, Senegal and Sri Lanka, who had participated in MX 2003, did not in MX 2007.

There were over 410 participants at the Meeting of Experts, of whom 365 came from States Parties including

over 160 participants from capitals. This compared very well with the participation at the two-week Meeting of Experts in 2003 when there were over 400 participants including over 100 legal and scientific experts.

The Chairman then made his introductory remarks noting that the Sixth Review Conference had successfully considered the outcome of the intersessional meetings in 2003 – 2005 and had in its Final Declaration made a number of decisions including the establishment of the ISU. He noted that the two topics being considered in the Meetings in 2007 had at least been considered partially before, hence there was an opportunity to consolidate what had been shared previously. He also noted that the States Parties were not meeting to negotiate an agreement but rather they were engaged in their collective capacity to prevent biological weapons being developed or used. He thanked those States Parties who had provided updates to the ISU on national implementation measures and a presentation on this would be given by the ISU that afternoon. He looked forward to ideas on improving cooperation between national enforcement agencies and envisaged these as contributing to the substance in the outcome of the Meeting of Experts. He hoped that if time allowed these could be rationalized and distilled, and added that a list would be annexed to the factual report of the meeting of Experts. He said that the ISU was a highlight of the Sixth Review Conference and he was pleased that it had already been in operation for some time. The formal launch of the ISU would take place at a reception on the afternoon of Monday 20 August at 1730. He concluded by saying that he looked forward to a stimulating and productive discussion and that he hoped that the constructive and creative spirit that States Parties had shown at the Sixth Review Conference would also be applied at this Meeting of Experts.

Cuba then spoke on behalf of the **NAM and Other States** noting that the 2007 – 2010 intersessional programme was commencing with the ways and means to enhance national implementation as well as regional and subregional cooperation on implementation of the Convention. Although there are diverse national situations for each of the States Parties, *the commitments to the Convention are the same. Some States Parties, especially developing countries, require assistance and cooperation to strengthen their national capacities for a full implementation of all the provisions of the Convention.* The statement went on to note that the NAM reiterates that *the only sustainable method of strengthening the Convention is through multilateral negotiations aimed at concluding a non-discriminatory, legally binding agreement, including on verification, dealing with all the Articles of the Convention in a balanced and comprehensive manner.* Furthermore, the statement said that *We strongly believe that the universal adherence to and further strengthening of the Convention will make a significant contribution to advancing further in the field of arms regulation, non-proliferation and disarmament ...*

The statement concluded by recalling the NAM proposal for an Article X Action Plan (in BWC/CONF.VI/WP.39) and highlighted four proposed measures as an example of what States Parties can do to strengthen the Convention:

- *Review national regulations of States Parties governing international exchanges and transfers in order to ensure their consistency with the objectives*

and provisions of Article X;

- *Adopt positive measures to promote technology transfer and international cooperation, in particular to the developing countries, for the benefit of all mankind;*
- *Provide upon request, where in a position to do so, assistance to other States Parties in enacting and enhancing national legislation to implement the Convention;*
- *Facilitate cooperation, where in a position to do so, in particular capacity building, as well as technology transfer in the area of customs control to facilitate the implementation of relevant provisions of the Convention.*

Portugal then spoke on behalf of the **EU and of the Candidate and other countries**, amounting to some 41 countries in all. It was noted that the intersessional programme for 2007 – 2010 was *a clear signal of the willingness of the International Community to strengthen the Convention's implementation*. It was considered that the work should not merely repeat the 2003 – 2005 discussions, but should build on them with a view to maximizing the value of the lessons identified in those discussions. Given the rate of scientific and technological change in areas relevant to the Convention coupled with the potential threat posed by bioterrorism, the need for the International Community to discuss and promote common understandings and to take effective action to strengthen and further implement the BTWC is all the greater. It was pointed out that the EU had adopted a Joint Action (2006/184/CFSP) in support of the BTWC to promote two major objectives; *firstly to increase the membership of the BTWC and secondly to assist States Parties transpose the obligations of the BTWC into appropriate national legislation and administrative measures*. In parallel, the EU had agreed an Action Plan to revitalize interest in and use of CBMs, and to increase the effectiveness of the current UNSG's mechanism for investigating cases of alleged use of (chemical) biological and toxin weapons.

Brazil then spoke on behalf of a group of **Latin American States** (Argentina, Brazil Colombia, Chile, Ecuador, Guatemala, Mexico, Peru, Uruguay, and Venezuela). The statement recalled that this group had submitted a number of working papers to the Sixth Review Conference and emphasized the importance of the initiative to promote universalisation which had been agreed at the Review Conference. The statement went on to say that they were convinced that efforts at the regional and sub-regional level enabled the identification of ways and means to improve scientific cooperation and technological transfer. This is vital for the application of the Convention at the national level and in turn becomes an important incentive for it to become universalized. The statement continued by pointing out the need to promote measures to create networks between the scientific community and the academic sector with reference to the application of the peaceful use of biotechnology, genetic engineering, microbiology and other areas related to the Convention. Another area which is of great interest to the group of Latin American countries is that related to the need for exchanging information and adopting legislation and administrative measures which allow for the full application

of the Convention. The statement concluded by highlighting the essential role to be played by civil society, particularly industry and the academic community, as well as the scientific community, and non-governmental organizations, all of which have an important contribution to make in contributing to the understanding of the obligations undertaken in the context of the Convention. In order to make progress in the universalization of the Convention and application of all of its obligations, a multidimensional and multisectoral effort needed to be undertaken.

