

**REPORT FROM GENEVA: THE
BIOLOGICAL WEAPONS
CONVENTION MEETING OF
STATES PARTIES DECEMBER 2014**

Graham S. Pearson in association with Nicholas A. Sims

March 2015

CONTENTS

Introduction	3
Preparation for the Meeting of States Parties	4
Meeting of States Parties: Opening Plenary Session.....	6
General Debate, morning Monday 1 December 2014.....	11
General Debate, afternoon Monday 1 December 2014	30
NGO statements	40
Side Events	41
General Debate, morning Tuesday 2 December 2014.....	44
Standing Agenda item on Cooperation and Assistance.....	49
Standing Agenda item on Science and Technology	50
Standing Agenda Item on Strengthening National Implementation...	50
Biennial Item on how to strengthen implementation of Article VII.....	50
Thursday 4 December 2014.....	51
Friday 5 December 2014.....	52
Working Papers	53
Outcome of the Meeting of States Parties	56
First version of the substantive paragraphs	58
Second version of the substantive paragraphs	72
Third version of the substantive paragraphs.....	89
Fourth version of the substantive paragraphs	107
Fifth version of the substantive paragraphs.....	127
Sixth and final version of the substantive paragraphs.....	139
Analysis of the development of the substantive paragraphs	151
Reflections.....	155
The substance of the Meeting.....	156
Looking forward.....	159

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 Körömi of Hungary as the other Vice-chair.

[†] HSP Advisory Board and University of Bradford

^{††} London School of Economics

The Meeting of Experts produced a report (BWC/MSP/2014/MX/3 dated 20 August 2014 – this and other official BWC documentation is available at <http://www.unog.ch/bwc>) to which was attached as Annex I a paper prepared by the Chairman listing the considerations, lessons, perspectives, recommendations, conclusions, and proposals drawn from the presentations, statements, working papers and interventions on the topic under discussion at the Meeting. The report, as in the reports from the Meetings of Experts in previous years, stated that *‘It was the Chairman’s view that the paper could assist delegations in their preparations for the Meeting of States Parties in December 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.’*

This provided the States Parties with an excellent starting point from which to develop language to meet the requirement of the mandate for the Meeting of State Parties in December 2014 to *‘discuss, and promote common understandings and effective action’*.

Preparation for the Meeting of States Parties, 1 to 5 December 2014

The Chair, Ambassador Urs Schmid of Switzerland wrote to the States Parties on 7 October 2014 to update them on preparations for the MSP/2014. He enclosed a copy of his synthesis paper. He said that, *as in 2013, he had tried to avoid repeating ideas and proposals on which we have already identified a common understanding*. He went on to say that:

However, I was wondering whether it may be useful to continue to work on this document prior to our December meeting, especially in light of feedback from States Parties. I am keen to provide you with a tool that strikes the needed balance between the substantive areas of our work and is of most value to the greatest number of States Parties in preparing for the meeting of States Parties.

Before we gather in Geneva, I would like for all of us to have greater clarity on: which themes may yield new common understandings, how we can fit together common understandings already identified with the new material; and where we might focus efforts on promoting effective action. In light of your views, which I hope to hear through consultations with the regional groups and bilaterally, I will assess whether there is value in revising my synthesis paper to provide a better stepping stone towards the Meeting of States Parties.

In this letter of 7 October, the Chair also advised States Parties of the change of the Vice-Chair. He said that he had written on 29 September to inform them of the nomination of Ambassador György Molnár of Hungary, Special Representative of the Minister of Foreign Affairs and Trade for Arms Control, Disarmament and Non-Proliferation, to be approved by States Parties through the silence procedure. He thanked Ms. Judit Körömi for her work as a Vice-Chair and looked forward to collaborating with Ambassador Molnár.

The ideas put forward in the letter of 7 October 2014 regarding preparing for the MSP in December 2014 were followed up by the Chair when he met Regional Groups on 7 & 11 November 2014 when he made the following points:

- *Without straying from past precedent, I am also keen that we explore every opportunity to facilitate our work at the Meeting of States Parties.*
- *During my consultations, I have received requests from States Parties in each of the regional groups, that prior to gathering for the MSP we start to think about the possible substantive output of our meeting.*
- *I am keen to take action on these requests and to start working on language as soon as possible. As a result, I intend to provide to you, at an earlier than usual point in the year, the Chair's text which in the past has not been distributed until the middle of the Meeting of States Parties. It is my intention to convey this document to your missions and BWC National Points of Contact if possible already during the week of Monday 17 November.*
- *As in the past, the Chair's text will represent my approximation as to where consensus may be found on the issues we discussed at the Meeting of Experts.*
- *The Chair's text, as usual, will draw upon the material we heard in August, as refined in the annex to the Report of the Meeting of Experts, and developed in the synthesis paper, attached to my letter of 7 October. It is intended to help delegations to identify those elements they would wish to address during the MSP in December. The text will be further consolidated in the light of elements and proposals put forward at the MSP.*
- *The feedback I hope to hear today as we revisit my synthesis paper will be key in helping me to shape the Chair's text. I encourage you to be frank and comprehensive with your insights. Should you wish to flag additional elements between today and my issuing of Chair's text, you are welcome to do so in any manner you see fit.*
- *The Chair's text will also draw elements, in line with the texts tabled by my predecessors, from reports of past Meetings of States Parties. This has helped ensure our output has the necessary balance.*
- *My text, I hope, will be a useful starting point for our discussion and provide more time to reflect on possible content as well as fostering input from capital and relevant experts.*
- *In line with efforts to bring more voices to the table, providing you with these ideas earlier should help additional States Parties, to be in a better position, to play a more active role, in determining the outcome of our meeting.*
- *I hope that it will also provide us with more time to focus on promoting effective action at the Meeting of States Parties.*

The Chair, Ambassador Urs Schmid of Switzerland, then wrote to States Parties on 19 November 2014

States Parties from each of the regional groups have suggested to me that we might usefully begin to explore substantive text before we gather in Geneva in December. Without straying from past precedent, I am keen that we explore every opportunity to facilitate our work at the Meeting of States Parties. For this reason, I am providing to you, at an earlier than usual point in the year, the Chairman's draft elements for inclusion in the Report of the Meeting of States Parties, which in the past has not been distributed until the middle of the Meeting of States Parties.

The text attached to this letter represents my approximation as to where consensus may be found on the issues we discussed at the Meeting of Experts and in light of the past two Meetings of States Parties. My text:

- *Draws upon the material we heard in August, as refined in the annex to the Report of the Meeting of Experts, and developed in the synthesis paper;*
- *Focuses on those ideas that either seemed to enjoy broad support at the Meeting of Experts, or to which few objections were raised;*
- *Reflects the feedback I have received so far on the synthesis paper and how it reflected ideas and proposals introduced at the Meeting of Experts; and*
- *Introduces elements, present in the reports of the 2012 and 2013 Meetings of States Parties (and from previous intersessional processes in the case of the biennial item to strengthen Article VII), which States Parties may want to retain to help ensure the overall balance and direction of our output this year. Text, which has already been agreed by consensus is not in bold in my draft.*

The attached Chairman's Draft Elements for Inclusion in the Report of the Meeting of States Parties is intended to help delegations to identify those elements they would wish to address during the Meeting of States Parties. It will be further consolidated in the light of elements and proposals put forward in December as we firm up the final version of the outcome document. I hope the attached text will be a useful starting point for our discussion and provide more time to reflect on possible content as well as fostering input from capital and relevant experts. In the lead up to the Meeting of States Parties, I remain at your disposal and would be keen to meet with delegations to refine my text and to better understand your views on its content.

Attached to this letter of 19 November was an Annex consisting of seven pages entitled *Draft elements for inclusion in the Report of the Meeting of States Parties* providing paragraphs 18 to 59. A footnote records that *Text highlighted in bold has not been included in any of the common understandings identified at the 2012 and 2013 Meetings of States Parties.*

The Chair's synthesis document – originally attached to his letter of 7 October 2014 – was issued as BWC/MSP/2014/L.1 dated 26 November 2014 and his draft elements for inclusion in the Report of MSP/2014 were issued as BWC/MSP/2014/L.2 also dated 26 November 2014.

Meeting of States Parties, 1 to 5 December 2014: Opening Plenary Session

The Meeting of States Parties began on Monday 1 December 2014 with Ambassador Urs Schmid of Switzerland in the Chair in a plenary session when he welcomed all those present. He said that the task was to convert the wealth of material provided at the Meeting of Experts in August into common understandings in accordance with the Agenda.

He then moved on to the business of the meeting. In regard to Agenda item 2 *Adoption of the Agenda*, he noted that a provisional agenda (BWC/MSP/2014/1)

had been circulated in all languages. He said that the substantive elements formed the mandate for the work of the MSP. This was adopted.

Moving on to Agenda item 3 *Adoption of the provisional programme of work* (BWC/MSP/2014/2) which had likewise been circulated, he noted that this gave equal time to each of the three standing agenda items and the biennial item. Time had been set aside in accordance with standard practice to suspend the formal meeting to enable the NGOs to make brief statements in an informal session on Monday afternoon. The programme was adopted.

The Chair noted that there were a number of side sessions which were included in the illustrative indicative schedule available on the website.

He then noted that five documents had been circulated:

- a) BWC/MSP/2014/L.1 was the synthesis document,
- b) BWC/MSP/2014/L.2 was the draft of the substantive paragraphs which had been made available in advance of the meeting,
- c) BWC/MSP/2014/INF. 2 was an information paper prepared by the ISU entitled *International organizations that may be involved in the provision of and coordination of assistance relevant to Article VII*,
- d) BWC/MSP/2014/3 was the report on universalization activities, and
- e) BWC/MSP/2014/4 was the report of the ISU for 2013.

The Chair went on to say that all Working Papers would be circulated in the language of submission and that all would be available on the unog.ch/bwc website which would be kept up to date with new material posted as it became available.

In regard to Agenda item 4 *Adoption of the rules of procedure* the Chair proposed that the rules of procedure of the Seventh Review Conference as set out in Annex III of BWC/CONF.VII/7 should be applied *mutatis mutandis*. This was so decided.

He went on to say that formal credentials would not be required and that delegations should register in the usual way.

In regard to participation, he said that two States neither party nor signatory – Israel and Mauritania – had requested observer status and this was so decided.

The Chair then moved to consideration of Agenda item 5. *Consideration of the report of the Meeting of Experts*. He noted that in accordance with the decisions of the Seventh Review Conference, the Meeting of Experts had prepared a factual report for the Meeting of States Parties which had been adopted by consensus at the Meeting of Experts and issued as BWC/MSP/2013/MX/3. He proposed that the Meeting of States Parties take note of the report of the Meeting of Experts. This was so decided.

One hundred and ten States Parties to the Convention participated in the Meeting of States Parties as follows: Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Belarus, Belgium, Bhutan, Bosnia-Herzegovina, Botswana, Brazil,

Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zambia.

This was twenty-six more than at the Meeting of Experts as twenty-nine States Parties – Albania, Armenia, Azerbaijan, Bhutan, Bosnia-Herzegovina, Botswana, Cameroon, Costa Rica, Croatia, Ghana, Honduras, Iceland, Kazakhstan, Liechtenstein, Luxembourg, Malawi, Mali, Mauritius, Myanmar, Niger, Republic of Moldova, Romania, Slovenia, Sudan, Swaziland, Tunisia, Turkmenistan, Vietnam and Zambia – participated at MSP/2014 in December but did not at MX/2014 in August whilst three States Parties – Benin, Cyprus and Gabon – who had participated at MX/2014 in August did not at MSP/2014 in December.

In comparison to MSP/2013, eight more States Parties participated at MSP/2014 as sixteen States Parties – Armenia, Botswana, Cameroon, El Salvador, Ethiopia, Ghana, Honduras, Liechtenstein, Malawi, Mali, Myanmar, Nigeria, Swaziland, Turkmenistan, Vietnam and Yemen – participated at MSP/2014 but not at MSP/2013 whilst eight States Parties – Bangladesh, Benin, Cyprus, Democratic Republic of the Congo, Fiji, Montenegro, Mozambique and Uganda – who had participated at MSP/2013 did not at MSP/2014.

In addition, three States that had signed the Convention but had not yet ratified it participated in the Meeting of States Parties without taking part in the making of decisions, as provided for in rule 44, paragraph 1, of the rules of procedure: Côte d'Ivoire, Nepal and the United Republic of Tanzania – this was one less than at MX/2014 when Haiti, Myanmar, Nepal and the United Republic of Tanzania participated. Myanmar, as noted above, was now participating as a State Party.

Two States, Israel and Mauritania, neither parties nor signatories to the Convention, participated in the Meeting of States Parties as observers, in accordance with rule 44, paragraph 2 (a). This was the same as at MX/2014 when the same two non States Party participated as observers.

The United Nations, including the United Nations Interregional Crime and Justice Research Institute (UNICRI) and the United Nations Office for Disarmament Affairs (UNODA), attended the Meeting of States Parties in accordance with rule 44,

paragraph 3. This was three less than at MX/2014 when the United Nations 1540 Committee Group of Experts, the United Nations Institute for Disarmament Research (UNIDIR), and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) had also attended.

The European Union (EU), the International Committee of the Red Cross (ICRC), the Organization for the Prohibition of Chemical Weapons (OPCW) and the World Organization for Animal Health (OIE), were granted observer status to participate in the Meeting of States Parties in accordance with rule 44, paragraph 4. This was three less than at MX/2014 when the Food and Agriculture Organization (FAO), the International Criminal Police Organization (INTERPOL), and the World Health Organization (WHO) had also attended.

Fifteen Non-Governmental Organizations and research institutes were present – two less than at MX/2014 and the same number as at MSP/2013.

The Convention at the time of MSP/2014 had 171 States Parties and 9 Signatory States. 16 States have neither signed nor ratified the Convention. One State Party had joined the Convention since MSP/2013 – Myanmar (on 1 December 2014) had ratified.

There were close to 540 participants at the Meeting of States Parties of which 477 came from States Parties including some 198 participants from capitals. This was considerably better than the participation at the Meeting of Experts in August 2014 when there were over 430 participants at the Meeting of Experts of whom over 330 came from States Parties, including close to 150 participants from capitals. It was also better than at the 2013 Meeting of States Parties when there were some 500 participants at the Meeting of States Parties of which 445 came from States Parties including some 197 participants from capitals.

Prior to opening the General Debate, the **Chair** gave an update on the situation regarding the ISU. He recalled that there had been significant changes with Richard Lennane, the previous Head of the ISU resigning on 28 February 2014. While awaiting appointment of a replacement, the Unit had been placed under the Acting Headship of a senior official from the UN Office for Disarmament Affairs in New York: Gabriele Kraatz-Wadsack, Chief, Regional Disarmament Branch, Office for Disarmament Affairs, New York. He then said that Daniel Feakes had been appointed as Chief, Biological Weapons Convention Implementation Support Unit, and welcomed him to the meeting – there was a round of applause. He also thanked Gabriele Kraatz-Wadsack for what she had done as temporary Head of the ISU – there was a further round of applause. The Chair went on to say that Piers Millett had resigned from the ISU on 28 June 2014 and that the UNODA was now taking steps to replace him. In doing this, it had been decided to regrade the two posts within the Unit reflecting their greater responsibilities and these would be upgraded to P3 and P4 grades with an estimated annual cost of \$75,000 a year. No objections had been received by 7 November 2014 and the UNODA was now proceeding with the recruitment process to fill these two posts.

Daniel Feakes then spoke saying that he was very honoured to have been chosen as the Chief of the ISU. He had finished working at the OPCW the previous Thursday (27 November 2014), had flown to Geneva, and started work in the ISU on Friday 28 November 2014. He said that he looked forward to working with everyone on the implementation of the BTWC.

The **Chair** then made some introductory remarks. Looking ahead to the substantive part of the work, he greatly appreciated the cooperation and support that he had received during the Meeting of Experts on 4 to 8 August 2014 when the three Standing Agenda items and the biennial item had been considered. He had appreciated the wide range of perspectives that had been provided including those from professional and scientific associations, academia and from NGOs. He looked forward at the MSP/2014 to converting the many ideas put forward at the MX/2014 into a more concise focussed product of common understandings and effective action. He recalled that they were not seeking to negotiate a binding agreement. However, he was keen that there should be a focus on the effective action element of their mandate. He was keen to receive an overview of the actions that States Parties have taken to pursue the mandate and to illustrate the value of the common understandings and to showcase the work of the Convention.

He was keen to examine each of the Standing Agenda Items and the Biennial Item to see what common understandings could be identified and what would benefit from further work during the current Intersessional Programme. He recalled that he had produced his synthesis paper as BWC/MSP/2014/L.1 and also prepared suggested elements in BWC/MSP/2014/L. 2. He welcomed the Working Papers submitted by States Parties for both MX/2014 and for MSP/2014 as well as further contributions during MSP/2014.

He recalled his letter of 19 November 2014 to States Parties following his discussions with the Regional Groups. He envisaged the structure of the MSP/2014 report as closely resembling those of MSP/2012 and MSP/2013 with factual and substantive sections. He was keen to follow past precedent with the advantage of well established practice. It was not constructive to negotiate in plenary session and he would keep working to improve the draft elements of the substantive section. He planned to circulate drafts on the Standing Agenda Items on Wednesday evening and on the Biennial item on Thursday morning. He would then welcome views back from States Parties as to what elements might be included. He emphasised again that he was keen to translate common understandings into effective action.

He concluded by saying that he would ask his Vice Chairmen to help in the chairing of the sessions with Ambassador Mazlan Muhammad of Malaysia chairing the session on the Standing Agenda Item on science and technology on Tuesday afternoon and Ambassador György Molnár of Hungary chairing the session on the Standing Agenda Item on strengthening national implementation on Wednesday morning. He also recalled that consideration would need to be given to the office holders for 2015 later in the meeting.

General Debate, morning Monday 1 December 2014

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

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-emphasize its position as reflected in the final document of the NAM XVII Ministerial Conference held in Algiers, Algeria on 26 - 29 May 2014:

*208. 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.*

*209. 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.*

210. *The Ministers of NAM States Parties to the BTWC emphasized the importance of the BTWC role in the total prohibition on all biological and toxin weapons. They reiterated that multilateral negotiations aimed at concluding a non-discriminatory legally binding agreement, dealing with all Articles of the Convention, in a balanced and comprehensive manner, would sustainably strengthen the Convention. They reaffirmed that the respective mandates of this Convention and other international organizations should be respected, while utilizing the experiences of the relevant multilateral organizations dealing with human and animal health on issues that are of direct relevance to the Convention, and that no actions should be taken to undermine the Convention and/or interfere with its mandate.*

The statement went on to say that *The NAM Group while appreciating the chair's own view as to where there may be consensus on the issues discussed during the meeting of States Parties, do believe that for consensus to be reached, the document must reflect the needed balance between the substantive areas. In this regard, much has still to be done to reach a point where common understanding and effective actions can be achieved. In this regard, we are of the view that established practice to submit the draft outcome report following the deliberations held during MSP's shall be strictly preserved.*

After noting the importance that the Group attached to international cooperation, the statement went on to say that *The Group re-emphasizes that multilateral negotiations aimed at concluding a non-discriminatory, legally binding agreement, dealing with all Articles of the Convention, in a balanced and comprehensive manner, would sustainably strengthen the Convention.* After stating that there should be no hindrance to peaceful activities, the statement went on to say that *Any measures identified within the framework of the Convention to mitigate biological risks should be implemented in a manner to ensure that legitimate peaceful activities including international cooperation would not be hampered.*

It then noted that *While the Group recalls its position on proposals related to compliance assessments, it 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.*

The statement also noted that *NAM notes that there have been recent advances demonstrating the increasing sophistication of synthetic biology, together with other enabling technologies, which have benefits, together with the potential for uses contrary to the provisions of the Convention. All states must conduct such activities in a transparent manner, in order to build the confidence of other States Parties. There is a need to regulate these activities, to ensure that they do not lead to any concerns related to ethics, safety and security as well as any uses contrary to the Convention. Such regulation must, however, be undertaken in a manner that does not hamper scientific and technological developments that are in keeping with the letter and spirit of the Convention, which are of benefit, more especially to*

developing countries. These recent developments once again highlight the need to conclude a legally binding agreement on appropriate multilateral verification arrangements. In the past, useful work has been done in this regard under the BWC in the Ad Hoc Group and NAM continues to attach high importance to preserving and eventually resuming this work.