China then spoke saying that *Adopting effective national implementation measures in accordance with the Convention and respective national situations constitutes basic obligations for the States Parties, as well as important prerequisite and guarantee for effective implementation of all Articles of the Convention*. The statement went on to say that *laws and regulations on implementation of the Convention have been put in place and a series of effective administrative measures taken and improved to ensure rigorous implementation of the law. A series of laws and regulations, which cover the whole range of prohibition articles of the Convention, export control, biosafety and biosecurity, public health, infectious diseases surveillance have been promulgated and implemented*. Furthermore, China has established a national implementation mechanism with clear division of responsibility and effective coordination. *The mechanism consists of such government's organs as Ministry of Foreign Affairs, Defence, Agriculture, Health, Commerce and Chinese Customs. Each department bears its own responsibility and coordinates with others for ensuring full implementation of all related laws and measures*. In addition, the statement said that *the publicity of relevant laws and regulations has been enhanced through various kinds of seminars and training courses, with a view to raising awareness and self-discipline of relevant enterprises, research and education institutions and personnel*.

The Russian Federation then spoke saying that *We have a positive view of the outcome of the Sixth Review Conference ... The main achievement of the Sixth Review Conference was the adoption of a range of practical future oriented decisions aimed to strengthen the Convention. The decisions of the Review Conference are a kind of a roadmap – a plan of action for the next several years. Nowadays we have to focus on mobilizing efforts to fully implement the Convention and the decisions of all Review Conferences*. The statement continued *In this regard we would like to emphasise the agreement to continue intersessional meetings for the next five years. We fully support this process and hope that at the meetings we will be able to exchange information relating to the national implementation of the Convention. We are confident that the meetings will help in reaching our chief objective to strengthen a universal ban on biological and toxin weapons. However, there is no doubt that effectively achieving this objective will be served by an early resumption of multilateral negotiations to develop a legally binding BWC verification mechanism. Our principled position on this point remains without change*. Consideration was then given to Confidence Building

Measures saying *There is certain positive change in the number of confidence building measures returns submitted this year. Given that we lack a verification mechanism, CBMs are the main means of increasing mutual confidence among States Parties in compliance with the BWC. However, the situation remains unsatisfactory because around 100 States Parties, including those that have a developed biotechnological industry and advanced R&D facilities, fail to submit declarations. We call upon all countries to respect the consensus decisions of Review Conferences and annually present CBM returns.* The statement went on to urge all States Parties that still maintain reservations to the 1925 Geneva Protocol to withdraw them. It concluded by welcoming the call for further universalisation whilst noting that there are *still a number of countries, including those situated in the regions of high tension such as the Middle East, remain outside the BWC. In this connection we call upon all states not parties to the Convention, to accede to it at the earliest.*

Saudi Arabia then spoke reaffirming its *commitment to the Convention and, in particular, the need for Article X to be fully consistent with the aims and provisions thereof.* The statement went on to outline the steps taking by Saudi Arabia to implement the Convention nationally and also the importance of Security Council Resolution 1540.

South Korea then spoke saying *We cannot overemphasize the importance of national implementation as a key element for the faithful implementation of the Convention. We believe that enactment and effective enforcement of appropriate national legislative measures are our core obligations under the Convention to prohibit and prevent the development, production, acquisition, transfer, retention, stockpiling and use of biological and toxin weapons. Penal legislation, tightened national export controls and regulations on bio-safety and bio-security are essential elements for enhancing national implementation mechanisms.* The statement went on to outline a new implementation law enacted in 2006 by South Korea and noted that WP. No 6 would provide additional information. The statement then concluded by addressing the importance of regional cooperation on the implementation of the Convention.

India then spoke saying that *it is imperative that the norms against biological weapons contained in BTWC are fully upheld and implemented, especially in the context of a growing threat of proliferation of biological weapons and bioterrorism. Advances in biotechnology, genetic engineering and life sciences hold great promise and equally great risks. The intrinsic capacity for the development of biological warfare agents will expand at the same speed as the pace of civilian research.* The statement went on to say that *the prohibitions contained in the Convention, for want of provisions on verification of compliance, critically depend on the commitment of the States Parties to observe these prohibitions.* The statement said that India was *pleased that the very first meeting of experts for the new inter-sessional work programme is devoted to national implementation, ... Our ensuing*

deliberations will catalyze fresh ideas and throw up best practices on how to implement the Convention more effectively. In this connection, we would like to express our appreciation for the important contribution made by some of the States Parties, the concerned international organizations as well as civil society organizations and think tanks in providing us with significant material on the core issues that we hope to consider in this meeting.

Canada then spoke saying that *we are pleased to note that universalization is coming closer to reality with the accession of Kazakhstan, Montenegro, and Trinidad and Tobago as well as Gabon to the BTWC. We must continue to take actions that will strengthen and universalize the BTWC.* The statement then noted that *Canada is engaged in various practical ways multilaterally in support of the BTWC:*

- *The G8 through a bioterrorism initiative*
- *APEC through a health and food safety initiative*
- *The WHO's work on biosafety and International Health Regulations to facilitate the identification of, and response to, public health events of international concern.*

The statement went on to mention examples of *the formation of partnerships between health and law enforcement agencies funded through the Counter Terrorism Capacity Building Program of the [sic] Canada's department of Foreign Affairs and International Trade.*

Iran then spoke saying that *There is no substitute for the BWC in order to effectively and legitimately deal with disarmament and non-proliferation concerns regarding biological weapons.* In regard to universalisation, the statement noted that *In this regard it should be underlined that the denial to adhere to the Treaty, by those Non-Parties that are advanced in biotechnology, poses a serious threat to the international and regional peace and security.* It went on to say that *The Fifth and Sixth Review Conferences decided by consensus on the follow-up mechanism aiming at promotion of common understanding among the States Parties with the hope that real multilateralism would be revived and the negotiations on the Protocol on strengthening the Convention would be resumed in a foreseeable future. We strongly believe that the present follow-up mechanism which is of limited scope and nature, cannot be considered as a substitute to afore-mentioned negotiations.* The statement went on to consider the two topics for 2007 pointing out in respect of the first one that *as the States Parties to the Convention have different constitutional process "One size fits all" approach should be avoided in this regard.* The statement went on to say that *this topic should provide the environment for serious discussions in a comprehensive and balanced manner so that both promotional and regulatory aspects of the Convention can be strengthened.*

Pakistan then spoke saying that following the successful outcome of the Sixth Review Conference *Pakistan looks forward to substantive discussions in this Meeting of Experts.* The statement also congratulated Tim Caughley and the members of the ISU *for putting into high gear the*

activities of the Unit. The statement went on to say that Pakistan remains fully committed to strengthening the Biological and Toxin Weapons Convention including the establishment of a compliance regime through a legally binding instrument. We believe that as we wait agreement on such a mechanism for verification of faithful and effective compliance of the Convention, national implementation should be enhanced. The statement added that National implementation of the Convention can be further enhanced through more effective realization of the objectives in Article X of the Convention. International cooperation and transfer of technologies are areas that require attention and that we believe will complement and support national action. The statement continued to outline the legislation in Pakistan as well as their activity in biotechnology. It concluded by saying that the CWC has an elaborate verification mechanism that allowed the OPCW to develop detailed reporting formats. BTWC still awaits agreement in this area. ISU cannot be expected to undertake reporting tasks similar to the OPCW.

Libya then spoke saying that they hoped that the Meeting of Experts will be a success, a success which will be vital for the strengthening of efforts made by States Parties in order to adopt a legally binding instrument to implement all the provisions of the Convention. The statement went on to say that their delegation attended the various meetings in previous years following the holding of the 16th Meeting of the Working Group on the Protocol, a Protocol which ought to have been adopted by the States Parties and would have been had there not been differing views, so that there was no consensus on the text of the Protocol, a Protocol which did reflect the aspirations of several States Parties for the implementation of the Convention. Furthermore, our delegation was present for the Sixth Review Conference held in Geneva last year and our delegation believes it necessary to strengthen the Convention, which is why we need to once again talk about the Amended Protocol. So many experts worldwide made so many efforts to develop the Protocol, without which it would be difficult to implement the Convention and put an end to violations of its provisions. The statement went on to say that Libya had taken unprecedented steps to abandon any programmes in support of weapons of mass destruction and to outline their national legislation. It then continued by saying that our authorities are also trying to coordinate various views in order to strengthen the Convention in the context of the various regional conferences which are held, for example, within the Non-Aligned and other groups. Furthermore, we are trying to maintain the mandate of the Ad Hoc Group tasked with developing a legally binding instrument as something very important, if we are to implement the Convention and strengthen its application. The statement outlined workshops on biosafety and steps being taken to adopt codes of conduct before concluding by saying the States Parties need to step up their activities to ensure that we have a mechanism which can verify the application, the implementation of the Convention. Nothing should be done unilaterally. We strongly support all measures to build confidence and to arrive at a legally binding instrument which can protect the peoples of the world from biological threat.

Indonesia then spoke saying that they wished to be associated with the statement made by Cuba on behalf of the NAM. The statement went on to note that *as weapons of mass destruction, biological weapons pose a danger to humanity, whether as a tool of war or weapons of terror. It is a common threat which could affect all nations and spread beyond boundaries. This threat should be dealt with in a concerted effort.... The urgency of a concerted effort is also reflected in this year's meeting which focuses on the topics: first, "ways and means to enhance national implementation" and, second, "regional and sub-regional cooperation on the implementation of the Convention" and we shall look forward with interest to sharing experience and best practices on the enforcement, legislation processes and other implementation efforts of Member States. This sharing of experience hopefully will enrich our understanding and synergize efforts to curb the threat of use of biological weapons. Moreover, we believe that the presentation by related international and regional organizations will contribute to a better understanding of the existing and future threats as well as the ways and means to counter these threats. Indonesia believes that regional cooperation is another important means of dealing with the threat of biological weapons and infectious diseases.* The statement continued by outlining regional cooperation between Indonesia and Australia in regard to the Biological Weapons Convention. The statement concluded by saying *at the same time, we also believe that our endeavours to strengthen the Convention should not hamper the rights of each Member State to benefit from the development of biological agents for peaceful purposes. They should enhance international cooperation in the field of peaceful uses of biological agents, including capacity building and combating infectious diseases.*

The final statement in the opening session was made by **Sudan** saying that *Sudan acceded to the BWC in 2003 and Sudan will go ahead in completing all the necessary steps and legal measures needed in order to ratify the Convention. Sudan will also aim at drawing up a well structured programme for capacity building through taking all the necessary national measures to implement the Convention at the national level, particularly the establishment of a focus point and the drawing up of national legislation, as well as providing support to strengthen national scientific institutions and national enforcement agencies. My delegation would like to fully endorse the statement of Cuba on behalf of NAM, particularly as Sudan has just recently acceded to the Convention.*

The Chairman then closed the opening Plenary Session thanking the various speakers for their contributions and saying that the afternoon session would commence with a briefing by the ISU on the national implementation measures dataset which would be followed by a presentation by the representative of Interpol. Then at 1630, the afternoon session would be suspended and continue in informal session to allow the NGOs to make their statements prior to the official launch of the ISU at 1730 in the Escargot Bar, two floors above the meeting room.