The statement then noted that national implementation under Article IV *requires commitments towards the implementation of all provisions of the Convention.* It also noted the importance of the biennial item on Article VII and the importance of universality of the Convention. It concluded by saying *I would like to emphasize that maintaining the delicate balance reached in the Review Conference outcome for the organization of work is of utmost importance for this Meeting. 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]

Canada then spoke on behalf of the **JACKSNNZ** (Japan, Australia, Canada, Republic of Korea, Switzerland, Norway, and New Zealand) group saying that: *The JACKSNNZ would like to [express] its appreciation for the development of the MX synthesis paper, and the early circulation of draft elements for inclusion in this meeting's report. We hope that this approach will contribute to a more productive process and to bringing more voices to the table. We welcome the attention that is given to issues related to national implementation, science and technology and cooperation & assistance.*

The statement went on to add that: *The JACKSNNZ share the Chair's goal to focus on building common understanding and effective action during this week's meeting. We believe our report this year can build upon the positive work of the 2013 MSP and the 2014 MX. We must also bear in mind the fundamental goals of the Convention and focus our attention on them. The Biological and Toxin Weapons Convention was created first and foremost to prevent the development, acquisition, stockpiling and use of biological weapons. In this MSP, we must focus on creating the conditions for progress to be made at the next Review Conference and to further advance the effective implementation of the Convention in line with the fundamental goals of Article I.*

In regard to national implementation, the statement said that: *The JACKSNNZ firmly believe that national implementation remains a key cornerstone of the BWC. Strengthening implementation at the national, regional and international level remains the best available means for States Parties to ensure compliance with their obligations under Article I, thereby enhancing the Convention's security norm. In this regard, JACKSNNZ members have been actively engaged in developing options to further improve national implementation and assurances in compliance. As we have in the past, JACKSNNZ urge all States Parties to the Convention to take all possible steps to demonstrate their compliance, including by adopting necessary domestic legislation. All States Parties must take concerted action to agree on common definitions of what constitutes compliance with the Convention, and to seek to build this understanding into effective action and concrete steps that can be advanced during the 2016 Review Conference.*

The statement went on to consider advances in science and technology by noting that: *the past decade has seen remarkable developments in the life sciences, which have the potential to contribute significantly to global health and development. However, for entities or individuals with hostile intent, these developments can potentially offer new means to project harm. The JACKZNNZ therefore renew last year's call for political experts leading BWC discussions to remain informed of the latest scientific developments and their associated risks. We also believe that the current review process should provide for a more systematic and comprehensive examination of scientific and technological developments within the BWC framework. The working paper submitted by Switzerland at last year's MSP [BWC/MSP/2013/WP. 5 Establishing a dedicated structure for the review of developments in biological science and technology] , which refers to the working paper submitted by Australia, Japan, and New Zealand at the Seventh Review Conference, offers one option on how to achieve this through a dedicated structure. It is our hope that we will be able to achieve substantial movement on this issue prior to the 2016 Review Conference.*

The statement then drew attention to: *The Global Health Security Agenda (GHSA) was launched in February this year [2014] and also has implications for this Convention. It represents a joint effort by nations, international organisations and civil society to accelerate progress toward a world that is safe and secure from infectious disease threats; to promote global health security as an international priority; and to establish capacity to prevent, detect and rapidly respond to biological threats, whether naturally occurring, intentional, or accidental.* It went on to also note that: *JACKSNNZ countries likewise remain fully committed to addressing biological threats through the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction. Through the Global Partnership, which now counts 28 member countries, we continue to implement concrete programming activities to strengthen biological security around the world, thereby fulfilling obligations under Article X of the BTWC to facilitate the fullest possible exchange of equipment, materials, and scientific and technological information for the peaceful use of biological agents and toxins.*

The statement then said that: *At last summer's Meeting of Experts, a proposal was made to re-launch negotiations towards a legally binding instrument to the BWC. This proposal has the undeniable merit of re-focusing our attention on the need to strengthen this Convention. Before considering any new legally binding instrument, the JACKSNNZ believe we must come together as a community of States and discuss, in principle, the areas of work post 2016. We must then determine what are the most pragmatic and effective means to bring these issues forward. The JACKSNNZ believe that re-opening negotiations towards a legally-binding mechanism might not be the most promising way to achieve this aim. Many of the steps proposed to strengthen the Convention can and should be achieved more immediately through voluntary or politically binding mechanisms as well as through the demonstration of goodwill by the application of existing measures.*

The statement concluded by emphasizing the importance of universality of the Convention.

[The unog.ch/bwc website shows that Japan, Australia, Canada, Republic of Korea, Switzerland, Norway, and New Zealand have all submitted a CBM in 2014 and that all of these, apart from that for the Republic of Korea, are available on the public section of the website]

Pakistan then spoke saying Pakistan aligns itself with the statement delivered by Iran on behalf of the NAM and other States Parties. The statement went on to say that *Pakistan recalls the successful conclusion of the Seventh Review Conference and believes that the outcome of the Seventh Review Conference 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. We take this opportunity to state that the document prepared by the Chairman in his personal capacity and circulated through letter dated 19th November 2014, entitled "Chairman's draft elements for inclusion in the report of the Meeting of States Parties", does not prejudice or bind the outcome of this meeting and is without prejudice to the national position of Pakistan and a number of other States.*

The statement went on to note 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 that it does not lead to any concerns related to safety and security as well as incidents of proliferation that have no justification for prophylactic, protective or other peaceful purposes. It added that: There is also an urgent need to strictly regulate the industry and various laboratories in the public and private sectors, 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 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 are alarming revelations about lapses in bio-security practices, such as the recent discovery of the deadly smallpox (variola) virus dating back to 1950's, which was believed to have been eradicated as well as a number of other dangerous pathogens ranging from influenza and dengue fever to rickettsia and Q fever. Furthermore: We have witnessed examples in the past where highly-contagious viruses have escaped from high-containment labs, causing outbreaks and pandemics around the world. Pakistan believes that all scientific activities and experiments should be carried out under strict regulations and controls, solely for prophylactic, protective or other peaceful purposes, as permitted under the Convention.*

The statement then noted that: *The threats posed by the dual-use nature of biotechnology are real and cannot be over-stated. We are witnessing the growing marginalization of the need to possess real scientific knowledge or "tacit*

knowledge” due to easy access to wide-ranging scientific information on the internet. Also, the rapid advances in enabling technologies continue to decrease costs of performing scientific experiments and procedures. In the backdrop of these latest developments and trends, the need to conclude a non-discriminatory, legally binding agreement on verification provisions, is therefore, ever-pressing and necessary. It went on to add that: Pakistan would, also, highlight the importance of holding regular reviews of the developments in science and technology related to the Convention. These reviews should provide impetus not only to enhanced awareness regarding new technology related to the Convention but also towards enhanced cooperation and sharing of such technology. We firmly believe that the potential dual-use nature of emerging technologies in itself should not be used as a pretext for proscribing or restricting their availability to developing countries for peaceful purposes.

The statement then went on to say that: *The absence of a dedicated verification mechanism for the Biological and Toxin Weapons Convention, to ensure compliance with the Convention, also remains a source of concern. While the Secretary General’s mechanism is the only existing 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 the States Parties. It then added that: 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]

Denmark then spoke saying that it fully aligned itself with the statement to be made by the European Union. The statement went on to say that: *Denmark introduced specific biosecurity legislation in 2008. Since then, companies and institutions handling dangerous pathogens and related materials have been required to obtain a license and to implement relevant security standards. Biosecurity officers at each facility have been appointed and trained by the Danish Centre for Biosecurity and Biopreparedness. In 2015, Denmark will continue its work to ensure that biotechnology is only used in a legitimate context. This, amongst other things, includes efforts to raise awareness on the subject in the scientific community.*

The statement went on to say that: *Denmark is of the opinion that global dissemination of best-practices and biosecurity methodologies are important for supporting international security and reducing the threat from biological weapons. In this regard, we participate in the Global Health Security Agenda (GHSa). Denmark is actively engaged in Action Package Three of the GHSa concerning biosecurity and fully supports this international effort to counter infectious diseases, whether they are of a naturally occurring, man-made or accidental nature. It then added that: Furthermore, to increase global progress on biosecurity, Denmark is*

currently cooperating with Kenya. We have established programs to help master students at universities cooperate with laboratories to develop rapid diagnostics thereby minimizing the storage of dangerous pathogens. Furthermore, the project assists local authorities in implementing biosecurity legislation. In the context of the project, a publication on biosecurity best practices will also be issued. The statement then noted that: Together with our friends from Kenya, we intend to continue the close collaboration with other partners in the GHSA framework over the coming years, and we find that by strengthening biosecurity in other countries, at the same time we strengthen global security, and as a result also our own national security. We are grateful to Kenya for the very close and fruitful partnership established and we stand fully committed to deepen it further over the coming years.

The statement concluded by saying that: *It is the view of Denmark that each nation has an obligation to improve the transparency of national policies and actions related to the BTWC and biosecurity in general. In this context, the Confidence Building Measures (CBMs) are essential. An efficient reporting of CBMs to the United Nations not only demands that countries are willing to contribute to the reporting, it also demands that governments have a precise overview of which dual-use materials and facilities are present in their countries. This again calls for an efficient national biosecurity system that provides a clear national picture of which companies and institutions are working with these agents and materials. Thus, Denmark sees the implementation of national biosecurity systems as an obvious and substantial way of strengthening the BTWC. It then added that: Finally, let me highlight our intention of hosting a conference in Copenhagen in the fall of 2015. The aim is to discuss best practices in biosecurity and try to create a catalogue on these practices for use on a global scale. We will also host discussions to increase our common understanding of ways to balance free research with the safe and secure conduct of science that may have a dual-use potential. We hope as many colleagues as possible in the room here today will be ready to engage themselves in this work.*

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

The **Russian Federation** then spoke saying that:

Opened for signature in 1972, the Convention made a clear contribution to strengthening the international legal framework of banning biological and toxin weapons. At the same time, the BWC is a product of its time. In particular, this is reflected in the fact that its provisions do not envisage the ban on the use of biological and toxin weapons as well as a mechanism to verify its implementation. The need to strengthen the Convention because of the apparent flaws is long overdue.

Indeed, let us reflect on what has been done for the past four decades to make the Convention an efficient international tool? Not that much. A considerable number of States Parties have brought their national legislation in line with BWC requirements. But for many more this task lies just ahead.

In 1986 confidence-building measures were introduced within the Convention and were further developed in 1991 and 2011. However, the number of participants to this mechanism is not that great. Finally, a small Implementation Support Unit saw the light of day. Actually, that is it. The results are quite modest, aren't they? Especially if compared with the NPT regime reinforced by the IAEA strong capacities or with the CWC with its Organisation for the Prohibition of Chemical Weapons.

How to strengthen the BWC regime? This is an issue that should become a subject of intensive international discussions. In August [2014], the Russian delegation shared some of its considerations in this regard. By no means do we insist that those are the only possible solutions. We stand ready to consider any other ideas in this respect.

The statement then went on to *summarize the survey of States Parties conducted by the Russian Foreign Ministry with regard to prospects of strengthening the Convention and improving its implementation pursuant to the mandate approved by the 1994 Special Conference. The statement said that: Forty States responded to the questions, either verbally or in writing: Belarus, India, Brazil, Iraq, Cuba, Pakistan, China, New Zealand, Algeria, Cyprus, Rwanda, Switzerland, St. Lucia, Latvia, South Africa, Peru, Malaysia, the Republic of Korea, Lebanon, Mexico, Cambodia, Estonia, Colombia, Sweden, the United Kingdom, Lithuania, Germany, France, Tajikistan, Italy, Romania, Armenia, Montenegro, Australia, Spain, Portugal, Mauritius, Finland, Malawi, Kazakhstan. The majority of the States supported strengthening the Convention on the basis of a legally binding document that could be developed at relevant multilateral negotiations. At the same time, a number of States doubted that necessary political conditions existed for this work. On the whole, the survey results testify to the dissatisfaction of the States Parties with the current situation within the BWC and their aspiration to address the existing flaws on a sustainable and long-term basis.*

The statement then said that: *We are hopeful that this survey and ideas put forward in August as well as the ones that will surely be proposed at the current forum, will greatly facilitate the preparation for the 2016 Review Conference. We need to speed up this preparation in terms of considering both conceptual and practical initiatives, and to use the time left to the utmost. We note with regret that the BWC lacks the process to consider and discuss the substantive issues pertaining to the object and purpose of the Review Conference. In part, it might be the absence of due preparatory work that led to somewhat disappointing outcome of the previous Review Conferences. We stand ready to engage with others to consider ways of addressing this problem so that 2016 won't become the year of lost opportunities.*

The statement then said: *We appreciate your efforts to ensure fruitful work of our meeting, in particular your draft document providing proposals on substantive elements that may be included in the meeting's report. We think that the Chairman's document contains plenty of helpful information that should be further utilized, specifically regarding the issues related to the 1925 Geneva Protocol. The statement then pointed out that: We have repeatedly raised the issues relating to the Geneva protocol and its connection with the Convention. This connection,*

namely, the ban on the use of biological and toxin weapons, is of crucial importance to ensure credibility and integrity of the international legal regime that prohibits the use of biological agents as a weapon. As we have pointed out, currently we need to focus efforts on withdrawing reservations to the Geneva Protocol that envisage the use of biological or toxin weapons in retaliation. Regarding the withdrawal of reservations, there is an international consensus enshrined in the relevant documents adopted in the format of the BWC, CWC and UNGA resolutions. We welcome Portugal's withdrawal of the remaining part of its reservation to the Geneva Protocol this year. We call upon the States concerned to follow Portugal's suit and to notify the Depositary of the Protocol – the Government of France – that, in turn, shall inform all States Parties to the Protocol. Let us point out that the withdrawal of the reservations has no financial implications and demonstrates the commitment to a world free from biological and chemical weapons. We believe that the BWC Review Conference should assess the progress achieved in implementing decisions of the previous Review Conference concerning the withdrawal of reservations and the universalization of the Geneva Protocol. In this regard, we would like to request the Secretariat to prepare a relevant information document for the Review Conference.

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

The **United States of America** then spoke saying that: *my delegation welcomed your early circulation of draft elements for the final document of this meeting as a way to focus our efforts. The statement then said that: your draft elements paper provides an excellent basis for our discussions this week, precisely because it includes specific and detailed language. Some of that language, in our view, could be enhanced. Some elements may prove problematic. There are doubtless ideas and proposals not reflected in this draft that would make for a stronger report. But it is a good place to start, and as we proceed, my delegation intends to use this document as our roadmap and to provide clear feedback where we think the map needs additional refinement.*

The statement then went on to say that: *the ambitious intersessional agenda has not been matched by the resources, the organizational structure, or the political will needed to achieve the degree of “effective action” to which my government and many others aspire. Even as we seek to consolidate gains under the existing process, it is important that we look toward the 8th Review Conference in 2016, and begin the dialogue about next steps. Some will doubtless call for a renewed effort to negotiate a supplemental treaty. We’ve been down that road. The problems are well known – and despite the popular narrative, they are not limited to U.S. objections or to disputes over “verification.” This is a formula for years of inaction, while the threat continues to evolve and opportunities for action are lost. We can – and we must – do better than that. The statement then said that: we can strengthen our intersessional meeting processes. We can undertake new commitments, establish decision-making or advisory bodies, or increase the staff of our very small secretariat, the Implementation Support Unit. None of these ideas requires us to wait years for the uncertain outcome of an all-or-nothing negotiating process. All they require is political will. Although*

there are important issues on which we do not agree, we do agree on a great deal. For example, we agree on the need to strengthen national implementation measures to guard against the threats of proliferation and bioterrorism. We agree on the importance of international cooperation, especially to build nations' capacity to address health security challenges. We agree on the need to further develop approaches to implementing the mutual assistance provisions of Article VII. And – even if we do not all agree on how best to go about it – we agree on the need to find ways to strengthen mutual confidence that Parties to the BWC are effectively implementing the treaty and complying with their obligations.

The statement concluded by saying that: we need a more structured intersessional process, and one with greater authority to recommend actions and even take decisions. We need opportunities for focused work by experts on a range of topics – experts who are tasked to develop specific reports or recommendations for consideration by States Parties. We need a way to coordinate these efforts and ensure that they feed smoothly into meetings of the States Parties, so the BWC isn't something we address just two weeks out of every year. We need a process that feeds into BWC Review Conferences in an orderly and constructive way. This is a much more ambitious vision than our current process, but it is hardly revolutionary. The first proposals along these lines were advanced by States Parties from Africa and Latin America almost ten years ago at the Sixth Review Conference – clearly, ideas ahead of their time. But now is the time – the time to take those proposals, and those that came after, as a point of departure, and to start exploring a new way forward.

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

China then spoke saying that they appreciated *the synthesis paper prepared by the Chairman as a compilation of ideas and proposals made by the States Parties*. The statement went on *to briefly present China's positions on the issues concerned*. In regard to international cooperation and assistance, China said that they hoped that *States Parties will work together to further explore ideas and measures to promote earnest implementation of Article X of the Convention, taking into full consideration of the legitimate needs of developing countries for biotechnology and relevant materials and equipments in particular*. On advances in science and technology, the statement said that: *timely assessment of the impacts of biotechnology on the Convention, preventing its misuse, enhancing bio-safety and security capacity of the States Parties, strengthening oversight of dual-use scientific research is conducive to effective implementation of the Convention. To jointly tackle various biological risks and challenges, we should support the efforts by the States Parties, and strike a proper balance between development of biotechnology and its oversight.*

On strengthening national implementation, the statement said that: *establishing implementation mechanism, strengthening domestic legislation, improving bio-safety regulations are conducive to enhancing the effectiveness of the Convention. The States Parties should be encouraged, on a gradual and voluntary basis, to further share their experiences on implementation, and strengthen their national implementing*

measures according to their own national conditions. It should be pointed out that the best way to enhance the effectiveness of the Convention is through concluding a protocol with verification regime aimed at strengthening the Convention in a comprehensive manner. In regard to the biennial topic on Article VII, the statement pointed out that: it is a legal obligation for the States Parties to provide assistance in case of possible violation of the Convention. It is necessary to further discuss detailed procedures and mechanisms to provide such assistance. Relevant international organizations, including WHO, OIE and FAO, can play an important role in helping the States Parties to enhance their national capacity for disease surveillance and response. Upon the request made by a States Party, the above-mentioned international organizations may provide public health or humanitarian assistance, in accordance with their mandates, to the States Party in actual need.

The statement then concluded by saying that: *The rapid development and wide application of bio-technology have significantly enhanced the well-beings of the mankind. At the same time, the risks of misuse of bio-technology, epidemic diseases and bio-terrorism also threatens the security of the mankind. Bearing in mind this situation,*

We should strengthen the implementation mechanism of the Convention, promote the objectives of the Convention in a balanced manner and comprehensively fulfill all obligations under the Convention.