As at the Sixth Review Conference, there were group statements by the NAM, the EU and a group of Latin Ameri-

can States, but it was noted that although Canada and the Republic of Korea made statements in the opening session, neither of these spoke on behalf of the JACKSNNZ group (Japan, Australia, Canada, Republic of Korea, Switzerland, Norway and New Zealand). Likewise, none of the Working Papers submitted to the Meeting of Experts by Australia, Canada, Republic of Korea, Switzerland or New Zealand said that they had been coordinated within the JACKSNNZ group (as was the case with Working Papers submitted by these countries to the Sixth Review Conference).

Monday 20 August, afternoon public session

The afternoon session began with a presentation by the ISU on the national implementation measures dataset. It was recalled that an information repository had been created in 2003 in support of the Meetings of Experts and States Parties held in that year. In the final version of the 2003 information repository the dataset of measures included;

- 1016 individual measures, from
- 83 different States Parties (and the European Union).

This dataset had been updated in 2007 by the ISU using information submitted to UN SCR 1540 and 1673 as well as information submitted by States Parties to the Sixth Review Conference and subsequently to the ISU. As of Friday 17 August 2007, the dataset now comprised:

- 1938 individual measures (an increase of 91%) from
- 130 different States (and the European Union – an increase of 58%)
- Measures from 119 States Parties (76% of the membership of the BWC has at least some implementing legislation)
- Measures from 5 Signatories (Egypt, Myanmar, Nepal, Syrian Arab Republic, and the United Arab Emirates)
- Measures from 6 States not party (Andorra, Israel, Kiribati, Marshall Islands, Samoa, and Tuvalu).

The situation could be summarised as follows:

- Measures from 100% of Eastern Group States Parties
- Measures from 78% of Western Group States Parties
- Measures from 63% NAM States Parties.

Although this represents considerable progress, the ISU noted that there is still room to further improve this database. The opportunity was taken to ask States Parties to check the information in the database for their State and inform the ISU of any alterations and additions required. A demonstration was then given of how data can be accessed at the website <http://www.unog.ch/bwc> by going to the “National Implementation” page in the “Information for States Parties” part of the website. Each State for which information is available is listed.

This was then followed by a Powerpoint presentation by **Interpol** on their Bioterrorism Prevention Programme. The presentation began with a number of quotations from the public domain indicating a potential interest in biological weapons. The question as to what law enforcement needs to know was then addressed leading on to the identification of two different plans, one for covert bioattack and the other for

overt bioattack. The three pillars of the Interpol Bioterrorism Prevention Programme were outlined:

- BioT – Bioterrorism Prevention Police Training
- BioC – Biocriminalization
- BioD – Bio Events Database

The objectives for Biocriminalization included the development of a thorough understanding of what biological weapons-related criminal and administrative laws exist in which countries and the identification and filling in of key data gaps, and also provision of assistance to priority states in drafting, enacting and enforcing national biological weapons-related civil and penal measures. A number of conferences had been held during the last couple of years in a number of different regions around the world.

The presentation was followed by some discussion which included questions as to whether the presentation was based on hard intelligence or on media reporting – the response appeared to be that it was based largely on public sources and reports from NGOs. Other questions related to the responsibility for the chain of custody of any samples that might be taken following an incident and to whether there were any validated laboratories which might be able to carry out analyses of any such samples. Further questions related to the proposed Interpol Bio Events Database and how this might relate to the database on ‘biological incidents’ that is to be set up by the UN Office of Disarmament Affairs (ODA) under General Assembly resolution A/RES/60/288. It was also agreed that the Interpol presentation would be reviewed to remove some of the material presented that had been taken from public sources and had caused some concern to delegations.

Although the **Organisation for the Prohibition of Chemical Weapons (OPCW)** was one of the intergovernmental organizations represented at the Meeting of Experts, its presentation was not made until the morning of Thursday 23 August, the penultimate day, and after the informal compilation of the proposals made at the Meeting of Experts had been circulated on the previous afternoon of Wednesday 22 August. Its potential impact on the deliberations of the Meeting of Experts was consequently much reduced.

The meeting was then suspended and resumed with the Chairman remaining in the chair to hear statements from seven NGOs:

- a. The **University of Bradford**. Graham Pearson spoke summarizing Bradford Briefing Paper No. 20 and recommending a number of steps that could usefully be agreed by the Meeting of Experts and its subsequent Meeting of States Parties. The steps include the preparation by the ISU of a comparative compilation of national implementation measures using criteria developed from those used by the OPCW in a similar comparative compilation of national measures to implement the CWC.
- b. The **Harvard Sussex Program on Chemical and Biological Weapons (HSP)**. Graham Pearson spoke drawing the attention of the States Parties to the Harvard Sussex Draft Convention on CBW Criminalization which would complement the Biological Weapons Convention and the

CWC by conferring on national courts jurisdiction over individuals present in their national territory, regardless of their nationality or official position, who order, direct, or knowingly render substantial assistance to the use of chemical or biological weapons anywhere.

- c. **The London School of Economics.** Filippa Lentzos spoke drawing the attention of States Parties to the three components of national implementation: Legislation; means of enforcing national legislation; and methods for monitoring relevant work with biological agents and toxins within the national territory. She urged that the Meeting of Experts should address ongoing day-to-day monitoring of the life sciences as this is essential for effective oversight frameworks or risk regulation regimes.
- d. **The BioWeapons Prevention Project (BWPP).** Jean-Pascal Zanders spoke emphasizing the importance of regional and sub-regional cooperation and pointing out some of the findings that the BWPP has learnt from its outreach activities in various parts of the world. He urged that States Parties who are members of regional and sub-regional organizations should accord higher political importance to the quantitative and qualitative universality of the BTWC so as to buttress other inter-regional and bilateral initiatives in support of the Convention.
- e. **The Center for Arms Control and Non-Proliferation/Scientists Working Group on Biological and Chemical Weapons.** Jean-Pascal Zanders spoke pointing out that the obligations of Article IV reinforce, through national action, the prohibitions placed on States Parties by Article I of the Convention. He urged that States Parties should develop, adopt and implement mechanisms for monitoring, reviewing and assessing their own government directed biodefense research and development activities and programs to ensure that they comply with Article I. Such compliance review mechanisms would advance the objectives of Article IV.
- f. **VERTIC (Verification Research, Training and Information Centre).** Rocio Escauriaza spoke outlining the VERTIC National Implementation Measures website which brings together a variety of resources relating to the implementation of the Biological Weapons Convention. She pointed out that this website was developed under a VERTIC project funded by the Netherlands and the UK which is described in a Netherlands/UK working paper for the Meeting of Experts (WP.3).
- g. **Pax Christi International.** Trevor Griffiths spoke pointing out that strengthening of the BTWC is of utmost importance for international peace and security, yet the goal of enforcing the Convention should not infringe on human dignity. He urged that the Meeting of Experts should encourage those States Parties in a position to do so to provide assistance in capacity building measures. He also stressed the importance of ethical principles and the development of codes of conduct as such measures contribute directly to in-depth implementation.

The Chairman then closed the afternoon session thanking

all speakers for their contributions. He announced that the working session of the Meeting of Experts would start on Tuesday morning at 11 am thus enabling delegates who wished to do so to attend the Plenary session of the Conference of Disarmament at 10 am to hear the Secretary-General's High Representative, Sergio Duarte, speak.

Two other statements were made available to the Meeting of Experts although these were not presented:

First, the Inter Academy Panel on international issues had prepared and circulated on 9 August 2007 to the States Parties a paper describing the role of national academies and other networks of scientific organizations to advise their governments on scientific and technological issues, especially those related to the BTWC. This concluded that a number of national and international scientific organizations are actively engaged in biosecurity issues at the regional level. The paper identifies some of the major organizations and highlights some of the recent activities in relation to issues relevant to the BTWC. These examples illustrate the resources available to support regional coordination and collaboration among BTWC States Parties and with international and intergovernmental organizations.

The second was a paper entitled *Making Legislation Work*, prepared by Daniel Feakes, Filippa Lentzos, Caitriona McLeish and Angela Woodward and circulated to the States Parties on 11 June 2007, which pointed out that national implementation comprises three components: legislation; methods for monitoring relevant work with biological agents and toxins with the national territory; and means of enforcing the legislation. The authors particularly urged that, at the Meetings in 2007, the States Parties should discuss the issue of appropriate oversight mechanisms for the continuous monitoring of relevant work with biological agents. They emphasized that there must be coherence between the three components for the national implementation regimes to be effective.

In addition, as at the Sixth Review Conference, Richard Guthrie in association with the BioWeapons Prevention Project provided daily reports on the Meeting of States Parties that were made available in hard copy to the delegations as well as electronically. These reports can be found at <http://www.bwpp.org/2007%20MX/MX2007Resources.html>

During the Meeting of Experts there were only two side events at lunchtime. The first was a briefing on Tuesday 21 August by the BioWeapons Prevention Project to launch the second version of the BioWeapons Monitor. The second was a presentation on Thursday 22 August by the UN Office of Disarmament Affairs (ODA) on the United Nations biological incidents database to be set up under General Assembly resolution A/RES/60/288 which was adopted by consensus in 2006.

The launch of the Implementation Support Unit then followed the afternoon session at 1730 in the Escargot Bar. The launch began with Sergio Duarte, the Secretary-General's High Representative for Disarmament saying *today we will inaugurate a new level of cooperation between the United Nations Office for Disarmament Affairs and the States Parties to the BWC. Together, we are taking a sensible, modest, but long-overdue step forward in addressing what*

some have called the “institutional deficit” of the BWC. He went on to say that *I am pleased that the States Parties have pragmatically decided that their Implementation Support Unit should be established within the United Nations Office for Disarmament Affairs. This is a natural partnership – after all, the first resolution adopted by the General Assembly in 1946 called for the elimination of all weapons adaptable to mass destruction, so it is surely fitting that the States Parties to the BWC would work with the United Nations in achieving their common aims. This is also an expression of trust. On this point I would like to assure the States Parties that the Office for Disarmament Affairs will offer every support to the ISU to enable it to fulfil its mandate effectively.*

The United Nations Under-Secretary-General and Director-General of the United Nations Office at Geneva, Sergei Ordzhonikidze, then spoke saying that *the establishment of the Unit is a milestone in the history of the Convention. Indeed, it is a very positive development in our overall collective efforts against biological weapons, and for multilateral disarmament in general. He went on to say that for nearly four decades, the disarmament community in Geneva has worked to confront the terrible threat posed to humanity by biological weapons. The Biological Weapons Convention was negotiated in Geneva in an earlier incarnation of the Conference on Disarmament and all the six review conferences have been held here. The sometimes-turbulent history of the Convention has been played out here: challenges have been faced, disputes inflamed, solutions found, disappointments endured, and as we saw in December last year triumphs celebrated. The launch of the Implementation Support Unit (ISU) marks the start of a new chapter in this important development. It is an innovative solution to the long-acknowledged need to provide an institutional focus for the Convention, and I appreciate that the establishment of the Unit has, in effect, made an official seat for the BWC at what is considered the Convention’s ‘spiritual’ home: the United Nations Office at Geneva.*