We should strengthen the capacity-building for implementation of the Convention, in particular, assisting the developing countries to increase their capacity in the field of monitoring, detecting and responding to the threat of bio-security.

We should strengthen international cooperation and assistance, sharing experience, exchanging information to jointly deal with major threats in the field of bio-security.

We should strengthen communication and coordination among countries and international organizations to establish proper contact channels, so as to enhance policy coordination and jointly safeguard global bio-security.

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

Kuwait then spoke saying that they supported the statement made by Iran on behalf of the NAM. They noted that there were currently 170 States Parties to the BTWC and urged all States that had not yet joined the Convention to do so as soon as possible. They considered that international cooperation and assistance should be intensified to counter the threat posed by biological weapons. They supported the Implementation Support Unit and were keen to contribute to the implementation of the Convention.

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

Japan then spoke saying that *Japan hopes that this Meeting of States Parties (MSP) enables us to compile our views on several issues, and build a common understanding and promote effective action towards the next review conference in 2016. In this regard, Japan highly appreciates your initiative to provide us, prior to the meeting, with the Chairman's draft elements for inclusion in the Report of the Meeting of States Parties.* It then went on to fully associate Japan with the JACKSNNZ statement delivered by Canada and went on to draw attention to a few points of particular interest for Japan.

In regard to advances in science and technology, Japan said that: *we firmly recognise the necessity to review scientific and technological development in life science and to take appropriate measures against biological threats. Although rapid advancement in the field of life science has benefited mankind, it also increases potential biological threats caused by their misuse or illicit use. In this regard, States Parties should fully implement the Convention by introducing or reinforcing legislative and administrative measures to withstand the rapid advances in life sciences. We also see the value of the development and establishment of an effective framework to review the advances in science and technology and their implications for the BWC. Japan, along with interested states parties, would like to actively engage in a discussion to develop a systematic review structure for the forthcoming Review Conference.*

The statement went on to provide examples of cooperation and assistance activities by Japan in capacity building in the fight against infectious diseases. In regard to strengthening national implementation, Japan said that: *Japan attaches great importance to strengthening national implementation in order to further reinforce the BWC. In order to keep pace with and address rapid development in life sciences, Japan reviewed a wide array of domestic biosecurity measures and shared with the States Parties to the Convention the actions we have taken at the Meeting of Experts in August. Furthermore, we also introduced our experience that periodic compilation work for submission of confidence building measure (CBM) forms could provide each of the internal ministries and agencies with valuable opportunities to review their current national status of BWC implementation and to also consider further possible measures and improvements. We hope that our experience and efforts would serve as a potential model for states parties interested to enhance their national implementation.*

The statement concluded by saying that: *We all share a goal to further reinforce the Convention. In light of being in the direction of moving towards a greater focus on effective action based on a broad range of common understandings which were reached in the past meetings, we need to collectively take forward a concrete outcome of this meeting with a clear vision of a post 8th Review Conference. In this regard, it would be necessary for us to work on in a practical and pragmatic manner, rather than the legally binding approach, by focusing on how to make existing initiatives and proposals into effective action.*

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

Mali then spoke saying that they endorsed the statement made on behalf of the NAM. They said that they converged on many points that made the Convention a relevant instrument to fight the proliferation of weapons of mass destruction. In regard to advances in science and technology, these were developing exponentially not only for peaceful purposes but also with the potential for misuse by non state actors including terrorist groups. It was necessary to pool our efforts to fight proliferation. Mali reaffirmed their national commitment to implementation of the Convention, which must be accompanied by well-coordinated multilateral action. In this context, a legally binding instrument would in the long term have the advantage of requiring states to respect the obligations they had taken on. No efforts should be spared to strengthen the implementation of the Convention.

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

Malaysia then spoke saying that they associated themselves with the statement made by Iran on behalf of the NAM and Other States Parties. In regard to advances in science and technology, the statement said that *Malaysia underscores 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 such threat is growing hand in hand with the ever evolving advancements in the bio-industry.* The statement went on to say that *We emphasize the importance for the Meeting of States Parties to reaffirm and to expand the understanding of the core principles and goals of the Convention, taking into account developments that had taken place in the international security environments, particularly in multidisciplinary scientific fields relevant to the BWC.* The statement concluded by saying *Malaysia firmly believes that Article VII and Article X of the Convention can be implemented in such a way allowing States Parties to undertake, facilitate and participate in the fullest possible exchange of equipment, materials, scientific and technological information and at the same time ensure efficient mobilization and maximum utilization of resources.*

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

Bulgaria then spoke saying that it fully associates itself with the statement to be delivered by the European Union. It went on to say that: *As the potential risk stemming from the biological agents and toxins poses continuous challenges to our security, the BTWC is more relevant than ever and we are fully committed to its universalization.* The statement then said that: *To increase the effectiveness of the BTWC, full compliance with the provisions of the Convention is needed as well as strengthened national implementation. The confidence-building measures are a key element in enhancing transparency and mutual trust and regular submission of CBMs reports are of great significance in this regard. Confidence and compliance could be enhanced through exchange of information, experience and best practices as well as compliance assessment under a peer-review mechanism.* Bulgaria then said: *A strengthened national implementation requires also that an effective national export control system be in place. The working paper [BWC/MSP/2014/WP. 2] in this regard, introduced by the US and co-sponsored by many states-parties, including Bulgaria, to be discussed under the Standing agenda*

item “Strengthening National Implementation”, sets out clear elements in this regard. Building a common understanding among the States-Parties on the efficiency of the export control would undoubtedly contribute to curbing the risks of proliferation of biological weapons without creating impediments to the legitimate trade or peaceful international cooperation and technology transfers. The statement concluded by saying that: As we are approaching the Eighth Review Conference in 2016, we also share the view that setting up an appropriate and timely preparatory process for the Review Conference would only contribute to a fruitful result-oriented discussion on the strengthening of the Convention.

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

India then spoke saying that *India associates itself with the statement made by the Islamic Republic of Iran on behalf of the Non-Aligned Movement and Other States Parties to the BWC. The statement went on to say 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 threat posed by terrorists or 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 compliance by States Parties of obligations under the Convention and act as a deterrence against non-compliance. India shares the widespread interest amongst States Parties to strengthen the effectiveness and improve the implementation of the Convention through the negotiation and conclusion of a Protocol for that purpose covering all provisions of the Convention.*

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. There were useful discussions under this agenda item last year. Our focus this year should continue to be on high risk dual use research with specific focus on advances in our understanding of pathogenicity, virulence, toxicology and immunology. Our aim should also be to seek greater clarity on aspects of range of types and quantities of such agents and toxins, whether naturally occurring or altered which potentially could pose a risk to the Convention, for the purpose of reaching common understandings on criteria for assessing risks of relevance to the Convention. It then added that: In our view, measures taken to mitigate biological risks should be proportional to the assessed risk and not hamper legitimate peaceful activities including international cooperation. Further, there should be no hindrance to peaceful activities such as vaccine development, which are important for developing countries for meeting their public health needs. 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. We should continue to explore various proposals on conducting S&T review under the Convention in the run up to the next Review*

Conference, including the proposal made by India in the working paper submitted to the last Review Conference. [BWC/CONF.VII/WP. 3]

The statement then said that: *While India continues to attach high importance to the full and effective implementation of Article X, we believe that strengthened implementation of Article III would ensure that the cooperation envisaged under Article X is not abused. Thus effective national export controls are important tools to prevent the misuse of biological agents and toxins for purposes prohibited by the Convention or falling into the hands of terrorists, which is a major concern for the international community. It then said that: India has strong and law-based national export controls and is committed to maintaining the highest international standards with reference to control of biological agents and toxins to ensure that transfers are authorised only when the intended use is for purposes not prohibited under the Convention. In this regard, we welcome the Working Paper on elements for effective national export controls submitted by the United States and others in the Meeting of Experts in August this year as a useful contribution to our discussions for promoting common understanding and effective action in the context of the BWC. [BWC/MSP/2014/MX/WP. 8/Rev. 1]*

The statement then said that: *The standing agenda item on National Implementation provides a ready platform for States Parties to share and learn from their national experiences in the implementation of the Convention. We have emphasized the responsibility of States Parties to fully implement their obligations under the Convention and adopt requisite national measures to this end. 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. It then went on to mention the recent Ebola outbreak and said that: While coordination and cooperation with relevant UN bodies such as the WHO, FAO, OIE, etc. are important complementary measures, it is clear that the lack of a comprehensive Protocol to strengthen implementation of all aspects of the BWC has created a gap in the international community's capacity to respond effectively and provide assistance to States Parties to the BWC. Pending the conclusion of a comprehensive Protocol, a separate data-base on Assistance under Article VII could be a useful first step in bridging this gap.*

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

The **Republic of Korea** then spoke saying that it aligned itself with the JACKSNNZ group statement delivered by Canada. The statement went on to say that: *First of all, the Republic of Korea shares the Chair's focus for this year's BWC meeting on building common understandings and effective action. Along this line, we appreciate that the Chair provided us with the "draft elements for inclusion in the Report of the Meeting of States Parties" earlier than usual with a view to facilitating our work at this Meeting. It is our sincere belief that such an action-oriented and constructive approach that the Chair has taken so far will contribute to yielding consensus on the final document of this Meeting so that we can build up common*

understandings leading up to the next 8th Review Conference. The statement went on to say that: It is our consistent view that those efforts to strengthen the Convention should be based on effective national implementation of the Convention by each State Party, which needs to be complemented with strong confidence-building. The statement then said that: The Convention can be implemented through not only putting in place proper national legislation but also promoting cooperation at the regional, sub-regional and cross-regional levels. The Republic of Korea believes that the States Parties can find more opportunities to strengthen the national implementation through regional and international cooperation. This is why we believe in the value of the international cooperation mechanism of the BWC regime. Along these lines, the use of the database system of the BWC regime needs to be further expanded in a way that the requests for and offers of exchange of assistance and cooperation can be better matched. The statement went on to mention the involvement of the Republic of Korea in the Global Health Security Agenda and also in the work of the 1540 Committee saying that: It is our sincere hope that collaboration between the BWC and 1540 Committee can be further intensified in a way that nurtures exchange of views and sharing of effective practices. Through these efforts, we can promote our common goals of mitigating increasing threats posed by biological weapons in a more effective and consistent manner.

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

The Netherlands then spoke saying that they congratulated Mr. Daniel Feakes on his appointment as the new head of the ISU. The statement then said that: *In addition to the statement by the European Union that will be delivered later, we would like to make the following remarks.*

Only two years separate us from the next Review Conference. In order to be able to reach a positive and substantive outcome at the revcon, we believe it is necessary to start our preparations as soon as possible, thus allowing time for discussions with all stakeholders on the best way forward. We feel that our current schedule of just two meetings per year is not enough to reach common understanding among all States Parties.

To help setting up such a preparatory process, together with Germany we are planning to submit a Working Paper titled 'Towards the 2016 BTWC Review Conference: Proposals for strengthening the implementation of the BTWC.'

The statement then went on to say that the aim of this paper was two-fold: *Firstly, to promote the idea for setting up informal open ended meetings with all interested States Parties in order to better prepare for the 2016 revcon. These meetings should in our view be inclusive, cross-regional, open-ended and avoid a predetermined outcome. The overall objective should be fairly broad, allowing for an open-minded debate amongst States Parties. And also: Secondly, to put forward some suggestions of topics that may be discussed during those meetings, such as how to build confidence? How to make the database of offer and requests of assistance under article X more*

effective? How to improve national implementation? The list we propose is not meant to be exhaustive and other topics may be discussed. The statement went on to add that: We would like to use this opportunity to invite all States Parties to sponsor this paper as we are aiming for a broad support.

The statement then said that: The Netherlands attaches great importance to the full implementation of all commitments of States Parties to the BTWC. We believe a broader debate on compliance issues is necessary in order to strengthen compliance with the Convention. To facilitate and stimulate such a dialogue the Netherlands financed several meetings on this matter. In follow-up to the French Peer Review, the Netherlands together with Belgium and Luxembourg will conduct a Benelux Peer Review exercise. By conducting this exercise we aim to improve the national implementation of the Convention while also contributing to build confidence between States Parties. Transparency is key as are sharing best practices on international cooperation. CBM's represent a unique instrument to help increase mutual trust, generate transparency and help demonstrate compliance. It is for this reason we have decided to include the CBM's in our peer Review exercise. They will form the basis of our national implementation evaluation.

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

Germany then spoke saying that: *Germany fully aligns itself with the statement of the European Union that will be delivered ... later in the debate. It went on to stress the importance of universality and then in regard to national implementation said that; Well-designed national laws, ordinances, regulations and controls are not only critical to fulfilling the obligations of Article IV. They are also essential for the implementation of UN Security Council Resolution 1540. In the current intersessional process a good deal of work has been accomplished on this topic. However, States Parties need to continue, in our view, to seek consensus on the body of measures that actually constitute effective national implementation, including export control regulations. We are confident that further progress towards the development of a common understanding to be adopted at the next Review Conference can be made. The statement then took note of the Ebola outbreak and made the point that Under the Convention, States Parties are obliged to provide cooperation and assistance for the prevention of disease. The statement then went on to say that: In two years' time we will be assembling here, possibly in this very room, for the next Review Conference. As this date is quickly drawing closer we believe that it makes perfect sense to consider how to best prepare for it. Let me be more specific. Germany is of the view that we may want to set aside more meeting time that really allows for informal debate in order to prepare adequately for the Review Conference in 2016. Just holding a formalized meeting of experts and a meeting of States Parties per year does not seem sufficient. Together with the European Union we, thus, propose for the consideration of States Parties at this meeting that ideally as of the first quarter of 2015, States Parties could hold additional informal consultations within the framework of the intersessional process and preferably on a no-cost basis on ways and means to strengthen the Convention. The statement then said that: I would like to underline that this proposal is in no way meant to diminish or supplant the intersessional process. On*

the contrary, it should supplement and augment it with a view to optimizing our collective preparation for the Review Conference. Given the history of the BTWC process we are convinced that the following interlocking and mutually reinforcing principles would be essential and fundamental for harvesting success: The statement then elaborated the following points:

- *Priority to be given to process.*
- *Transparency and inclusiveness in a cross-regional approach*
- *No predetermination of outcomes.*

Before going on to conclude by saying that: These open-ended meetings could be convened under the auspices of the Chair and the Vice-Chairs of the Meeting of States Parties in 2015. Once agreed the President-elect of the Review Conference could take forward these informal consultations under his auspices. They could take place either at the level of Geneva delegations or, as appropriate, reinforced by representatives from capitals. The delegations of the Netherlands, Germany and inter alia Estonia, France, Finland, Italy, Hungary, Norway, Poland, Republic of Korea, Spain and Sweden have prepared a working paper that contains some further elements for consideration of States Parties. We would like to suggest, Mr. Chairman, that you identify a suitable timeslot in the course of this week to allow States Parties to consider this idea further if they so desire.

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

Italy then spoke saying that Italy aligns itself with the statement to be made by the European Union. It then went on to say that *universalization of the Convention is a top priority and we encourage those remaining states that have not yet adhered to or ratified it to do so without delay.* The statement went on to say that *Confidence-Building Measures remain an essential instrument to promote the purposes of the BTWC, as they help demonstrating compliance with the Convention, and renewed efforts are needed to increase the effectiveness of the CBMs process. Moreover, we support further consideration of innovative approaches to enhance national implementation and build mutual trust between States Parties such as the voluntary exchange of information and best practices through, for instance, the proposed peer review mechanism.* On international cooperation, the statement went on to say that: *we consider exchanges in biological sciences and technology, including equipment for peaceful purposes, a legitimate goal under the BTWC. However, there is the need to ensure that in accordance with Article III, only activities for peaceful purposes not prohibited by the Convention are undertaken. As a consequence, we are convinced that appropriate export controls are compatible with the provisions of Article X. It is our collective responsibility to guarantee that cooperation in biological sciences or in the economic and technological fields does not turn into unwanted assistance in the development of biological weapons.* The statement went on to say that: *We believe that special attention should be given to advances in bio-sciences, and we are therefore open to explore options to ensure an appropriate monitoring and assessment of scientific and technological developments that have an impact on the Convention. We are, in particular, in favour of stronger and sustained links between the scientific and diplomatic*

communities, for example, through side events and thematic workshops.

The statement then concluded by saying: *Our main priority, at this stage, is to focus our attention on the preparatory process for the Eighth Review Conference in 2016. In this prospect, the Intersessional Meetings have provided a valuable opportunity to put forward many new ideas and initiatives. We believe that it is time to envisage a transparent, inclusive and participatory process aimed at consolidating common understandings on the proposals to strengthen the Convention that have emerged from the Intersessional Meetings. In this vein, we are supportive of the idea to establish a framework for consultations that will help us to have in-depth substantial discussions on the core items in the agenda. We are looking forward to this important Meeting of States Parties with the hope that we can reach a common ground on a viable and constructive preparatory process, which would guide us towards a successful 2016 Review Conference.*

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

Brazil then spoke saying that Brazil associates itself with the statement made by Iran on behalf of the Non-Aligned Movement and Other States. The statement went on to say that: *Unfortunately, forty-two years after its negotiation, the BWC continues to be a fragile regime. Compared to the effective measures established, for instance, by the Chemical Weapons Convention to verify compliance and deal with violations, the mechanisms at the disposal of the BWC are clearly insufficient to promote confidence and improve international cooperation in the field of peaceful biological activities. We are convinced that the effectiveness of the BWC could be greatly enhanced through the adoption of a verification mechanism. We witness exponential advances in life sciences and biotechnology, as well as increasing spending in biodefense programs. While such developments are welcome and legitimate, it is critical for States Parties to be collectively reassured that the provisions of the BWC are being complied with. The statement went on to add that: I would like to recall that Brazil was an interested and active participant in the efforts to negotiate a verification Protocol to the BWC, which were suspended in 2001 without a consensual outcome. Like many other countries, Brazil was frustrated that States Parties could not reach an agreement. In our view, the compromise text, proposed by the Chairman of the so-called Ad Hoc Group, was an acceptable basis for further negotiations, offering a reasonable balance between measures to increase confidence in compliance and the need to protect legitimate national security interests and trade secrets. Pending the resumption of negotiations on a verification Protocol, some States Parties decided to focus their non-proliferation efforts elsewhere. Those efforts, however, should not preclude BWC States Parties from taking action in order to strengthen the multilateral biological disarmament regime. In this regard, Brazil supports the establishment of an Organization for the Prohibition of Biological Weapons, which would contribute not only to restore the credibility of the BWC, but also to foster international cooperation in the life sciences and related fields. For us, the fact that the BWC lacks an Organization to oversee its implementation as well as an effective verification mechanism remains a core concern. As long as this uncertainty regarding compliance with the BWC persists, the world will continue to face the*

threat of biological weapons proliferation.

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

Ecuador then spoke saying that they fully endorsed the statement made by Iran on behalf of the Non-Aligned Movement. The statement went on to welcome the synthesis document prepared by the Chair which was a very balanced and useful document which provided a good basis from which to develop common understandings and effective action. The statement went on to emphasize the importance of achieving universality with the BWC. The statement went on to say that Articles VII and X were crucial for the implementation of the Convention. The statement then supported two Working Papers: one submitted by Canada, Chile, Colombia, Costa Rica, Ecuador, El Salvador, United States of America and Mexico (BWC/MSP/2014/WP. 5) on mechanisms to monitor implementation of the Convention and the other submitted by Chile together with Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Italy, Mexico and Spain (BWC/MSP/2014/WP. 6) proposing a code of conduct for all those using biological materials.