Ambassador Masood Khan, Chairman of the Meetings of Experts and of States Parties in 2007 then spoke saying that *the establishment of the ISU was one of the most significant outcomes of the Sixth Review Conference, and will help set the BWC on its new course. We faced many challenges and difficult negotiations at the Review Conference, but it was striking that the proposal for an ISU was accepted in principle right from the outset. It was clearly an idea which all States Parties, despite their differing circumstances, perspectives and priorities, recognised as a necessary step to strengthen the Convention. He went on to say that although the ISU is an innovative step forward, it is a step taken on the secure ground of demonstrated capability and well-defined expectations. A small, efficient and highly-focused unit, the ISU will coordinate, concentrate and magnify the efforts of the States Parties. It will harness resources, forge connections, develop networks and identify opportunities. He concluded by saying that I have no doubt that the ISU will make an important and innovative contribution to our collective effort to reduce the terrible threat posed by biological weapons.*

This was then followed by an entertaining presentation by Richard Lennane, the Head of the ISU which was preceded

by extracts from a 1950’s civil defense film entitled “What you should know about biological weapons”. In the presentation he said that the role of the ISU was to help the States Parties to help themselves. The ISU would be engaged in facilitating communication, focusing efforts, coordinating actions, making connections – or in other words, the States Parties do the work and the ISU take the credit! Nevertheless, there were promising early results with four new States Parties and a record number of CBM submissions already in 2007.

A reception then followed with four hosts; The United Nations Office in Geneva, the Office of Disarmament Affairs in New York and in Geneva, and Ambassador Khan of Pakistan.

Outcome of the Meeting of Experts

The Meeting of Experts resumed in closed session at 1100 am on Tuesday 21 August 2007. In accordance with the programme of work (MX/2) the first day, Tuesday, was on the first topic: *Consideration of ways and means to enhance national implementation.* and during the morning of the second day, Wednesday, moving on to the second topic: *Consideration of regional and sub-regional cooperation on implementation of the Convention.* During the Meeting of Experts, 22 Working Papers were submitted by 17 States Parties with the numbers submitted by individual States Parties ranging from one to three; Australia (12,13), Brazil (21), China (17), Cuba (19), Germany (4, 5, 22), Iran (18), Italy (20), Japan (7, 8), Republic of Korea (6), Netherlands (3), New Zealand (15), Portugal on behalf of the EU (1), Slovakia (14), Switzerland (9, 10), United Kingdom (2, 3), United States (11) and Ukraine (16). In addition, Portugal, on behalf of the EU, submitted a paper entitled *Implementation of the BTWC in the EU Member States (BWC/MSP/2007/MX/MISC.2).* Most of these address the first of the two topics.

On the **Wednesday afternoon**, an informal compilation of the proposals made at the Meeting of Experts was circulated. The proposals were grouped under the same, or closely similar headings, to those used in the background paper prepared by the Secretariat (MX/INF.1), as follows:

- Implementing the Articles of the Convention; (18 proposals from 12 countries)
- Scope of national implementation measures; (24 proposals from 13 countries)
- Enhancing domestic cooperation (managing national implementation); (27 proposals from 11 countries)
- International and regional cooperation and assistance; (23 proposals from 11 countries)
- Transfers and export controls; (12 proposals from 7 countries)

These proposals were from 18 countries (China, Cuba (on behalf of the NAM), Georgia, Germany, India, Iran, Japan, Korea, Netherlands, New Zealand, Pakistan, Philippines, Poland, Portugal (on behalf of the EU), Switzerland, United Kingdom, United States, Ukraine).

On **Thursday morning**, a closed session was held to consider the final presentations which included one given by a representative of the Organisation for the Prohibition of Chemical Weapons (OPCW) on the subject of “National

Implementation”. This made the point that *by the First Review Conference in 2003 it was evident that effective domestic implementation of the Convention would require serious attention, support and coordination, and continual review.* This led to the Article VII Plan of Action under which the States Parties were required to take steps to enact legislation, establish a National Authority, adopt administrative measures, submit the full text of their legislation and review their trade regulations for consistency with the CWC. The presentation showed the progress achieved under the Action Plan.

Also on the Thursday morning, a draft text for the substantive paragraph of the report of the Meeting of Experts was circulated which was based on that in the report of the Meeting of Experts in 2005:

15. The Chairman, under his own responsibility and initiative, prepared a paper 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 Meeting of Experts noted that this paper had no status; that it had not been discussed; that it could not be considered as being complete; that the appearance of any consideration, lesson, perspective, recommendation, conclusion or proposal in the paper did not in any way indicate or imply that States Parties agreed with it; and that it should not necessarily form a basis for future deliberations. The Meeting of Experts noted that it was the Chairman’s view that the paper could assist delegations in their preparations for the Meeting of States Parties in December 2005 and in its consideration of how best to “discuss, and promote common understanding and effective action on” the topic in accordance with the decision of the Sixth Review Conference. The paper prepared by the Chairman is attached as Annex I to this Report.

On the **Friday morning**, in public session, the Meeting of States Parties agreed the draft report (MX/CRP.1) and the annex to the report (MX/CRP.2). The substantive paragraph in the report was shortened from the draft that had been circulated earlier (see above) and now read as follows:

15. The Chairman, under his own responsibility and initiative, prepared a paper 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 Meeting of Experts noted that this paper had not been agreed and had no status. It was the Chairman’s view that the paper could assist delegations in their preparations for the Meeting of States Parties in December 2007 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 Sixth Review Conference. The paper prepared by the Chairman is attached as Annex I to this Report.

The Annex in CRP.2 is entitled *Considerations, Lessons,*

Perspectives, Recommendations, Conclusions and Proposals drawn from the Presentations, Statements, Working Papers and Interventions on the Topics under Discussion at the Meeting and was annotated ‘as of 15:30 on 23 August 2007’. The proposals listed were under the same headings as the preliminary listing, referred to earlier, issued on 22 August 2007, although considerably more proposals were now included – including a new grouping of “*Enforcing national measures*”:

- Implementing the Articles of the Convention; (26 proposals from 16 countries)
- Scope of national implementation measures; (41 proposals from 20 countries and including 2 from an IGO (OPCW))
- Managing national implementation; (35 proposals from 16 countries and including 1 from an IGO (OPCW))
- Enforcing national measures; (18 proposals from 7 countries and including 2 from an IGO (Interpol))
- International and regional cooperation and assistance; (43 proposals from 16 countries)
- Transfers and export controls; (13 proposals from 7 countries)

These proposals were from 27 countries (Australia, Brazil (on behalf of some Latin-American States), China, Cuba (on behalf of the NAM), Georgia, Germany, India, Iran, Japan, Korea, Libya, Netherlands, New Zealand, Pakistan, Philippines, Poland, Portugal (on behalf of the EU), Russian Federation, Slovakia, Sudan, Sweden, Switzerland, Turkey, United Kingdom, United States, Ukraine) and from two IGOs (Interpol, OPCW). Both Brazil and Cuba made proposals on their own behalf as well as on behalf of a group.

The report (MX/3) of the Meeting of Experts also recorded that at its final meeting on the morning of Friday 24 August 2007 the Chairman gave an interim report on activities to secure universal adherence to the Convention, in accordance with the decision of the Sixth Review Conference. The Meeting noted that the Chairman would prepare the provisional agenda and programme of work for approval and adoption at the Meeting of States Parties to be held from 10 to 14 December 2007. In his interim report on universalisation, the Chairman said that *in accordance with my mandate to address states not party to the Convention, earlier this year I wrote in my capacity as Chairman to the foreign ministers of states not party, urging them both to accede to the Convention and to provide information on their intentions and progress. I also advised them that they were likely to be approached by individual States Parties on a bilateral or regional basis, and that many States Parties would be prepared to offer support and assistance for the accession process.* He said that he had received replies from two States: Mozambique and Israel, and that the reply from Mozambique is promising. He went on to say that *as we have heard earlier this week, four new members have joined the Convention since the Sixth Review Conference: Montenegro, Kazakhstan, Trinidad and Tobago, and Gabon. This brings the number of States Parties to 159. This is pleasing progress, and is due to the efforts of several States Parties to encourage and persuade these four states to join. I would like to acknowledge in particular the efforts of the Depositaries – the Russian*

Federation, the United Kingdom, and the United States – as well as the Joint Action of the European Union. If we can maintain this rate of progress of three to four accessions every six months, we are on track to secure universal adherence by the Seventh Review Conference in 2011.

Annex 1 to the final version of the report (MX/3) of the Meeting of Experts was slightly different from CRP.2. The groupings were amended in MX/3 to more closely follow the two topics of the Meeting of Experts:

Agenda Item 5 – Ways and means to enhance national implementation ...

- Implementing the Articles of the Convention; (28 proposals from 16 countries)
- Scope of national implementation measures; (40 proposals from 21 countries and 2 from an IGO (OPCW))
- Managing national implementation; (31 proposals from 16 countries and 1 from an IGO (OPCW))
- Enforcing national implementation measures; (18 proposals from 7 countries and 2 from an IGO (Interpol))
- International and regional cooperation and assistance; see section on Agenda 6 below
- Transfers and export controls; (13 proposals from 7 countries)

Agenda Item 6 – Regional and sub-regional cooperation and assistance; (39 proposals from 18 countries)

Some proposals are repeated in different groupings; for example, the UK proposal for *Clear guidance for industry and academia...* appears on page 8, on page 13 and on page 18; and the Russian Federation proposal for *Full implementation of measures agreed at past review conferences ...* appears on page 6 and on page 11.

Following the adoption of the report of the Meeting of Experts, the Chairman then made some concluding remarks in which he said that *I think it is fair to say that we have had a very useful and constructive meeting. We have focused on national measures in a large number of States Parties, across all regions. We have heard a wide range of perspectives, from States Parties of different sizes, different situations, and varying systems of government and administration. We have had broad overviews of approaches to national implementation, and highly detailed technical expositions of particular aspects of enforcement, interagency coordination, regional cooperation, and export controls. As well as the contributions from States Parties, we have had the benefit of highly relevant and useful input from Interpol and from the Organisation for the Prohibition of Chemical Weapons. And we also benefited from the helpful contributions of a number of nongovernmental organizations.* He went on to say that *we have heard a range of ideas, advice and proposals, and certain themes have consistently emerged. One is that there is no “one size fits all” solution for national implementation: we need to develop an approach that can be tailored to the individual circumstances and needs of each State Party. This was elegantly articulated by the OPCW, which suggested that an “implementation checklist” was a more useful tool than model legislation.*