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

This concluded the morning session and the Chair invited Mr. Daniel Feakes, head of the ISU, to make some administrative announcements. Mr. Feakes announced that the NAM would be meeting in Room E. 2066 and that there would be side events – one by the Ukraine and University of Bradford entitled *Building a Web of Prevention: Progress to Date* would be in Room XXIV and one by King's College London entitled *The Threat of Manufactured Disease* would be in Room XXV. The Chair then closed the formal session saying that the afternoon session would start at 3 pm.

General Debate, afternoon Monday 1 December 2014

The Chair opened the afternoon session saying that 22 States Parties wished to make a statement. He invited France to make their statement.

France then spoke saying that France endorsed the statement to be made by the European Union. The statement went on to say that France is convinced that the future of the Convention requires the adoption of concrete measures to make its implementation more effective. As we are entering the preparation phase for the 8th Review Conference, it is essential to start discussions as early as possible to identify courses of action so that consideration can be given at the Review Conference on the best way to implement such courses of action. To achieve this, the establishment of working groups in preparation for the Review Conference is an idea that deserves further study. The statement went on to recall that France proposed at the last Review Conference the idea of a peer review mechanism under the Convention. A pilot exercise was held in Paris in December 2013 in order to work out the practical details of this proposal. The purpose of peer review is to allow the organizing State Party to strengthen its national implementation and to carry out an exchange of good practices with its peers. This is an innovative

approach that France hopes will help advance the implementation of the Convention. The statement welcomed the high quality of this year's discussion of the biennial item, including the proposals made by France, as it attached great importance to work on preparing ways to implement Article VII. France hoped that the Report of this Meeting of States Parties would include propositions leading to more closely focused progress on this item in 2015. The statement concluded by reiterating that France has played an active role in the mechanism of the Secretary General of the United Nations for alleged use of biological and chemical weapons by organizing, in conjunction with the UNODA, a training session for experts in November 2012. France will organize a further training session, in connection with UNODA in June, 2015.

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

Finland then spoke saying that Finland fully aligns itself with the statement of the European Union to be made later. The statement went on to say that: *A treaty is as effective as its implementation. Therefore, national implementation remains a key to the effectiveness of the BTWC. Against this backdrop, Finland joined the US Working Paper on "National Implementation – elements of an effective national export control system". [BWC/MSP/2014/WP.2 and Add.1] We believe that all states can contribute and improve their export control systems in order to limit the risk of biological weapons related items ending up in wrong hands. In this context, it is also vital to keep up with the advances in science and technology.* The statement went on to say that: *Having served us in many ways, the BTWC also has its shortcomings. For instance, the Convention is lacking a verification mechanism. Therefore it is vital to build confidence in compliance in other ways. We could further improve confidence building measures (CBMs), provide reports on national implementation, and work on other transparency measures. With the Eighth Review Conference in 2016 in mind, we should continue exploring constructive ways to strengthen the existing mechanisms of the Convention. The European Union and its Member States have suggested a preparatory mechanism established ahead of the 2016 Review Conference.* The statement went on to say that: *Countering biological threats by enhanced biosecurity is a vital element of the global non-proliferation agenda. As we have seen this year, infectious disease outbreaks pose not only an international health threat but also an international security threat. National multisectoral cooperation and preparedness is at the core of combating infectious diseases effectively through strengthened biological and health capabilities. Accurate detection and diagnosis of infectious agents are basic requirements in biosecurity and also in health security. Strengthened capacities are needed to prepare for and respond to public health threats. Biological threats do not recognize national borders and therefore international cooperation is absolutely necessary. Global partnerships play an important role in the field of biosecurity. Through initiatives such as the Global Partnership Against the Spread of Weapons and materials of mass destruction, and the Global Health Security Agenda, we are looking for means to advance global health and biosecurity by concrete actions.*

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

Turkey then spoke saying that: *The geographical position of Turkey makes the issue of universalization an important consideration. Unfortunately, some of the States not party to the Convention are in areas of regional instability, which is an additional concern. Therefore, Turkey calls upon all States not party to the BTWC to adhere to it without further delay.* The statement went on to say that: *As for the Confidence Building Measures; although there have been considerable improvements in the area of CBMs, the submission of reports has not yet reached a desirable level. CBM reports are imperative tools for mutual understanding and transparency as they aim to prevent and reduce uncertainties regarding compliance. Turkey has submitted reports regularly, and last four years' data can be found online for public use. We advise all States Parties to do the same.* The statement then said that: *On the other hand, lack of a verification regime in the Convention weakens its purpose, and Turkey believes that an improved system like the Chemical Weapons Convention would work to strengthen the efficacy of the Convention. Since there is currently no consensus on a verification protocol within the BWC for the time being, States Parties need to focus on strengthening current mechanisms of the Convention.* The statement concluded by expressing deep concern about the outbreak of Ebola virus in West Africa and referring to UN Security Council Resolution 2177 (2014), which was co-sponsored by 133 countries including Turkey, which has laid the basis for a global response to the Ebola outbreak.

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

Sweden then spoke saying that Sweden is fully aligned with the statement to be delivered by the European Union. The statement went on to say that: *Sweden has been a leading proponent of the Secretary-General's mechanism for Investigation of Alleged use since its inception in the 1980s and contributed to its strengthening over the years. We were proud that Mr. Ake Sellstrom was selected to lead the investigation into alleged use of chemical weapons in Syria last year, and we will contribute to the UN's efforts to draw lessons from that investigation.* The statement continued to say that; *In terms of biosecurity, Sweden participates in related and complementary efforts, such as the Global Partnership and the Global Health Security Agenda, and is a major contributor to international efforts to combat the Ebola outbreak in West Africa* The statement then said *Sweden attaches great importance to the BWC and its full implementation. We see a need for a collective effort to re-energize our work within the Convention in order to ensure its continued relevance and contribution to collective security. The lead-up to the Eighth Review Conference should, in our view, be devoted to a concerted effort to achieve this objective. We believe that the current over-arching method of work in the BWC, i.e. the intersessional process, has not delivered all the desired or necessary results. Sweden supports the idea of using open-ended working groups to consider topics where there is a good potential for reaching consensus. This might include, for instance, international cooperation and assistance in the context of Article VII, compliance assessment and peer review, and the evaluation of scientific and technological developments. As to the exact format and modalities of such a process, we would be flexible, but we are convinced that a thorough discussion is*

necessary. We believe that an ambitious, yet pragmatic approach should be taken, where a combination of different approaches should not be ruled out. The main goal is of course to achieve concrete results in terms of strengthening the Convention and its implementation. If a preparatory process could be set in motion, which could come to fruition at the Review Conference in 2016, we would see this as a clear success in terms of strengthening the Convention. Such an effort needs to be truly collective. We hope that a large number of States Parties will play active and constructive roles. In our view, it is of vital importance that we – the States Parties to the BWC – collectively can achieve broad engagement from all groups and States in the continued efforts to strengthen the Convention.

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

Argentina then spoke saying that it was important at this Meeting of States Parties to think strategically about where we are headed in 2014. Argentina then said that universality was crucial and efforts should be expanded to obtain further accessions to the Convention. The statement went on to recall the commitment at the Seventh Review Conference to the three Standing Agenda items and the biennial items. On cooperation and assistance, Argentina was ready to support and promote science and technology exchange. On advances in science and technology, it was important to enhance responsibility of those in the life sciences using this knowledge. On strengthening national implementation a multilateral and neutral approach was needed. States Parties needed laws and regulation to implement the Convention and Argentina had done this.

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

Morocco then spoke saying that the Meeting of States Parties coincided with the international efforts to counter the outbreaks of Ebola in some seven countries with over 5,000 deaths. It was important to strengthen the capacity to counter outbreaks of disease. Bilateral and international efforts were needed to better respond to the outbreak of disease. The statement went on to say that Morocco and Germany had entered into a partnership for biosecurity and to minimize the risks of epidemics and to take care of dangerous pathogens.

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

Mexico then spoke saying that the BWC was one of the main pillars for disarmament and security. In looking ahead to the Review Conference in 2016, Mexico agreed that we needed to move forward on a verification instrument – Mexico was flexible as to whether this was a continuation of the past Protocol or a new one. The statement went on to say that CBMs reports were particularly important. It was important to increase the number of national reports and to improve the quality of reports thereby increasing transparency and increasing confidence in compliance. It was important to move to an approach based on human security and so migrate beyond one based on military security. It was important to enhance relationships with academia and civil society as well as to

benefit from the essential synergies with the WHO, FAO and OIE.

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

Algeria then spoke saying that they supported the statement made by Iran on behalf of the NAM. Algeria considered biological weapons were a real threat to international peace and security. The life sciences were developing rapidly and the risks of dual use needed to be addressed. Biological weapons are a threat to all which was aggravated by terrorists and the Convention was the only multilateral framework to prevent proliferation. The statement went on to stress the support of Algeria for the conclusion of a legally binding instrument that addresses all articles of the Convention in a balanced manner – a point made at the NAM Ministerial meeting in May. Algeria hoped for concrete commitment to this at the Review Conference in 2016. The statement went on to thank the Chair for his paper with elements for the report of the MSP. In regard to cooperation and assistance, Algeria supported peaceful collaboration with the transfer from developed countries to developing countries of capabilities for peaceful purposes. Cooperation in public health would help States Parties to be better able to respond to outbreaks of disease. In regard to advances in science and technology, reviews of the advances relevant to the Convention and codes of conduct for scientists were useful. On strengthening national implementation, all States Parties must take all necessary steps to implement the Convention. Algeria had submitted its CBM for the first time. Regardless of whether outbreaks of disease were natural, accidental or deliberate, it was important to improve collaboration between developed and developing countries. The statement concluded by stressing the importance of universality.

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

Kenya then spoke saying that Kenya associates herself fully with the statement made by Iran on behalf of the NAM. The statement went on to say that *Kenya puts a lot of significance to the implementation of the BTWC and continues to undertake the following activities:*

- I. Training on biosafety and biosecurity*
- II. Implementing awareness program on biosafety and biosecurity*
- III. Establishing cooperation in the field of biosafety and biosecurity. The latest one being with Denmark.*
- IV. Implementing International Health Regulations (2005).*
- V. Undertaking weekly disease surveillance*
- VI. Equipping the Kenya national scientific document centre that is open to scientists, academia and public.*

The statement went on to conclude by saying that: *The following need to be considered by the States Parties:*

- I. Strengthening bilateral and multilateral collaboration to ensure safety of*

- humans, animals, plants and environment.*
- II. *Technology transfer from developed to developing countries.*
- III. *Enhancing regional and national capabilities.*
- IV. *Universalization of the Convention.*

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

Australia then spoke saying that they especially appreciated the MX synthesis paper and the early circulation of the draft elements for inclusion in the MSP/2014 report. The statement went on to say that: *Australia maintains that compliance with, and effective national implementation of the Convention, is fundamental to addressing this risk and provides the mechanisms to mitigate international security concerns. To this end, we all have an interest in ensuring that we have executed domestic arrangements for the effective national implementation of the BTWC.* The statement went on to say that: *We also are particularly pleased to have worked closely with regional countries on a national implementation paper which we submitted at the Meeting of Experts with co-authors, Malaysia, and with the support of Thailand, Japan and Korea.* [BWC/MSP/2014/MX/WP.11] *We have developed a new text on this issue for the Meeting of States Parties which we commend to States Parties present.* [BWC/MSP/2014/WP.8] *We would like to see such cross regional initiatives increase in support in the lead up to the BWC Review Conference in 2016.*

The statement then said that: *Australia notes the proposal made at the Meeting of Experts to relaunch negotiations towards a legally binding instrument for the BWC. This could serve as a positive catalyst to encourage us all to think afresh about what actions are needed to strengthen the Convention. However, our preference would be to favour a more practical approach to strengthening the BWC. Many of the activities contained in this proposal can be better advanced now by those States Parties willing to act nationally or collaboratively with other like-minded partners. Establishing a new legally binding instrument would be time-consuming, difficult to negotiate and there are no guarantees that it will be accepted.* The statement then went on to consider Article X cooperation. It said that *Another practical example of our collective efforts to promote Article X cooperation is the recent submission by the Chair of the Australia Group, on behalf of the AG membership, to the ISU of an offer to provide assistance enabling States Parties to request assistance from AG members about the implementation of export controls for chemical and biological transfers.* [Further information on this offer is available on the unog.ch/bwc website in the assistance and cooperation section on offers under Offer_2014_038]

In regard to advances in science and technology, the statement went on to say that: *We are pleased to note a reference in the draft elements paper “to fostering greater cooperation between the communities supporting the Chemical Weapons Convention and the BWC, bringing scientific experts and policy makers together for greater interaction, as well as exploring ways that States Parties could leverage relevant work of the OPCW’s Scientific Advisory Board”. Australia would welcome broader technical input at the annual Meeting of Experts or on an ad hoc basis as*

required.

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

Ghana then spoke saying that Ghana aligns itself with the statement made by Iran on behalf of NAM and other States. The statement went on to say that: *In order to ensure the effective implementation of the Convention and to enhance our capacity to prevent or contain bio-accidents or attacks, Ghana will in due course submit to the Implementation Support Unit some essential technical requirements to expedite our efforts. It is worthy to note that in the whole of West Africa, we do not have high security human laboratories that can competently facilitate the timely isolation of very dangerous infectious diseases to contain their spread. We believe that this situation needs to be addressed with the support of our developed partners under this Convention, and we will appreciate engaging other States parties which may be willing to cooperate with Ghana in that regard.* The statement then went on to note the recent Ebola outbreak saying that this *has awakened not only the developing countries in Africa, but indeed the entire world, to the possible dangers posed to people everywhere in our globalized society, regardless of their state of preparedness, thus, emphasizing the need to continue to work together to effectively implement the Convention.* The statement concluded by saying that: *We believe that the Confidence Building Measures under this Convention can effectively enable any States Party to ascertain its state of readiness to contain accidental exposures of bio-agents. In that regard, the Government of Ghana will endeavor to submit the initial report of Ghana to the Implementation Support Unit without further delay.*

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

South Africa 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: *South Africa shares the view that a legally-binding instrument is necessary to strengthen the Convention as a whole and to improve its implementation. We believe that the draft Protocol negotiated in the past within the context of the Ad Hoc Group provides a useful basis for further work and South Africa looks forward to resuming these negotiations. Indeed, the establishment of such an instrument should remain our primary goal. However, in the absence of this, my delegation remains committed to examining other ways in which to strengthen the Convention, given its importance to advancing Africa's development needs and priorities, which lie at the very centre of South Africa's foreign policy efforts. As part of this process, we believe that it is imperative to ensure the effective implementation of the agreements made in 2013 on the intersessional process, so as to lay a strong foundation for securing the success of the next Review Conference. Imperative in this regard is the manner in which we utilize the Meeting of Experts to provide input to the Meeting of States Parties in order to promote the common understandings and effective action that we collectively seek.* The statement then went on to discuss cooperation and assistance saying that: *South Africa believes that it is vital to focus on the development and co-operation elements of the Convention. Currently South African research institutes are involved in cooperation*

arrangements with other States in Africa as well as developed countries. The statement went on to add that: As part of our efforts to strengthen international cooperation and assistance, South Africa is of the view that it is important to examine the manner in which Article X is currently implemented. We therefore welcome the deliberations of the Meeting of Experts which endeavoured to highlight the needs and challenges in this regard. However, in dealing with these obstacles there is an urgent need to take this a step further by assessing the actual functioning of the cooperation database, which was established at the Seventh Review Conference precisely to facilitate this process. Such an assessment could go a long way to enabling us to evaluate its efficacy with a view to identifying possible measures to improve participation rates and the overall manner in which it currently operates. Indeed, for South Africa, the database is central to ensuring that Article X is implemented by all States Parties. As such, it should be developed and expanded to fulfill this important role. South Africa welcomes the initiative taken following the 2013 Meeting of States Parties to make public part of the database highlighting the offers. Furthermore we believe that assessing the overall functioning of the database may also assist in evaluating its effectiveness. The statement concluded by saying that South Africa would like to encourage all States Parties to work as a collective in achieving the goals of the Convention, with the spirit of cooperation that is required to effectively strengthen the implementation of the BWC, which is a core element of international peace and security.

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

Iraq then spoke saying that Iraq associated itself with the statement made by Iran on behalf of the NAM. Iraq was fully committed to the BTWC and supported efforts to achieve universality. Iraq also supported technical cooperation and assistance to developing countries, enhancement of national implementation and the submission of Confidence Building Measures. Iraq welcomed the exchange of information thereby increasing transparency and hence facilitating compliance. The statement went on to add that Iraq had submitted national information to SCR 1540 in May 2013, had adopted legislation on biosafety and biosecurity. Iraq had submitted two reports on international and cooperation to SCR 1540 and in April 2014 had submitted a CBM to the ISU.

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

Colombia then spoke saying that they valued the BTWC and fully abided by the BTWC requirements. It was necessary to balance prohibition and the fostering of peaceful uses. Article X enabled broadest exchanges for peaceful purposes. Colombia was currently drawing up legislation for the BTWC and for SCR 1540 as well as setting up a National Authority. This legislation would address biosafety, transfers and national regulation and inspection arrangements to ensure that every aspect of dual use material was secure. Colombia welcomed the Working Paper on code of conduct that they were co-sponsoring with Spain and other countries [BWC/MSP/2014/WP.6 sponsored by Chile, Colombia, Costa Rica, Ecuador, El Salvador, Italy, Mexico and Spain]. In regard to the lack of a verification mechanism,

Colombia supported the idea of having a debate as it was important to have a consensus of States Parties on how best to move forward on this.

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

Cuba then spoke saying that Cuba endorses the statement made by Iran on behalf of the NAM and other States Parties. The statement went on to say that *Like the rest of the NAM members and other States Parties to the Convention, we consider that it is necessary to have a legally binding and multilaterally negotiated Protocol that includes the basic pillars of the Convention and among them, assistance and cooperation.* The statement then said that *Cuba reaffirms that the economic and technological development is an obligation for the States Parties. In this regard, developed countries should promote international cooperation for the benefit of developing countries and eliminate the restrictions on the free exchange of equipment, materials and scientific and technological information for the use of biological agents and toxins for peaceful purposes. In turn, we believe that delays in presenting and offering assistance to the database cannot postpone the full and effective implementation of Article X of the Convention.* The statement then went on to address the economic, commercial and financial blockade imposed by the United States for more than 50 years which Cuba regarded as a violation of the Convention, particularly of Article X. The statement then went on to say that although the summary circulated to all States Parties is *an appropriate document, we consider that its non-negotiated nature invite us to make some reflection.* The statement then went on to conclude by saying that *With regard to the draft elements recently circulated by you with proposals to be inserted in the draft report of this meeting, allow me to express that this paper could undermine the structure and mandate established for the intersessional programme agreed at the Review Conference, and also could prejudge the outcome of deliberations in this meeting. We encourage everyone to actively participate in the debates so that the final report reflects what takes place in the meeting in a balanced and practical manner.*

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

Thailand then spoke saying that Thailand associates itself with the statement made by Iran on behalf of the NAM. The statement went on to say that *we remain vigilant in preventing any misuse of biological material. We focus a lot of our efforts as well on strengthening the capacity of our relevant agencies and personnel to implement our obligations as state party. We fully cooperate and support the implementation of the Convention, including through submission of Confidence Building Measures (CBMs). Therefore, we are in process of improving internal legal frameworks as well as measures for monitoring, enforcement and awareness-raising, in line with the outcomes of the 7th Review Conference in 2011.* The statement went on to add that *On matters of cooperation and assistance, which is vital for the achievement of the Convention's objectives, Thailand wishes to reiterate the importance of education, training and exchange programmes and human resource development pursuant to the Convention. On international cooperation towards capacity building, we also recommend that a grouping or network of States Parties*

possessing the necessary capabilities and expertise on biosafety be properly established whether at sub-regional, regional, or international levels. This grouping or network would be tasked to provide support to States Parties in need, complementing the work of the ISU. Moreover, the ISU could consider compiling a roster of experts, whose advice may be sought on biosafety and biosecurity issues, which would contribute further to national capacity building efforts. The statement went on to say that Thailand also seeks to promote active networks among regional and international organisations, most notably in safety and security for research in the biological sciences. The statement then noted steps that Thailand had taken in regard to advances in science and technology. In regard to strengthening national implementation, the statement said that On export controls, the responsible agencies are in the process of drafting notifications requiring dual-use goods to be declared before export. Specifically, a draft biosafety legislation is in progress, while amendments to the Pathogen and Animal Toxins Act have been proposed as well as more extensive monitoring mechanisms. It is with this commitment to the strengthening of national legislation that we have co-sponsored the joint Working Paper on National Implementation of the Biological Weapons Convention which will be presented to this MSP. [BWC/MSP/2014/WP.8 submitted by Australia, Chile, Costa Rica, Ghana, Japan, Malaysia, Republic of Korea and Thailand]. The statement concluded by noting the recent outbreak of Ebola virus disease and saying that: We are reminded that the knowledge, cooperation networks and capacity building under the Convention are the very mechanisms we need to draw upon in order to respond to such outbreaks in a timely and effective manner.

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

Iran then spoke saying that: *the framework for our work in the inter-sessional period has been devised on the basis of 7th Review Conference mandate that we should follow its terms of reference on how to structure common understandings and possible effective actions if agreed by consensus. In our view, the intersessional mechanism cannot be substituted by hasty incremental approaches to verify compliance of States Parties to the Convention. Such approaches are designed to promote understanding and effective action on issues identified by the 7th Review Conference, hence it should not in any way be considered as alternate to multilateral negotiations aimed at non-discriminatory legally binding instrument strengthening the Convention in its entirety. Furthermore, selective approaches to promote common understanding and effective actions without paying due attention to the legal framework of the outcome of the Review conferences, would not contribute to the consensual needed balanced in this Meeting of States Parties. We are of the view that the 7th REVCON outcome document is a delicate balance towards strengthening all provisions of the convention in a comprehensive manner. ... It should be well noted that until and unless the momentum for negotiating of a legally binding instrument, any measure by the States Parties, would have the value of merely being as voluntary measures as agreed. Therefore the efforts to impose conditionality or substantial commitments beyond the agreed framework of the Review Conference and its mandate, would be contrary to our common efforts towards promoting understanding and effective action and would yield to further gap among states parties. The statement went on in regard to the implementation*

of Article X to say that: *In this regard, this meeting could trigger establishing an open-ended working group for implementation of Article X to examine the NAM paper amongst others and already forwarded an action plan for its full, effective and non-discriminatory implementation.*

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

The Chair then said he wished to say a few words about the organization of the meeting. There had been overwhelming interest in the General Debate and he still had six States Parties and one international organisation wishing to speak. He proposed to suspend the meeting to allow the NGOs to make statements of 5 minutes each in informal session and then resume the General Debate at 10 am tomorrow morning. However, before adjourning the General Debate he had had a request of the right to reply. He asked that the right of reply be kept as brief as possible. He then invited the United States to use their right of reply.

The **United States** then spoke saying that it wished to respond to the statement made by Cuba who had said that the United States was in violation of Article X of the Convention. The United States complies fully with all obligations of this Convention and has submitted reports on the implementation of Article X and well as its annual CBMs. The United States does not restrict access of Cuba to the internet. In 2013, exports to Cuba amounting to \$310 M were authorized. In addition, the United States in April 2014 had supported the visit by representatives of the American Association for the Advancement of Science (AAAS) to the Cuban Academy of Sciences in Havana. This had led to an agreement on cooperation in biomedical and life sciences.

Cuba then asked the Chair for the right of reply. **The Chair** then allowed Cuba to exercise the right of reply, asking that it be kept very short. **Cuba** then said that American companies had refused to sell surveillance equipment for salmonella and E. coli to Cuba.

The Chair then suspended the formal session and moved into informal session.

NGO statements

The Chair then opened the informal session to hear the NGO statements. The following eight NGOs spoke:

- a. **University of Bradford.** Graham S Pearson.
- b. **University of London.** Filippa Lentzos
- c. **University of Bath.** Brett Edwards.
- d. **Research Group for Biological Arms Control, Hamburg University.** Gunnar Jeremias.
- e. **International Network of Engineers and Scientists.** Kathryn Nixdorff.

- f. **VERTIC.** Yasemin Balci
- g. **Pax Christi International.** Trevor Griffiths
- h. **Biosecurity Working Group of the InterAcademy Panel on International Issues.** Ryszard Słomski

These statements are all available at unog.ch/bwc

The Chair then thanked the NGOs for all their contributions and hoped that they would stay for the remainder of the MSP. States Parties could discuss further with NGOs in the margins of the MSP and at side events.

The Chair then resumed the formal session saying that this concluded the session for today and the General Debate would be resumed tomorrow morning at 10 am. The Secretary said that he had no announcement to make and the Chair closed the meeting.

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, 2013 and 2014 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 States Parties 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](http://www.bwpp.org/reports.html).

Side Events

During the Meeting of Experts there were side events at lunchtime each day from Monday to Friday, an evening event on Monday 1 December as well as breakfast events at 09.00 am on Wednesday 3 and Thursday 4 December.

There were two lunchtime events on **Monday 1 December**. One was organized by Ukraine and the University of Bradford entitled *Building a Web of Prevention: Progress to Date*. It was chaired by Ambassador Serhiy Komisarenko of Ukraine. The following presentations were given:

- Iaroslava Maksymovych, Ukraine: *Project P633: Education and Awareness-raising in Ukraine*
- Jo Husbands: *Report of the OPCW SAB Temporary Working Group on Education and Outreach*
- Brett Edwards, University of Bath: *Biological and Chemical Security in an age of Responsible Innovation*
- Kathryn McLaughlin, UK: BioWeapons Monitor 2014.

These presentations are available on the [unog/ch/bwc](http://unog.ch/bwc) website.

The other lunchtime event was organized by King's College London entitled *The Threat of Manufactured Disease*. It was chaired by Ambassador Matthew Rowland of the United Kingdom with presentations made by Professor Simon Wain-Hobson, Pasteur

Institute, Professor Marc Lipsitch, Harvard, Dr. Filippa Lentzos, King's College, London and Dr. Gustav Lindstrom, Geneva Centre for Security Policy. Some of the presentations are available at the unog.ch/bwc website. The final report from an August 2014 workshop entitled *Confidence and Compliance with the Biological Weapons Convention* which was launched at this event available at the unog.ch/bwc website. This report is also available at <http://www.gcsp.ch/Emerging-Security-Challenges/Programme-News/Report-from-KCL-GCSP-workshop-launched-at-BWC-Meeting-of-State-Parties-Side-Event>

The evening event on **Monday 1 December** was a reception hosted by the Swiss Federal Council, the State Council of the Republic and Canton of Geneva, and the Executive Council of the City of Geneva.

The lunchtime event on **Tuesday 2 December** was organized by the United Kingdom, Sweden and Germany entitled *UN Secretary General Mechanism on Investigations of Alleged Use*. This was chaired by Ambassador Matthew Rowland of the United Kingdom with contributions made by:

- Opening remarks by Ambassador Michael Biontino, Germany and Minister Counsellor Ulf Lindell, Sweden
- Ulf Lindell, Sweden: Advanced Training Course in Umea, **Sweden**.
- Mick Hoare, UK: Training Course in the **United Kingdom** on Command and Control.
- Christine Uhlenhaut, Robert Koch Institut, Germany: Training Course on Biological Weapons under special consideration of the Functional Subunits Approach, in Berlin, **Germany**.

No further information about this side event has been made available on unog.ch/bwc.

The morning event on **Wednesday 3 December** was organized by the OPCW and the University of Hamburg entitled *Innovative and Enabling Technologies: Embracing Developments in S & T to Benefit Treaty Implementation*. This was chaired by Ambassador Michael Biontino, Germany and presentations were made by:

- Jonathan Forman, OPCW: *Enabling Biochemical Sampling and Analysis across the Universe*
- Gunnar Jeremias & Mirko Himmel, University of Hamburg, Germany: *Open Source Data Analysis: Contributions to Enhancing Transparency in the BTWC*
- James Revill, University of Sussex, UK: *How Easy is 'Easy': Tacit Knowledge, Biological Weapons and the BTWC*

These presentations are available on the unog.ch/bwc website.

There were two side events at lunchtime on **Wednesday 3 December**. One was organized by Switzerland entitled *Spiez Convergence 2014: Briefing on First Workshop*. This was chaired by Ambassador Urs Schmid, Switzerland with presentations given by Stefan Mogl and Cédric Invernizzi, Spiez Laboratory, Switzerland. Although no further information on this event is available at the unog.ch/bwc website, the report entitled *Spiez Convergence: Report on the first*

workshop, 6 – 9 October 2014 is available at <http://e-collection.library.ethz.ch/eserv/eth:47122/eth-47122-01.pdf>

The other side event was organized by the Geneva Forum entitled *Where Next for the Biological Weapons Convention?* This was chaired by Silvia Cattaneo, Geneva Forum, with presentations given by Ambassador Tibor Tóth (former Chair of BWC Ad Hoc Group), Jo Husbands (US National Academies), and Richard Lennane (former Head BWC ISU) who also made a presentation from Ambassador Masood Khan (President, Sixth BWC Review Conference). A summary of this event is available on the [unog/ch/bwc](http://unog.ch/bwc) website.

No further information on either of these events is available at the [unog/ch/bwc](http://unog.ch/bwc) website. However, *Spiez Convergence: Report on the first workshop, 6 – 9 October 2014* is available at <http://e-collection.library.ethz.ch/eserv/eth:47122/eth-47122-01.pdf>

The morning event on **Thursday 4 December** was organized by the USA and entitled *Global Health Security Agenda: International Response to the Ebola Outbreak, and Their Relevance to the Biological Weapons Convention*. Introductory remarks were made by Ambassador Robert Wood (USA) and presentations were made by: Beth Cameron (USA), Ambassador Päivi Kairamo (Finland), Isabelle Nuttall (World Health Organization) and Dominic Porter (EU). No information on this event is available at the [unog/ch/bwc](http://unog.ch/bwc) website.

There were two events at lunchtime on **Thursday 4 December**. One was organized by Germany and Tunisia entitled *Biosecurity – Biorisks – Bioethics*. Introductory remarks were made by Ambassador Michael Biontino (Germany) and presentations were made by Rym Benkhalifa (Pasteur Institute, Tunisia), Mohamed Kouni Chahed (Pasteur Institute Review Board, Tunisia), Silja Vönecky (University of Freiburg, Germany) and Kathryn Nixdorff (Darmstadt Technical University, Germany). Concluding remarks were made by Ambassador Walid Doudech (Tunisia). No information on this event is available at the [unog/ch/bwc](http://unog.ch/bwc) website.

The second lunchtime event was organised by France entitled *A Peer-Review Mechanism for the BTWC: Feedback of the Pilot Exercise and Follow-up*. This was chaired by Louis Riquet (France). The pilot exercise was outlined by Tiphaine Jouffroy (France) and comments on their involvement were given by Anna Zmorynska (Germany), Cédric Invernizzi (Switzerland), and Christopher Park (USA). No information on this event is available at the [unog/ch/bwc](http://unog.ch/bwc) website. However, some information is provided at <http://www.delegfrance-cd-geneve.org/CIAB-BWC-Evenement-parallele-sur> which includes a Powerpoint presentation entitled *Peer Review Pilot Exercise: Paris, December 4 – 6, December 2013*.

The final side event was on **Friday 5 December**. This was organized by Italy in conjunction with UNICRI entitled *National Action Plans and Sharing Best Practices: An Innovative Network Approach to Mitigating Biological Risks*. Introductory remarks were made by Ambassador Vinicio Mati (Italy), Andras Kos (EU) and Francesco Marelli (UNICRI) and followed by a panel discussion with representatives from: Georgia, Morocco, Myanmar (Burma), the Philippines and Serbia as well as

from Italian institutions. No information on this event is available at the unog.ch/bwc website although a short summary is available at http://www.unicri.it/news/article/_Side_event_at_the.

[Analysis: Although, in addition to the evening reception on Monday 1 December, there were some ten side events, it is to be regretted that as of 20 March 2015 the presentations from only three of these events and a summary of a fourth event are available on the unog.ch/bwc website. The failure of the other six side events at which presentations were made to take advantage of the ability to post presentations on the unog.ch/bwc is a missed opportunity as it means that only those attending the side events know what was presented then.]

General Debate, morning Tuesday 2 December 2014

The Chair opened the session which was a continuation of the General Debate. He had six States Parties and one international organization on the list of speakers. He said that he would be careful to preserve the delicate balance of 3 hours each for each of Agenda Items 7 to 10 – namely, the three Standing Agenda Items and the biennial topic on Article VII.

Ukraine then spoke saying that Ukraine is fully aligned with the statement by the European Union. The statement went on to say that *We consider the BWC to be an appropriate multilateral basis for the development of international cooperation in the area of bio-safety and bio-security which needs to be preserved and strengthened. The Ukrainian side believes it is necessary that the international community takes every effort to improve the effectiveness and universality of the Convention through promoting cooperation, exchange of good practices and information in the spheres of biotechnology and biomedicine, as well as educational programmes in safety and bioethics.* The statement then said that *Unfortunately, as a result of Russia's illegal annexation of Crimea, the Ukrainian bio-security system was diminished because of engaging the Crimean Anti-Plague Station. Therefore the Ukrainian side underscores the importance of maintaining and strengthening compliance with the Convention as we move towards the Eighth Review Conference in 2016. We believe that Confidence Building Measures (CBMs) help increase mutual trust, generate transparency and thus help demonstrate compliance with the Convention. Ukraine is making efforts to improve its national legislation in the areas of bio-safety and bio-security and attaches particular importance to international assistance and support provided for strengthening capabilities to resist today's threats and challenges in the area of non-proliferation of biological weapons.* The statement went on to say that: *Strengthening regional and international cooperation is of particular importance of preventing bio-risks and providing effective response with timely assistance to the affected countries. ... In this regard we believe that the priority areas of research activities under the Convention should include: simulating scenarios caused by bioterrorism and developing emergency response systems; measures to prevent unauthorized obtaining of biological materials and use of biological agents; development of new methods of prevention and treatment of communicable diseases. ... Continuing our work aimed at improving the standards of biological safety and bio-security, including in veterinary medicine institutions is*

of great importance.

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

Ireland then spoke saying that Ireland aligns itself fully with the statement delivered by the European Union. The statement went on to say that: *Ireland believes that participation by all States Parties in the annual CBM exchange would represent a significant step towards strengthening confidence and compliance with the provisions of the Convention. Ireland would also support the establishment of appropriate national measures to strengthen implementation and we are pleased to co-sponsor the paper which is being presented by our colleagues from the United States in this regard.* [BWC/MSP/2014/WP.2 submitted by Australia, Austria, Belgium, Bulgaria, Canada, Chile, Czech Republic, Denmark, Estonia, Hungary, Ireland, Finland, France, Germany, Japan, Latvia, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Sweden, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America]. The statement went on to add that: *As we begin our preparations for the 2016 Review Conference, Ireland believes that many of the ideas from our experts' meeting in August, which are also under consideration this week, provide us with innovative ideas and elements which can contribute to the identification of the means by which we can achieve our common goal, of strengthening this vital instrument of global security. Among these are issues around aid and knowledge exchange, building awareness in relation to bio-safety and security, the requirements for assistance, better transparency in implementation of export and import controls, and the need for better confidence building measures to demonstrate compliance with the convention. In the absence of consensus on legally binding verification measures, these are all avenues which States Parties could usefully pursue. Ireland would support the holding of informal consultations, perhaps on a thematic basis, which could look at ways and means to strengthen the Convention as we look towards the Review Conference in 2016.*

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

Jordan then spoke saying that the BWC was one of the most important treaties and Jordan was committed to implementing the Convention. They recognized the importance of biosafety for all and appreciated the assistance they had received in the strengthening the national implementation of the Convention which was incumbent on every State party. Particular thanks were expressed to the United States and Canada which had provided assistance to Jordan. The statement went on to call for greater efforts for universalization of the BWC particularly in the Middle East as biological weapons recognize no borders.

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

Burkina Faso then spoke saying that they welcomed the significant contribution that they had received from the European Union through the Action Plan of

2013/2014. Burkina Faso was working to implement agreements that had been ratified. They thanked the UNODA for assistance on national implementation which was an ongoing priority and was involving all the national authorities engaged in biological issues. Burkina Faso wanted to profit from the experiences of other states and share best practice as it elaborated and eventually adopted its own legislation. On cooperation, Burkina Faso urged that as we approached the Eighth Review Conference, all States Parties should pool their efforts and resources to strengthen the Convention.

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

Indonesia then spoke saying that Indonesia associates itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement went on to say that: *Indonesia attaches great importance to the issue of international cooperation and full, effective, 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 then said that: *Indonesia welcomes any possible cooperation with related partners in conducting trainings and advocacy on biosafety and biosecurity. The Indonesian Academy of Sciences has developed cooperation in the field of biosecurity among others with the Royal Netherlands Academy of Arts and Sciences and Polish Academy of Sciences. Furthermore, strengthening capacity building and enhancing collaboration and networking within the ASEAN region and with other developed countries is vital.* The statement went on to say that in regard to national implementation, *it has become a priority for Indonesia to formulate a draft law on bio-security which does not only emphasize on 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. VERTIC has helped Indonesia develop a National Legislation Implementation Kit on Nuclear Security which is made available in UN languages and Portuguese.* The statement in regard to the biennial item on Article VII said that: *Indonesia is of the view that States Parties national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons.*

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

Zambia then spoke saying that arising from report of the Meeting of Experts *the Republic of Zambia notes that the establishment and strengthening of National Authorities on the BTWC by Member States is of prime importance. Zambia feels that this institution is one of the foundations for effective participation, adherence and implementation of the provisions of the BTWC. It is of no doubt that strengthening these institutions will ensure the adoption and domestication of legal provisions and the need for adopting action plans at local and regional levels. It is our belief that national authorities are the main platforms of bilateral and multilateral*

cooperation amongst member states.