Another common theme was the need to make use of the Implementation Support Unit as a catalyst in better coordinating and managing activities. A further important point, which was alluded to in several presentations, is that there is a need to help States Parties build capacity. It is not enough to provide guidance on enacting legislation and regulations: States Parties need practical assistance to build their capacity to enforce and manage such measures. On this point, I am pleased to note that several delegations – including the European Union, the United States, India and Pakistan – used this meeting to announce their readiness to provide assistance for national implementation. I hope others will follow their example. He also noted that there are some lessons we can draw, and improvements we can make for the future. Many delegations would appreciate more intensive discussion and interaction, with the opportunity for questions and answers straight after each presentation. Some have observed that short, focused presentations are more useful than long ones, although many consider that long presentations are justified if such detailed material is relevant. Some suggested that “prescreening” and thematic grouping of presentations would be helpful to more focused discussion. I think we should weigh this very carefully, so that pre-screening does not mean pre-censorship. Many find PowerPoint a useful aid, and would encourage presenters to make use of it. These are all helpful suggestions which we will integrate into our planning for the Meeting of States Parties, and indeed for the meetings in subsequent years. Looking ahead to the Meeting of States Parties in December 2007, he said that I will be writing to all delegations to outline my plans, and will consult closely in the coming months. As in previous years, I will prepare a synthesis paper that distills the essence of the many ideas and proposals we have annexed to our report. I am anxious to make the most of the week available to us, and plan to develop an intensive programme of work. I think it is important that the Meeting of States Parties produces an outcome that is of practical benefit to national implementation and regional cooperation efforts, especially for States Parties which are not able to participate in our meetings. But we must keep in mind the interests and needs of the entire membership of the Convention, especially the smaller States Parties which are often those most in need of assistance and encouragement. For this reason, a substantive outcome encapsulating our work and collective wisdom is very important.

Reflections

The Meeting of Experts had a splendid participation with over 410 participants from 92 States Parties, 5 Signatory States, 1 non-Party as well as from IGOs and NGOs. It was, however, a one-week meeting addressing two topics and it is arguable whether optimum use was made of the time available. There was no meeting on the Thursday afternoon and the final session was completed by noon on the Friday. In contrast to the two-week Meeting of Experts in 2003 when the IGO presentations were held outside the formal sessions, on this occasion two of the Interpol presentations and the OPCW presentation were held during the closed formal sessions. It was also evident that there was no provision in the programme

for any general debate and discussion of the two topics addressed; the meeting thus largely consisted of a succession of presentations each followed by some discussion. As the Chairman noted in his concluding remarks, there would have been advantage in a thematic grouping of presentations in order to promote more focused discussion.

The official launch of the Implementation Support Unit on the afternoon of Monday 20 August 2007 with its high level participation by Sergio Duarte, the Secretary-General's High Representative for Disarmament, was indeed as he said *a sensible, modest, but long-overdue step forward in addressing what some have called the "institutional deficit" of the BWC*. The Implementation Support Unit should have a significant impact on the effectiveness of the Convention and its implementation.

It is noted that 6 States Parties (Cuba (on behalf of the NAM), Russia, India, Iran, Pakistan and Libya), out of the 14 who made statements in the opening session on Monday 20 August, referred to the importance of a legally binding compliance mechanism. Although this topic will not be considered again until the Seventh Review Conference in 2011, it should be recognized that it will then be over 10 years since the negotiations on such a mechanism ceased and that there would be no sense in starting from the last draft as the international situation has developed and changed over the decade. The earlier negotiations will do no more than provide some basic material that will need to be considered afresh in the light of the circumstances at the time when consideration is resumed.

Some opportunities were missed at the Meeting of Experts in that it is regretted that the JACKSNNZ group (Japan, Australia, Canada, Republic of Korea, Switzerland, Norway and New Zealand) did not continue the practice that they had successfully adopted at the Sixth Review Conference of having a group statement, and of coordinating their working papers.

It is also regretted that the presentation by the OPCW was not made until the Thursday morning, when the OPCW representative was available. The experience of the OPCW in enhancing national implementation of the CWC was directly relevant to the topic of this Meeting of Experts, and if the presentation had been made earlier, it would have enabled more States Parties to benefit from the what was said. As the Chairman noted in his closing remarks, the OPCW suggested that *"an implementation checklist" was a more*

useful tool than model legislation, a point that was also made by some States Parties. It is to be hoped that the ISU can consult the OPCW and develop such an "implementation checklist" as a background document for the Meeting of States Parties in December 2007.

Although it might appear that the point - argued cogently by Sussex/LSE/VERTIC in their paper *Making Legislation Work* - that monitoring relevant work with biological agents is on a par with legislation and enforcement was not reflected in the groupings of the proposals adopted for Annex I to the report of the Meeting of Experts, careful study shows that a number of States Parties made proposals relating to monitoring and oversight.

In looking ahead to the Meeting of States Parties in December 2007, the Chairman has undertaken to prepare a synthesis paper that distills the essence of the many ideas and proposals in Annex I to the report of the Meeting of Experts. This paper is likely to include language that can be incorporated into the substantive paragraphs of the report of the Meeting of States Parties. As the ideas and proposals captured in the Annex embrace national implementation and regional cooperation in the broadest sense, the synthesis can likewise be expected to include all aspects of national implementation, including those that are being considered at subsequent intersessional meetings, thereby providing a useful impetus to their consideration. In addition, the Meeting of States Parties can be expected to give some consideration to the promotion of universality as well as to the first annual report on the Implementation Support Unit. The Eastern Group should advise who will be the Chairman for the intersessional meetings in 2008 and the dates for those meetings in 2008 decided. It would be very helpful if the Chairman for the 2008 intersessional meetings could take the opportunity at the Meeting of States Parties in December 2007 to set out his/her approach to the topics for 2008 so that the States Parties could start their preparation instead of having to wait until they receive a letter sometime in 2008. Overall, the Meeting of States Parties can be expected to continue the momentum created by the successful outcome of the Sixth Review Conference.

This review was written by Graham S. Pearson, HSP Advisory Board.