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

As this completed the statements made by States Parties, the Chair now invited the **European Union** as an international organization to speak. The European Union then spoke saying that the following countries aligned themselves with this statement: Turkey, the Former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Ukraine and the Republic of Moldova. The statement said that: *The European Union strongly supports the Biological and Toxin Weapons Convention as a cornerstone of international efforts to prevent biological agents or toxins from ever being developed, produced or otherwise acquired and used as weapons. It is a crucial element of our collective security and one of the key instruments of multilateral disarmament and non-proliferation. Universalisation of the Convention remains our priority: we urge those remaining States not yet Parties to the Convention to ratify or accede to it as soon as possible. In its Strategy against the Proliferation of Weapons of Mass Destruction, the EU identified the risk coming from biological agents and toxins being used as weapons as a challenge to international peace and security. In line with the principle of effective multilateralism, the EU and its Member States have constructively engaged in the inter-sessional process by actively promoting universality, national implementation and full compliance with the Convention. The statement went on to say that: The EU and its Member States are engaged in supporting improvements in bio-safety and bio-security around the globe; through the expertise of WHO we support projects aimed at promoting bio-risk awareness, laboratory bio-risk management and development of national laboratory strategies to counter biological risks and enhance the core facilities. The EU has made continued efforts aiming at developing Centres of Excellence, mobilising resources to develop coherent and adequate CBRN policies. Current projects are focused at knowledge development and transfer of best practices on bio-safety, bio-security and bio-risk management, strengthening laboratory procedures, development of laboratory ISO-bank system, creation of an international network of universities and institutes to raise awareness on the dual-use dimension of biotechnology.*

The statement then said that: *there has been a modest increase in the number of CBM submissions ... However, a lot more remains to be done to increase the level of participation in the CBM process. We could improve the current situation by complementing compliance reporting with consultations based on CBMs. We need CBMs to be more relevant. The EU and its Member States strongly encourage all States Parties to participate in the annual CBM exchange. The politically agreed CBMs represent a unique instrument to help increase mutual trust, generate transparency and thus help demonstrate compliance with the Convention. With the financial support of the EU, the ISU has developed a CBM electronic facility which is to be launched today. The statement then went on to say that: Appropriate verification remains a central element of an effective BTWC disarmament and non-proliferation regime. Verification measures have the objective to build further confidence among States parties in the continued adherence to their obligations under the Convention. However, there is currently no consensus on a verification protocol to the BTWC. The EU and its Member States are willing to work towards*

identifying alternative options that could achieve similar goals. For the time being, we need to focus on concrete ways to strengthen the existing mechanisms of the Convention. The current inter-sessional process, as well as the time remaining before the Review conference provides us with a good opportunity in this regard. It then added that: Effective national implementation is fundamental for the integrity of the Convention. 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 EU and its Member States look forward to discussing it further during this meeting of States Parties. 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.

In regard to advances in science and technology, the statement said that: *Ultimately, strengthening international cooperation would also require monitoring and assessment of advances in science and technology and its impact on the Convention. One possible way could be strengthening the role of the ISU, while organizing thematic workshops open to the Inter Academy Panel on International Affairs and competent and relevant industry and academic experts on selected topics to meet in addition to, or alongside, the annual meetings of experts. The statement then concluded by looking ahead to the Eighth Review Conference in 2016 by saying that: Less than two years separate us from the next Review Conference: we believe it is time already now to start preparations for it. In this respect, we feel that meeting just for two weeks per year is not enough. As it was referred to in a number of statements already, the EU and its Member States thus would like to suggest and to put forward for the consideration of States Parties a proposal regarding a preparatory mechanism. As of 2015, in preparation of the Eighth Review Conference, States Parties could hold informal consultations in Geneva to strengthen the Convention. These consultations could focus on areas that are likely to command consensus among States Parties. These open-ended meetings could be convened either at the level of Geneva delegations or, as appropriate, reinforced by representatives from capitals under the auspices of the Chair and the Vice-Chairs of the meeting of States Parties. The President-elect of the Review Conference could take forward these consultations under his/her auspices. We are convinced that it is important to give priority to process now. Once a workable procedural arrangement for informal consultation among State Parties has been set up, it will serve as a framework in which in-depth discussion on substance can evolve in preparation of the 2016 Review Conference. We hope this proposal will meet the interest of all States Parties and look forward to further discussions on it.*

[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] [Insofar as the aligned countries of Turkey, the Former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Ukraine and the Republic of Moldova are concerned, CBMs have been submitted by Turkey, Serbia, Albania, Ukraine and the Republic of Moldova of

which those of Turkey and Republic of Moldova are available on the public section of the website. The Former Yugoslav Republic of Macedonia, Montenegro, Iceland, and Bosnia and Herzegovina have not submitted CBMs.]

The Chair then said that the **Russian Federation** had requested the right of reply. The **Russian Federation** said that they categorically denied the allegations made by Ukraine regarding the Crimea joining the Russian Federation. **The Chair** then said that **Ukraine** had requested the right of reply. **Ukraine** said that they had not sought to politicize the situation. However, Ukraine pointed out that the UN General Assembly resolution A/RES/68/262 entitled *Territorial integrity of Ukraine* adopted in April 2014 had underscored that the referendum held in the Crimea on 16 March 2014 had no validity.

The Chair then concluded the General Debate and moved on to the next item on the Agenda. The Programme of Work (BWC/MSP/2014/2) adopted on Monday had the subject *Standing agenda item: Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X (agenda item 7)* scheduled for the morning session of Tuesday and *Standing agenda item: Review of developments in the field of science and technology related to the Convention (agenda item 8)* scheduled for discussion in the afternoon session of Tuesday.

Standing Agenda item on Cooperation and Assistance

Consideration of this Standing Agenda item commenced on the Tuesday morning with a brief report from the ISU on the Article X database system. 26. The ISU reported that it has continued to maintain a provisional version of the database, which is accessible to States Parties on the restricted-access area of the ISU website (<http://www.unog.ch/bwc/restricted>). Offers of assistance are available on the publicly available part of the website ([http://www.unog.ch/80256EDD006B8954/\(httpAssets\)/BCE5F74D407FDAF3C1257D73004EC7ED/\\$file/Table+-+offers+to+provide+assistance+-+October+2014+-+public+area.pdf](http://www.unog.ch/80256EDD006B8954/(httpAssets)/BCE5F74D407FDAF3C1257D73004EC7ED/$file/Table+-+offers+to+provide+assistance+-+October+2014+-+public+area.pdf)) Additional resources are sought for further development. As of 15 October 2014, the database contained:

- (a) 27 offers for assistance, from five States Parties and one group of States Parties (Australia Group);
- (b) Two requests for assistance, from two States Parties; and one update of a request of assistance.

The Chair then invited any comments on the database. The United Kingdom, Australia and Indonesia all then spoke. The Chair then invited States Parties to speak in regard to the identification of more concise and focussed common understandings and effective action from the many ideas and proposals that had been put forward at MX/2014. He recalled that the available material were the synthesis paper, the draft elements that the Chair had put forward, working papers presented at MX/2014, material submitted for this meeting and any fresh material. He would welcome feedback on which elements could most usefully be included and what explicit language might be used in developing common understandings and effective action. The Chair said that he would allow up to 3 hours for this item and would continue with it this afternoon if it was not concluded by lunchtime.

Statements were made by Iran (on behalf of the NAM), Brazil, Malaysia, Pakistan, Mexico, Germany, Switzerland, United States, Australia, Republic of Korea, Ecuador, Russian Federation, China, Cuba, Canada, United Kingdom, Netherlands, Thailand and India which took the floor before lunch. Proceedings continued in the afternoon with the Vice Chairman, Ambassador Mazlan Muhammad of Malaysia in the Chair. Statements were made by Iran (national), Ghana, Ethiopia (first plenary statement in an inter-sessional meeting), France and Japan.

Standing Agenda item on Science and Technology

The Chair then moved on to consideration of the review of developments in science and technology related to the Convention. After reiterating the available material, namely the synthesis paper, the draft elements, working papers at MX/2014 and MSP/2014 and any fresh material, the Chair said only four States Parties had so far asked to speak.

Statements were made by Iran (on behalf of the NAM), Russian Federation, Switzerland, Pakistan, Mexico, Australia, United Kingdom, Ukraine, India, Ecuador, Brazil, United States, Japan and Cuba. The Russian Federation then requested the right of reply to what had been said by Ukraine. Ukraine then asked for the right of reply to what had been said by the Russian Federation and the Russian Federation then asked again for the right of reply. Ukraine then asked again for the right of reply but this was refused by the Chair who had earlier made the point that the tragic events in the Crimea were not the subject of this meeting.

This session concluded at 17.00 noting that the meeting would resume on Wednesday morning at 10 am for consideration of the Standing Agenda Item on strengthening national implementation. Before the meeting concluded the Secretary announced that there would be a side event organized by the OPCW and the University of Hamburg on Wednesday morning at 9 am.

Standing Agenda Item on Strengthening National Implementation

On Wednesday morning, 3 December, consideration moved on to *Standing Agenda item: Strengthening national implementation (agenda item 9)* with the Vice Chairman, Ambassador György Molnár of Hungary in the Chair.

Statements were made by Iran (on behalf of the NAM), Spain, Chile, France, Pakistan, United States, Ecuador, Belgium, Mexico, Switzerland, Mongolia, Colombia, Thailand, Republic of Korea, Malaysia, Cuba, Russian Federation, India, Australia, Canada, United Kingdom, Japan, Netherlands, Iran (national) and Algeria.

The morning session concluded at 12.37 noting that the afternoon session would move on to consideration of 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*.

Biennial Item on how to strengthen implementation of Article VII

Ambassador Schmid returned to the Chair for this session on the afternoon of

Wednesday 3 December. Statements were made by Iran (on behalf of the NAM), United Kingdom, China, South Africa, Pakistan, France, Switzerland, United States, Belgium, Canada, Australia, Spain, Netherlands, Germany, Brazil, Japan, Russian Federation, India, Cuba and Sweden.

Thursday 4 December 2014

The Chair started the session by considering agenda item 11 *Progress with universalization of the Convention* in which he introduced his report on universalization (BWC/MSP/2014/3 and Add.1). He announced that Myanmar had deposited its instruments of ratification on Monday, 1 December 2014, bringing the number of States Parties to 171. The Chair then gave the floor to the three Depositaries who spoke to welcome Myanmar. The Chair then went on to say that he had been informed that Angola, Andorra and Mauritania had taken specific steps towards joining the Convention. Iran (on behalf of the NAM), United States, Mexico, India, Argentina, Netherlands, Australia, China, Republic of Korea, Pakistan, Spain, France, Iran (national) and Italy then spoke.

[Subsequent to the Meeting of States Parties, the United Kingdom, as a Depositary of the Convention, announced on 4 February 2015 that Mauritania had deposited its instrument of accession on 28 January 2015 thereby bringing the number of States Parties to 172.]

The meeting moved on to consider the report of the ISU (BWC/MSP/2014/4 and Corr.1). It was noted that the ISU had been operating with reduced staffing for much of 2014. Mexico, United States and Pakistan all spoke.

Consideration was then given to the material for inclusion in the final report of the meeting. As already noted, two documents had been made available prior to the start of MSP/2014:

- BWC/MSP/2014/L.1 *Synthesis of considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting of Experts*
- BWC/MSP/2014/L.2 *Draft elements for inclusion in the Report of the Meeting of States Parties*

In addition, an updated text (CRP.1) for the three Standing Agenda Items entitled *Revised Draft elements for inclusion in the Report of the Meeting of States Parties* was circulated late on Wednesday afternoon and an updated text (CRP.2) relating to the biennial item entitled *Revised Draft elements for inclusion in the Report of the Meeting of States Parties* was circulated on Thursday morning.

The Chair began the afternoon session with a request for any general comments. Cuba, India, United States, United Kingdom, Iran, Russian Federation, Australia, Netherlands, France, China, Spain, Germany, Pakistan, Canada, Algeria and Italy all spoke. Cuba suggested that there was no mandate from the Seventh Review Conference for the circulation of documents such as L.2, CRP.1 and CRP.2.

[Analysis: However, it should be noted that comparable documents had been circulated at all previous MSPs with only the advance draft elements (L.2) being circulated prior to MSP/2014 being a novel, but surely helpful and constructive, element in 2014.]

A revised draft of the substantive paragraphs entitled *Draft report [Thursday 4 Dec, pm]* was circulated on Thursday afternoon. The Chair invited general comments on a section-by-section run through. India, Cuba, Iran (national), United States, Russian Federation and China provided comments but lack of time prevented consideration of more than the first section.

As in previous years, a small group of delegates met late into the evening in informal consultations in a side room which continued until 10.10pm. The delegations in the consultations asked the Chair and the ISU to provide a new draft for the Friday morning based on the exchanges that had taken place.

Friday 5 December 2014

The proceedings on Friday started by considering the decisions needed for the 2015 meetings. The Meeting approved the nomination by the Group of the Non-Aligned Movement and Other States of Mr. Mazlan Muhammad, Ambassador of Malaysia, as Chairman of the Meeting of Experts and Meeting of States Parties in 2015, and the nominations by the Western Group of Mr. Henk Cor van der Kwast, Ambassador and Permanent Representative of the Netherlands to the Conference on Disarmament and by the Eastern European Group of Mr. György Molnár, Ambassador and Special Representative of the Foreign Minister for Arms Control, Disarmament and Non-Proliferation of Hungary, as the two Vice-chairs. The Meeting also decided that the dates for the 2015 Meeting of Experts will be 10-14 August and for the 2015 MSP will be 14-18 December.

At 10.50 am, a new draft text of the substantive paragraphs entitled *Revised draft report* was circulated in the room following the consultations the night before. The plenary adjourned to enable delegations to read the new draft and resumed just before the scheduled lunch break. At this point BWC/MSP/2014/CRP.4 dated 5 December 2014 containing the procedural paragraphs of the report was distributed. The Chair said that consultations would continue over lunch with the intention being to reconvene at the usual plenary start time of 3pm. In the event, the plenary reconvened at almost exactly 6pm with an announcement that a new draft of the substantive paragraphs was being printed. This revised draft of the substantive paragraphs entitled *Re-revised draft report [Friday 5 Dec. pm]* was circulated on the Friday afternoon.

As interpretation ceased to be available at 6 pm, a decision had to be taken on how best to proceed. In the event, it was decided to continue without translation using English only in a side room as the audio system in the side room did not require staff to operate it. It was evident that there were difficulties in progressing in this way and that States Parties had difficulties with the different points in the latest draft of the

substantive language. There was also disagreement as to whether there should be a suspension on the meeting. In addition, there was some confusion on other aspects leading the Russian Federation to issue an explanation of its position in BWC/MSP/2014/6. In the end, the Chair proposed the adoption of the report and this was accepted. The Meeting of the States Parties concluded at 8.15 pm.

Working Papers

Twelve working papers were submitted by States Parties: two by Germany, one by each of the following: Canada, China, France, India, South Africa, one jointly by Colombia, Greece, Italy, Lithuania, New Zealand, Norway, Republic of Korea, Slovenia, Switzerland, Turkey and the United States, one jointly by Australia, Austria, Belgium, Bulgaria, Canada, Chile, Czech Republic, Denmark, Estonia, Hungary, Ireland, Finland, France, Germany, Japan, Latvia, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Sweden, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, one jointly by Canada, Chile, Colombia, Costa Rica, Ecuador, El Salvador, United States and Mexico, one jointly by Chile, Colombia, Costa Rica, Ecuador, El Salvador, Spain, Guatemala, Italy and Mexico, and one jointly by Australia, Chile, Costa Rica, Ghana, Japan, Malaysia, Republic of Korea and Thailand. Two INF. Documents were submitted by States Parties – INF document (BWC/MSP/2014/INF.3) entitled *Confidence and compliance with the Biological and Toxin Weapons Convention: Workshop Report. Submitted by the United Kingdom* was submitted by the United Kingdom – this is a 3 page report on a workshop titled “Confidence & Compliance with the BWC” held in Geneva on 3 August 2014, jointly organized by King’s College London and the Geneva Centre for Security Policy – and INF document (BWC/MSP/2014/INF.5) entitled *Update on Australia’s Implementation of BWC Article X* was submitted by Australia – a 4 page update to Australia’s 2012 report on national implementation of Article X.

The working papers covered a range of topics:

- BWC/MSP/2014/WP.1, Corr. 1, Add.1/Corr.1 and Add.1/Corr.2 entitled *Article VII: Analysis of existing resources and gaps, and recommendations for future actions* submitted by the United States in which an analysis is prepared that focuses on preparedness, detection, reporting, response, and governance and examines action required of States Parties, supporting or overlapping international framework, supporting or overlapping international organizations and hence identifies gaps/vulnerabilities.
- BWC/MSP/2014/WP.2 and Add.1 entitled *Strengthening national implementation: elements of an effective national export control system* submitted by Australia, Austria, Belgium, Bulgaria, Canada, Chile, Czech Republic, Denmark, Estonia, Hungary, Ireland, Finland, France, Germany, Japan, Latvia, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Spain, Sweden, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Add.1 added an additional ten States Parties: Colombia, Greece, Italy, Lithuania, New Zealand, Norway, Republic of Korea, Slovenia, Switzerland and Turkey. This notes that well-designed and implemented national controls are not only

critical to fulfilling the obligations of Article III, they are also essential to implementing United Nations Security Council Resolution 1540 and that appropriately designed and implemented controls are fully consistent with the requirements of Article X of the BWC and limited to non-proliferation measures, neither favouring the commercial development of industries nor hindering legitimate economic development of other countries. It then sets out the elements of an effective export control system and goes on to list the factors for consideration in making a licensing decision.

- BWC/MSP/2014/WP.3 entitled *Peer review pilot exercise held from 4 to 6 December 2013 in Paris* submitted by France. This presented a report of the “pilot-exercise” in Paris from 4 to 6 December 2013 which sought to demonstrate a possible concept of the peer review mechanism proposed by France, as it had evolved since its initial presentation. One of the observations made is that this exercise was seen as a very useful means to strengthen confidence between States Parties in specific aspects of BTWC implementation. Some experts considered that this exercise matches with the request of several States Parties asking for better information on national implementation and particularly on national legislation.
- BWC/MSP/2014/WP.4 entitled *China’s efforts in assisting West African countries combating Ebola epidemic* submitted by China. This made the point that the Chinese government attaches great importance to and actively participates in international biosafety cooperation under the framework of BWC. The Ebola epidemic, which broke out in March 2014 and continues to wreak havoc and to spread, has become a major event in international public health, posing a real threat to global biosafety. The paper outlines the assistance being provided by China.
- BWC/MSP/2014/WP.5 entitled *Mechanisms to monitor the implementation of the Convention* submitted by Canada, Chile, Colombia, Costa Rica, Ecuador, El Salvador, United States and Mexico. This reported on a regional seminar on the different aspects of biosecurity held in Santiago in October 2013. The topics addressed included: implementation of the Convention at national level, food safety, related legislation including export controls, biosecurity/biosafety, scientific research, regional issues related to biosafety, and education and training. It is noted that one of the common understandings from the seminar was that the implementation of the BTWC requires coordinated team work between the national authority and all the stakeholders involved.
- BWC/MSP/2014/WP.6 entitled *Code of Conduct for Scientists* submitted by Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Italy, Mexico and Spain. This presents a Code of Conduct that is of general application to all staffs using biological materials or agents in Natural, Veterinary; Agricultural and Social Sciences, as well as in Medicine, Mathematics and Engineering, provided they are necessary for the establishment of biosecurity measures. This Code of Conduct is also applicable in general to all staffs in companies authorized to handle and transport biological materials or agents.

- BWC/MSP/2014/WP. 7 entitled *Perspectives on Article VII* submitted by South Africa. This states that the primary objective of Article VII is to provide assistance to a State Party that has been exposed as a result of a violation of the Convention. Therefore, the sole purpose of the assistance provided in terms of this article should be humanitarian in nature. It then sets out the information to be supplied with an application for such assistance.
- BWC/MSP/2014/WP.8 entitled *National Implementation of the Biological Weapons Convention* submitted by Australia, Chile, Costa Rica, Ghana, Japan, Malaysia, Republic of Korea and Thailand. This states that the overall aim is to raise awareness among relevant national officials and experts on different aspects of Biological Weapons Convention (BWC) implementation, and to identify needs and requirements for enhancing regional and national programmes and/or initiatives in support of BWC implementation. This builds on a paper submitted at the Meeting of Experts in August 2014 (BWC/MSP/2014/MX/WP.11) by Australia, Malaysia, Thailand, Republic of Korea and Japan on the same issue. The key objective of this revised draft is to build additional cross regional support, and develop further “common understandings” and “effective action” in relation to this key standing agenda item leading into the 2016 BWC Review Conference.
- BWC/MSP/2014/WP.9 entitled *Exercise and training for investigation of alleged use of biological weapons with special consideration of the functional subunits approach (Berlin, 10–19 November 2014)* submitted by Germany. This reports on a further Secretary-General Mechanism exercise and training course hosted by Germany, held in Berlin from 10 to 19 November 2014. The exercise was organized by the Robert Koch Institute on behalf of the German Federal Foreign Office. It combined practical aspects of an investigation — using a realistic scenario involving suspected use of a biological agent and featuring both role play and field exercise elements — with discussions and evaluation of the exercise results as well as the development of recommendations for further enhancing the Secretary-General Mechanism.
- BWC/MSP/2014/WP.10 entitled *Updated Report on Germany's implementation of Article X (with special focus on the German Partnership Programme for Excellence in Biological and Health Security)* submitted by Germany. This is an 8 page paper which notes that Germany understands the requirements set out in Article X not in a narrow sense, but sees cooperation and assistance under the wider perspective of Official Development Assistance (ODA) as defined by the Organisation for Economic Co-operation and Development (OECD). Germany shares the view of the OECD that assistance and cooperation does not only include activities financed abroad but also activities that are provided domestically for education and advanced training of foreign students.
- BWC/MSP/2014/WP.11 entitled *International activities of the Government of Canada related to Article X of the Biological and Toxin Weapons Convention: Update 2014* submitted by Canada. This is a 24 page paper that is intended

to show only a brief overview of Canada's international activities related to this year's programme of work.

- BWC/MSP/2014/WP.12 entitled *India: Report on Implementation of Article X of the Convention* submitted by India. This is a 3 page paper that is intended to share India's experiences in implementation of Article X.

These are useful Working Papers which help to take forward the work of the Intersessional Process. It is particularly noteworthy that once again several Working Papers are submitted by groups of States Parties which include a broad range of States Parties – thus, BWC/MSP/2014/WP.2 by Australia, Austria, Belgium, Bulgaria, Canada, Chile, Czech Republic, Denmark, Estonia, Hungary, Ireland, Finland, France, Germany, Japan, Latvia, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Sweden, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, BWC/MSP/2014/WP.5 by Canada, Chile, Colombia, Costa Rica, Ecuador, El Salvador, United States and Mexico, BWC/MSP/2014/WP.6 by Chile, Colombia, Costa Rica, Ecuador, El Salvador, Spain, Guatemala, Italy and Mexico, and BWC/MSP/2014/WP.8 by Australia, Chile, Costa Rica, Ghana, Japan, Malaysia, Republic of Korea and Thailand.

However, because the focus at the Meeting of States Parties is very much on developing language for the substantive paragraphs from the synthesis submitted by the Chairman (BWC/MSP/2014/L.1) and the draft elements submitted by the Chairman (BWC/MSP/2014/L.2) rather than considering any new proposals put forward in Working Papers at the Meeting of States Parties, the useful ideas proposed in the Working Papers are generally not reflected in the substantive paragraphs of the report of the Meeting of States Parties. The effect of this fact is to underline the importance of ensuring that new proposals are **explicitly** stated in any Working Papers or statements or presentations made to the Meeting of Experts and to take care that these proposals are indeed **subsequently captured** accurately in **Annex I** to the report of the Meeting of Experts. In any case, the proposals made in the Working Papers submitted to MSP/2014 merit further consideration and discussion during the 2015 Meeting of Experts, capturing in the Annex to the Report of MX/2015, and in the Chairman's synthesis and draft elements in 2015 and thus being carried forward to the Meeting of States Parties in 2015.

Outcome of the Meeting of States Parties

The Final Report of the Meeting of States Parties (BWC/MSP/2014/5) was issued dated 15 December 2014. Subsequently, BWC/MSP/2014/5/Corr. 1 was issued on 20 January 2013 with two amendments to Annex II, the list of documents. It is understood that a further Corr. 2 will be issued as Annex. II lacks any mention of BWC/MSP/2014/5 itself, of BWC/MSP/2014/6 and of BWC/MSP/2014/WP. 12.

In this section, consideration is given to the evolution of the report of the Meeting of States Parties and to the development of the substantive paragraphs of that report from the initial version in BWC/MSP/2014/L.2 through BWC/MSP/CRP. 1 and CRP.2,

to the draft report (Thursday p.m.), the revised draft report (Friday a.m.), the re-revised draft report (Friday p.m.) and thus to the final version BWC/MSP/2014/5. There were consequently **six** versions of the substantive text. In this Outcome section we address the first version starting on page 50, the second version starting on page 63, the third version starting on page 78, the fourth version starting on page 92, the fifth version starting on page 108 and the final version (MSP/2014/5) starting on page 116 in each case showing additions in **bold** and ~~deletions~~ showing what has been omitted. The development of the substantive paragraphs was a complicated and textually intricate process, with language being added or discarded through successive iterations which are sometimes hard to follow. We have therefore provided a summary at the end of this Outcome section in which we seek to gather together the most significant points from this process.

As already noted, the Chair in 2014 in his letter to States Parties on 7 October 2014 said that: *I am keen to provide you with a tool that strikes the needed balance between the substantive areas of our work and is of most value to the greatest number of States Parties in preparing for the meeting of States Parties. Before we gather in Geneva, I would like for all of us to have greater clarity on: which themes may yield new common understandings, how we can fit together common understandings already identified with the new material; and where we might focus efforts on promoting effective action. In light of your views, which I hope to hear through consultations with the regional groups and bilaterally, I will assess whether there is value in revising my synthesis paper to provide a better stepping stone towards the Meeting of States Parties.* Then at his meetings with the Regional Groups on 7 & 11 November 2014 he said that following requests from States Parties in each of the regional groups, *I intend to provide to you, at an earlier than usual point in the year, the Chair's text which in the past has not been distributed until the middle of the Meeting of States Parties. It is my intention to convey this document to your missions and BWC National Points of Contact if possible already during the week of Monday 17 November.* This led to the enclosure with his letter to States Parties of 19 November 2014 of the *Chairman's Draft Elements for Inclusion in the Report of the Meeting of States Parties* which he said *focuses on those ideas that either seemed to enjoy broad support at the Meeting of Experts, or to which few objections were raised.* He also noted these Draft Elements included elements, *present in the reports of the 2012 and 2013 Meetings of States Parties (and from previous intersessional processes in the case of the biennial item to strengthen Article VII), which States Parties may want to retain to help ensure the overall balance and direction of our output this year. Text, which has already been agreed by consensus is not in bold in my draft.*

First version of the substantive paragraphs (BWC/MSP/2014/L.2)

The draft elements available as BWC/MSP/2014/L.2 consequently formed the initial text for the substantive paragraphs of the report of the meeting of States Parties. In the analysis provided below, **bold** text is used for new language and ~~deletions~~ show what has been omitted. This is also consistent with the Chair's advice that *Text, which has already been agreed by consensus is not in bold in my draft* as this, in effect, is saying that new text which has not already been agreed by consensus is in **bold**. The starting point thus consisted of 42 paragraphs, of which 12 were on the Standing Agenda Item on cooperation and assistance, 11 were on the Standing Agenda Item on science and technology, 9 on the Standing Agenda Item on national implementation and 9 on the biennial item on Article VII.

1. In accordance with the decision of the Seventh Review Conference, and recalling the common understandings reached during the 2003–2005 and 2007–2010 intersessional work programmes and by the Meeting of States Parties in 2012 and 2013, States Parties continued to develop common understandings on each of the three standing agenda items and the biennial item.

I. **Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X**

2. States Parties recalled their legal obligation to facilitate and their right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

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

4. **Recalling the importance of the reports by States Parties on their implementation of Article X, States Parties noted that to date, a very small number of States Parties have submitted these reports and urged States Parties to submit clear, specific and timely national reports to facilitate ongoing discussion.**

5. In order to further enhance the functioning of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of assessing its functionality, strengthening its utilization and improving its operation. States Parties agreed on the value of **continuing and expanding their use of the database, and reconciling supply and demand for technical assistance by evaluating existing activities in light of requests for assistance and detailing needs and capacity gaps. States Parties also agreed on the value of more prominently featuring the**

assistance and cooperation database on the main ISU webpage to promote its use.

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

- (a) Offers for cooperation are sustainable, address the needs of the recipient, and include possibilities for the longer-term provision of assistance;**
- (b) Transparency in needs, challenges to implementation, and the results achieved, as well as being prepared to make substantial commitments when receiving assistance;**
- (c) Mutuality of benefit, including ensuring adequate and equitable benefits from the sharing of clinical samples;**
- (d) Full advantage is taken of exchanges of life science-related knowledge, materials and equipment around the world generated by industry, academia and other non-governmental groups, including through public-private partnerships; and**
- (e) Where appropriate, that regional cooperation compliments national efforts, such as for the stockpiling of prophylactics and therapeutics.**

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

- (a) Avoiding imposing restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials under Article X;**
- (b) Additional information on how States Parties are implementing their obligations and about specific challenges and issues they have observed and identifying specific needs for, and gaps in, cooperation that are currently unmet;**
- (c) Ensuring assistance is transparent, open, honest, and is used for purposes that are fully consistent with the objectives of the Convention; and**
- (d) Ensuring greater interoperability of regulatory standards, such as for emergency use authorizations, and transfers of clinical samples.**

8. In order to further address a range of specific measures for the full and comprehensive implementation of Article X taking into account all of its provisions, including facilitation of cooperation and assistance, States Parties recognized the value of:

- (a) **Continuing national efforts to exchange information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources;**
- (b) **Cooperation and assistance as an incentive for universalization to encourage more states to join the Convention, thereby helping to ensure that biological substances will be used exclusively for peaceful purposes; and**
- (c) **Open-access to scientific publications, reducing possible barriers to access posed by the costs of subscriptions.**

9. In order to further reinforce efforts to develop human resources in the biological sciences and technology relevant to the implementation of the Convention, States Parties recognized the value of:

- (a) **Building a broad base of relevant capacity, including for national implementation, science and technology; biosafety and biosecurity management, as well as dealing with disease;**
- (b) **Making full use of train-the-trainer approaches, including local-based training supported by national or regional associations and organizations, to reach a wider group of relevant actors.**
- (c) **Opportunities for training and work with cutting edge technology in universities, research institutions and production facilities as well as advanced laboratories;**

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

- (a) **Making detection, surveillance and response capacity more effective and robust, including through real-time bio-surveillance, more effective diagnostics, as well as emergency operation centres with common standards;**
- (b) **Developing and maintaining national regulatory environments conducive to product development of diagnostics, prophylactics, and therapeutics; and**
- (c) **Sharing relevant information on, inter alia, opportunities and challenges resulting from advances in the life sciences and biotechnology, disease outbreaks, biosafety, and health care.**

11. In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits of developments in the life sciences, States Parties noted the value of harnessing recent advances, including in enabling technologies, **vaccine development and production, biological production technologies, equipment and training for high containment laboratories**, in order to strengthen the sustainable development of States Parties, taking into account the needs of developing countries in meeting health-related challenges.

12. Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, and taking into account the mandates of existing mechanisms established by those organizations, States Parties noted the value of:

- (a) **Promoting broader recognition of the unique central role of the Convention in dealing with preventing the development and production of biological and toxin weapons; and**
- (b) **Identifying assistance provided in other settings which could be useful in achieving the aims of the Convention and ensuring that such assistance is consistent with these aims.**

13. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for the full and effective implementation of Article X obligations. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.

II. Review of developments in the field of science and technology related to the Convention

14. States Parties identified certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information on these developments, **including on the improved understanding of, and technologies to investigate:**

- (a) **Rational design of attenuated vaccines, making** vaccine and drug production simpler, faster, cheaper and more efficient;
- (b) **Virulence mechanisms, resulting from advances in enabling technologies;**
- (c) **Pathogenesis, enabling more rapid response to, and the development of countermeasures against, new or re-emerging pathogens;**
- (d) **Host-pathogen interactions, offering new opportunities for: disease surveillance, detection, and diagnosis; the identification of targets to treat or prevent disease; negating the mechanisms that pathogens use to evade or disrupt the host immune system; identifying virulence factors in emerging pathogens; and the development of more specific vaccines, therapeutics and diagnostics; and**
- (e) **Toxins, providing new avenues for treatments for neuromuscular disorders, toxin detection and diagnosis, and post exposure therapy, including through the development of standardized methodologies for detection and identification.**

15. States Parties reviewed various enabling technologies, including, for example, **genome editing tools including those derived from bacterial “immune systems”, and continuing progress in synthetic biology**. These enabling technologies can affect how science is conducted and applied **and will have many benefits in faster, cheaper, and easier application of biological science and technology for both public health and security purposes**. These enabling technologies will bring both benefits and challenges for the Convention which may require action by States Parties.

16. **States Parties reviewed advances derived from the convergence of scientific disciplines, including biology, chemistry and nanotechnology. These advances are leading to improvements in defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures, as well as for detection and diagnosis.**

17. States Parties agreed that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including: **the creation of novel, highly-contagious, virulent pathogens; programming cells to produce toxins or viruses which could cause harm; and decreasing “tacit-knowledge” associated with activities relevant to the Convention**. States Parties also agreed on the importance of facilitating the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention.

18. **States Parties noted the potential relevance, both beneficial and for purposes contrary to the provisions of the Convention, of techniques designed to confer new characteristics to existing pathogens or to confer pathogenicity on non-pathogenic organisms. States Parties agreed on the value of continuing to consider such gain-of-function work in future meetings.**

19. **Research that is identified as being of dual-use concern is often vitally important to science, public health and agriculture, and its findings often contribute meaningfully to the broader base of knowledge that advances scientific and public health objectives. States Parties recognised that identifying research as being of dual-use concern does not, in itself, provide sufficient justification for proscribing or restricting its availability, or for preventing its pursuit. Identifying research as being of dual-use concern does necessitate greater oversight, and for a collaborative and informed assessment of the potential benefits and risks of the research.** In order to further seize opportunities for maximizing benefits from advances in science and technology while minimizing the risk of their application for prohibited purposes, States Parties noted the value of enhancing national oversight of dual-use research of concern without hampering the fullest possible exchange of knowledge and technology for peaceful purposes, **including, where appropriate, the early publication of relevant research to generate a window for effective policy engagement after proof-of-principle but prior to the existence of a mature technology**. States Parties **reiterated** the value of promoting appropriate oversight measures to identify and manage such risks ensuring that they proportional to the assessed risk, take into account both risks and benefits, and avoid

hampering legitimate peaceful activities. **States Parties noted the value of these measures:**

- (a) **Being transparent and providing for the frequent assessment of science and technology;**
- (b) **Taking advantage of flexible approaches that leverage existing review processes, consider good practices and available methodologies to measure risks and benefits of relevant activities; and**
- (c) **Addressing the safety and security risks associated with the conduct of research as well as the possible misuse of research results and products.**

States Parties agreed on the value of continued discussion under the Convention, on oversight of dual use research of concern, **including specific approaches to identifying relevant activities, as well as systems for assessing and mitigating relevant risks and benefits.**

20. **States Parties recognised that codes of conduct, whilst being the prerogative of States Parties, encourage responsible scientific conduct by helping to address risks that knowledge, information, products or technologies generated from life science research which could be used for harm. Relevant codes of conduct should avoid placing any restrictions on the exchange of scientific discoveries consistent with the objectives of the Convention.**

21. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties agreed on the value of:

- (a) **Continuing to support, collectively and individually, the promotion of a culture of responsibility and security among life scientists;**
- (b) **Ensuring coverage of all relevant work, which is being undertaken in a more diverse, broader range of institutions; and**
- (c) **Making full use, at the national level, of scientists targeted by education and awareness-raising efforts, to identify relevant advances and related dual-use issues, and to keep national legal and regulatory frameworks up to date.**

22. In light of the continuing importance of the convergence between the fields of biology and chemistry, States agreed on the value of **fostering closer cooperation between the communities supporting the Chemical Weapons Convention and the Convention, bringing scientific experts and policy makers together for greater interaction, as well as exploring ways that States Parties could leverage relevant work of the OPCW's Scientific Advisory Board.**

23. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, of keeping pace with rapid changes in a wide range of fields, **and in exploring**

opportunities for enhanced cooperation and sharing of technology identified by such reviews, States Parties reiterated the value of continuing to consider, in future meetings, possible ways of further strengthening scientific review. In this context, the important role played by national technical experts in the Meeting of Experts was emphasized.

24. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for reviewing developments in science and technology related to the Convention. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.

III. Strengthening national implementation

25. States Parties recalled their legal obligation, in accordance with their constitutional processes, to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of biological weapons and to prevent their transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire them.

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

27. To further address a range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV, States Parties agreed on the value of, depending on national needs and circumstances and in accordance with national laws and regulations:

(a) **Strengthening implementation of all provisions of the Convention** by continuously updating and enforcing national measures, including: legislation, regulations and administrative measures; national biosafety, biosecurity and control mechanisms; national export controls; disease surveillance and outbreak response capacity; arrangements for the oversight of science and for reviewing developments in science and technology; educational efforts and awareness-raising; assistance and protection capacity for responding to the alleged use of biological and toxin weapons; exchanging information and providing reports established by review conferences, such as participating in the CBMs; and provisions for building capacity for peaceful use.

(b) Strengthening the national institutions which play a role in national implementation by **adopting a whole-of-government approach to implementation, including: the identification of a central point of contact and coordination; mechanisms for regular communication amongst key stakeholders; and using the CBMs to provide a clear domestic overview of the current status of national implementation and identify cooperation and assistance needs; as well as organising awareness-raising workshops and training for establishing efficient communication and coordination;**

(c) **Exchanging ideas as to what further measures and initiatives could be adopted by States Parties at the national level, such as;**

(i) **Efforts to create a greater awareness and understanding of the Convention among government agencies, parliamentarians, law enforcement and border control officials, scientists and civil society, including through the identification of support of relevant national champions;**

(ii) **Developing better cooperation and capacity for local, state and federal (or equivalent) authorities to deal with disease;**

(iii) **Improving and amending laws and regulations dealing with hazardous waste and strengthening capacity for handling toxic and bio-hazardous waste; and**

(iv) **Opportunities to exchange best practice with regional countries and relevant international organizations.**

28. Recalling that the Seventh Review Conference called for appropriate measures, including effective national export controls, by all States Parties to implement Article III, States Parties **noted the importance of such measures in reducing levels of concern and enhancing international exchange of life science-related knowledge, equipment and materials. States Parties recognized the value of such measures:**

(a) **Neither favouring the commercial development of industries, nor hindering legitimate economic development of other countries;**

(b) **Affecting only a very few cases where there is an unacceptable risk of diversion for prohibited activities,**

(c) **Addressing transfers of tangible and intangible goods;**

(d) **Including laws and regulations that establish legal authorities and appropriate penalties, procedures and mechanisms for implementation and enforcement, a list of items subject to control, controls on technology directly associated with listed items, a catch-all provision, and regular outreach to life science researchers and the biotechnology industry; and**

(e) **Taking into account proliferation-related information, the significance of the transfer in terms of the appropriateness of the stated end-use, an assessment of the end-use, the role of distributors, brokers, or other intermediaries, the extent and**

effectiveness of national non-proliferation laws and regulations in the recipient States and any intermediaries, and the applicability of relevant multilateral agreements.

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

- (a) **Political support for the Convention and its implementation;**
- (b) **Collaborative efforts to strengthen or complement existing national frameworks and action plans;**
- (c) **Cooperation and assistance to provide the necessary technological, financial and human resources for effective implementation, including;**
 - (i) **Gathering better information about what measures States Parties have in place and what capacity gaps they face;**
 - (ii) **The ISU exploring means of making the information collected more readily searchable;**
 - (iii) **Developing clearer and more specific common understandings to provide better guidance on the issues that need to be considered and approaches that have been shown to be effective; and**
 - (iv) **Bringing resources to bear in a targeted way to build capacity and strengthen implementation;**
- (d) **Exploring ways to strengthen the reporting of laboratory exposures or laboratory acquired infections including common definitions, standards, and data collection systems; and**
- (e) **Continuing to work to increase participation in, and the utility of, the CBMs, including through a voluntary step-by-step approach.**

30. States Parties recognized the importance of regional and sub-regional cooperation in assisting national implementation by **sharing experiences of, and by identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging good practice with relevant regional and sub-regional organizations and using them, as appropriate and in accordance with their mandates, to promote networking, collaboration and coordination, and capacity-building as well as to support national and local training and human capacity-building. States Parties commended those States which have engaged in such cooperation and noted the value of, where possible, supporting financially or otherwise promoting such cooperation.**

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

- (a) **Developing national plans, including: regulations on accreditation and registration of relevant facilities; a balance**

between hard measures and soft measures; and a multi-sector and interdisciplinary platform to promote discussion;

(b) **Gathering data on laboratory exposures or laboratory acquired infections, so as to improve risk assessment, biosafety and biosecurity training and practices, policies, intervention and prevention measures, and prevention of future incidents;**

(c) **Ensuring the presence of sufficient trained practitioners who are trustworthy, responsible, stable, and can competently perform their duties;**

(d) **Raising awareness amongst a broader set of stakeholders, including regional authorities, governors, farmers, academia and the public; and**

(e) **Identifying the characteristics of facilities that handle biological agents which may be relevant to the Convention.**

32. States Parties recalled that reservations to the 1925 Geneva Protocol concerning retaliation, through the use of any of the objects prohibited by the Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use. States Parties **reiterated** the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Convention and **reiterated** their call for those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations, and to notify the Depositary of the 1925 Geneva Protocol accordingly, without delay.

33. **Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for implementation of the Convention. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.**

IV. How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties

34. **Recognizing a need to strengthen the international community's capacity to effectively provide assistance related to Article VII and having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, States Parties agreed on the value of:**

(a) **The primary responsibility for assisting its population resting with the State Party;**

(b) Assistance, or the provision of support, being provided promptly and efficiently and only upon the request of the affected States Party when:

(i) Biological or toxin weapons have been used, or are suspected of being used by any States(s) or other entity against a States Party;

(ii) A States Party is threatened by actions or activities of any State or other entity that are prohibited for States Parties by Article I;

(c) Preparations being made in advance of this Article being invoked, including:

(i) A coordinated government approach to emergency management;

(ii) Addressing the full range of possible implications;

(iii) Establishing clear channels of communication;

(iv) Accessing relevant expert advice; and

(v) Working to improve effective cooperation between the law enforcement and health sectors;

(d) Emergency human, animal and plant health and humanitarian assistance pending consideration of a decision by the Security Council, so as to ensure efficient, effective response to an outbreak at the earliest possible point, and ensuring that transition to formal activation of Article VII provisions is seamless and complementary.

35. States Parties recognised that there were a number of challenges to strengthening implementation of Article VII, including:

(a) The complexity of mounting an effective international response to assist victims of a biological weapon;

(b) Possible delays in the deployment of humanitarian or health responses given the difficulties of operating in an area in which a biological weapon may have been used;

(c) The potential political or security implications for humanitarian or health organizations of information coming into their possession that could help determine if an event is relevant to Article VII;

(d) The implication of providing emergency humanitarian or health assistance on perceptions of the origins of an unusual event;

(e) Potential difficulties in transporting clinical samples relevant to the Convention and in obtaining relevant reference material; and

(f) Legal, regulatory and logistical challenges to providing and receiving international assistance, including; recognition or waiver of medical credentials, licences, and professional certifications of personnel by the recipient country; liability protections for medical providers or those who manufacture, distribute or administer

medical countermeasures; regulatory clearance to import or use medical products in a host country; as well as mission funding.

36. Recognizing the possibility that, following danger to a State Party resulting from activities prohibited by the Convention, national means and resources could be overwhelmed and that assistance may be required, States Parties agreed on the value of such assistance covering, as necessary:

- (a) Specialized personnel and equipment such as detection, protection, containment and decontamination capability, aircraft, helicopters, ships, field hospitals and water purification units;**
- (b) Direct and indirect provision of goods and services to the affected population, including prophylactics and therapeutics and associated materials and equipment;**
- (c) Support for public, animal and plant health, environmental, food security, or logistical aspects of the response;**
- (d) Support for needs assessment, mapping population movements, coordinating incoming relief, improving communication, and coordination between military and civil defence and protection assets; and**
- (e) Exchange of best practice, information and technology regarding assistance.**

37. Recalling that a States Parties' national preparedness contributes to international capabilities for response, investigations and mitigation of outbreaks of disease due to alleged use of biological or toxin weapons, States Parties agreed on the value, at the national level, of:

- (a) Considering what might be done to deal with a threat or actual use of biological or toxin weapons, determining the sorts of assistance that might be required from other States Parties and international organizations and identifying who could provide it, as well as identifying any challenges to its provision;**
- (b) Prior evaluation and assessment of national capabilities, a gap analysis, and the development and implementation of national action plans to prevent, detect and respond to threats;**
- (c) Strong detection capabilities, including for disease surveillance, primed health communities, cost-effective rapid diagnostic tests, and accurate disease mapping, as well as appropriate countermeasures and recovery and decontamination options;**
- (d) Appropriate command, control and coordination of multi-agency assets during the life cycle of response efforts; and**
- (e) Regular training activities to strengthen national capacities.**

38. Recalling the importance of assisting other States Parties by, inter alia, enhancing relevant capabilities, strengthening human resources, and sharing

appropriate and effective practices, **States Parties agreed on the value of collaborating to build relevant national capacity, including:**

- (a)Facilitating, and having the right to participate in the fullest possible exchange of equipment, material and scientific and technological information to protect against, and respond to, the use of biological and toxin weapons;**
- (b)Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures;**
- (c)Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons and for purposes not prohibited under the Convention; and**
- (d)Working with relevant international organizations to build relevant national capacity, such as core capacities of public and animal health systems, or those to address toxins, as well as command, control and coordination arrangements.**

39. Recognizing that an event relevant to Article VII is more than a humanitarian or animal, plant or public health emergency, and in recognition that there is no institutional mechanism under the Convention to undertake relevant activities, States Parties agreed on the value of:

- (a) Ensuring effective coordination and cooperation with relevant international health and humanitarian organizations, such as WHO, FAO, OIE, IPPC, OCHA and the ICRC, in accordance with their mandates;**
- (b) Identifying issue areas where efforts under the Convention can complement other global efforts and make real progress towards improving preparedness and response capacity, for example, improving access to medical countermeasures during emergencies;**
- (c) Encouraging the international humanitarian community to consider the practical and policy challenges of an (sic) events relevant to Article VII to the humanitarian response system and to strengthen operational preparedness, so as to minimize impediments to a rapid response;**
- (d) Effective coordination and cooperation with relevant international organizations, such as the OPCW, that also provide assistance in the case of use of toxins;**
- (e) Effective coordination and cooperation with relevant international mechanisms, such as the UN Secretary-General's Mechanism that could be investigating the alleged use of a biological or toxin weapon;**
- (f) Further development of international mechanisms for the forensic investigation of the cause of an event; and**

(g) National, regional and international networks of relevant laboratories, including tools to identify potentially relevant facilities.

40. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties **recalled** the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons. States Parties agreed when requesting assistance:

(a) A State Party should provide the following information:

- (i) Name of the State Party;**
- (ii) Date and place of first reported case, indication if there was a related event, a description of the event, to the extent possible, the date and time, when the alleged event(s) took place and/or became apparent to the requesting State Party and, if possible, the duration of the alleged event(s);**
- (iii) Severity of the event, number of cases and the number of fatalities, if any;**
- (iv) Symptoms and signs – diagnosis if possible, information on the initial treatment and the preliminary results of the treatment of the disease;**
- (v) A description of the area involved;**
- (vi) All available epidemiological information;**
- (vii) Actions taken to manage the outbreak;**
- (viii) International organizations already involved in providing assistance;**
- (ix) States Parties already involved in providing assistance;**
- (x) Indications of why the outbreak is considered to be the result of a biological attack;**
- (xi) Characteristics of the agent involved, if available;**
- (xii) Types and scope of assistance required;**
- (xiii) Indication of any investigations conducted or being conducted;**

(b) The request is to be submitted to the United Nations Secretary General for forwarding to the United Nations Security Council as an urgent matter. It can simultaneously be submitted to one of the Depositories as an urgent matter or shared with all States Parties through the ISU; and

(c) Upon request, advice being provided by the ISU.

41. States Parties also agreed on the value of working together to ensure that an assistance mechanism includes:

(a) **Information on, and an inventory of, the types of assistance that States Parties could provide, such an inventory should:**

- (i) **Be separate from the existing assistance and cooperation database; and established by the ISU in the restricted access section of the website;**
- (ii) **Not to be linked with procedures for requesting investigation of alleged use; and**
- (iii) **Include: agreed procedures for States Parties to seek assistance; offers of assistance made by other States Parties, such as for material, equipment, advice, technology and finance; contact points within States Parties and relevant international organizations;**

(b) **A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;**

(c) **Procedures, or code of conduct, for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party, including consideration of what assistance can be requested and in what volumes, who will coordinate the provision of assistance, how it will be sent and how duplication will be avoided, including with assistance being provided by other international organizations;**

(d) **A fund for assistance to affected States Parties; and**

(e) **Capacity-building for international regional and sub-regional organizations that have relevant mandates, such as by joint exercise, workshops and training, including by the use of e-learning modules.**

42. **States Parties reiterated the value of continuing discussions on strengthening Article VII, including in light of various proposals made by States Parties.**

Second version of the substantive paragraphs (BWC/MSP/2014/CRP.1 and CRP.2)

The next version of the substantive paragraphs was issued as **BWC/MSP/2014/CRP.1** for the three Standing Agenda Items entitled *Revised Draft elements for inclusion in the Report of the Meeting of States Parties* late on Wednesday afternoon and an updated text **BWC/MSP/2014/CRP.2** for the biennial item entitled *Revised Draft elements for inclusion in the Report of the Meeting of States Parties* on Thursday morning.

18. In accordance with the decision of the Seventh Review Conference, and recalling the common understandings reached during the 2003–2005 and 2007–2010 intersessional work programmes and by the Meeting of States Parties in 2012 and 2013, States Parties continued to develop common understandings on each of the three standing agenda items and the biennial item.

I. Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

19. States Parties recalled their legal obligation to facilitate and their right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

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

21. Recalling the importance of the reports by States Parties on their implementation of Article X, States Parties noted that to date, a very small number of States Parties have submitted these reports and urged States Parties to submit clear, specific and timely national reports ~~to facilitate ongoing discussion.~~

22. In order to further enhance the functioning of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of assessing its functionality, strengthening its utilization and improving its operation. States Parties agreed on the value of continuing and expanding their use of the database, and **using it to reconcile reconciling supply and demand for technical assistance and improving the provision of assistance and cooperation by** ~~evaluating existing activities in light of requests for assistance and detailing needs and~~ **identifying** capacity gaps. States Parties also agreed on the value of more prominently featuring the assistance and cooperation database on the main ISU webpage ~~to promote its use~~ **States Parties noted the value of considering in 2015 reasons for its low usage in order to address potential obstacles and adding a roster of experts to the database.**

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

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

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

(c) Offers for cooperation are sustainable, address the needs of the recipient, and, **where appropriate**, include ~~possibilities~~ **arrangements** for the longer-term **support** ~~provision of assistance~~;

(d) Transparency in needs, challenges to implementation, and the results achieved, as well as being prepared to make substantial commitments when receiving assistance;

(e) Mutuality of benefit, ~~including ensuring adequate and equitable benefits~~ **collaborations in healthcare, including** ~~from the sharing of clinical samples, to address the needs of both partners for timely access to affordable drugs and vaccines and related diagnostic, preventative and therapeutic equipment~~;

(f) Full advantage is taken of exchanges of life science-related knowledge, materials and equipment around the world generated by industry, academia and other non-governmental groups, including through public-private partnerships;

(g) Environments that foster growth and exchange to take full advantage of the capacity of the private sector, academia and non-governmental organizations;

(h) Where appropriate, that regional cooperation compliments national efforts, such as for the stockpiling of prophylactics and therapeutics.

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

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

(b) Additional information on how States Parties are implementing their obligations and about specific challenges and issues they have observed and identifying specific needs for, and gaps in, cooperation that are currently unmet;

(c) Ensuring assistance is transparent, open, honest, and is used for purposes that are fully consistent with the objectives of the Convention; and

(d) Ensuring greater interoperability of regulatory standards, such as for emergency use authorizations, and transfers of clinical samples.

25. In order to further address a range of specific measures for the full and comprehensive implementation of Article X taking into account all of its provisions, including facilitation of cooperation and assistance, States Parties recognized the value of:

(a) Continuing national efforts to exchange information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources;

~~(b) Cooperation and assistance as an incentive for universalization to encourage more states to join the Convention, thereby helping to ensure that biological substances will be used exclusively for peaceful purposes; and~~

(b) Open-access to scientific publications, reducing possible barriers to access posed by the costs of subscriptions; and

(c) **Cross-border initiatives to strengthen disease detection, surveillance and response.**

26. In order to further reinforce efforts to develop human resources in the biological sciences and technology relevant to the implementation of the Convention, States Parties recognized the value of:

(a) Building a broad base of relevant capacity, including for national implementation, science and technology; biosafety and biosecurity management, as well as dealing with disease;

(b) Making full use of train-the-trainer approaches, including local-based training supported by national or regional associations and organizations, to reach a wider group of relevant actors.

(c) Opportunities for training and work with cutting edge technology in universities, research institutions and production facilities as well as advanced laboratories;

27. In order to further efforts to strengthen national, regional and international capacity through international cooperation to prevent accidental or deliberate releases of biological agents, as well as for detecting and responding to outbreaks of infectious disease or biological weapons attacks, States Parties noted the value of, **at the request of the recipient state and in accordance with their needs and aspirations:**

(a) Making detection, surveillance and response capacity more effective and robust, including through real-time bio-surveillance, more effective diagnostics, as well as emergency operation centres with common standards;

(b) Developing and maintaining national regulatory environments conducive to product development of diagnostics, prophylactics, and therapeutics; and

(c) Sharing relevant information on, inter alia, opportunities and challenges resulting from advances in the life sciences and biotechnology, disease outbreaks, biosafety, and health care.

(d) The availability of cost-effective, affordable and quality assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes.

28. In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits of developments in the

life sciences, States Parties noted the value of harnessing recent advances, including in enabling technologies, vaccine development and production, biological production technologies, equipment and **technical, practical and theoretical training, including for maintenance, occupational health and safety**, for high containment laboratories, in order to strengthen the sustainable development of States Parties, taking into account the needs of developing countries in meeting health-related challenges.

29. Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, and taking into account the mandates of existing mechanisms established by those organizations, States Parties noted the value of:

- (a) Promoting broader recognition of the unique central role of the Convention in dealing with preventing the development and production of biological and toxin weapons; and
- (b) Identifying assistance provided in other settings which could be useful in achieving the aims of the Convention and ensuring that such assistance is consistent with these aims.

~~30. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for the full and effective implementation of Article X obligations. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.[†]~~ **States Parties recalled their agreement on the importance of continuing discussions on full and effective implementation of Article X obligations, including in light of various proposals made by States Parties.**

II. Review of developments in the field of science and technology related to the Convention

31. States Parties identified certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information on these developments, including on the improved understanding of, and technologies to investigate:

- ~~(a) Rational design of attenuated vaccines, making vaccine and drug production simpler, faster, cheaper and more efficient;~~
- (a) Virulence mechanisms, resulting from advances in enabling technologies;
- (b) **An improved understanding of pathogenesis, which should enable** enabling more rapid responses to, and the development of countermeasures against, new or re-emerging pathogens;

[†] Language from this paragraph in the original draft elements as circulated in BWC/MSP/2014/L.2 will be reflected in a new paragraph in section V. Further steps to be distributed with the revised draft elements associated with the biennial agenda item.

(d) Host-pathogen interactions, offering new opportunities for: disease surveillance, detection, and diagnosis, **including making vaccine and drug production, simpler, faster, cheaper and more efficient**; the identification of targets to treat or prevent disease; negating the mechanisms that pathogens use to evade or disrupt the host immune system; identifying virulence factors in emerging pathogens; and the development of more specific vaccines, therapeutics and diagnostics; and

(e) Toxins, providing new avenues for treatments for **medicine and research, such as treatments for** neuromuscular disorders and post exposure therapy, **as well as** toxin detection and diagnosis, including through the development of standardized methodologies for detection and identification.

32. States Parties reviewed various enabling technologies, including, for example, genome editing tools including those derived from bacterial “immune systems”, **such as CRISPR/CAS9 as well as those related to** continuing progress in synthetic biology. These enabling technologies can affect how science is conducted an applied **and will have many benefits in faster, cheaper, and easier application of biological science and technology for both public health and security purposes**. These enabling technologies will bring both benefits and challenges for the Convention which may require action by States Parties. **Relevant activities should be conducted in a transparent manner and address potential ethical, safety and security concerns.**

33. States Parties reviewed advances derived from the convergence of scientific disciplines, including biology, chemistry and nanotechnology. These advances are leading to improvements in defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures, as well as for detection and diagnosis.

34. States Parties agreed that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including: the creation of novel, highly-contagious, virulent pathogens; programming cells to produce toxins or viruses **or other biological materials** which could cause harm; and ~~decreasing~~ **potential changes or shifts in** “tacit-knowledge” associated with activities relevant to the Convention. States Parties also agreed on the importance of facilitating the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention **whilst ensuring themselves such exchanges will be used exclusively for peaceful purposes.**

35. States Parties noted the potential relevance, both beneficial and for purposes contrary to the provisions of the Convention, of techniques designed to confer new characteristics to existing pathogens or to confer pathogenicity on non-pathogenic organisms. States Parties agreed on the value of continuing to consider such gain-of-function work in future meetings.

36. Research that is identified as being of dual-use concern is often vitally important to science, public health and agriculture, and its findings often

contribute meaningfully to the broader base of knowledge that advances scientific and public health objectives. States Parties recognised that identifying research as being of dual-use concern does not, in itself, provide sufficient justification for proscribing or restricting its availability, or for preventing its pursuit. Identifying research as being of dual-use concern does necessitate greater oversight, and for a collaborative and informed assessment of the potential benefits and risks of the research. In order to further seize opportunities for maximizing benefits from advances in science and technology while minimizing the risk of their application for prohibited purposes, States Parties noted the value of enhancing national oversight of dual-use research of concern without hampering the fullest possible exchange of knowledge and technology for peaceful purposes, including, where appropriate, the early publication of relevant research to generate a window for effective policy engagement after proof-of-principle but prior to the existence of a mature technology. States Parties reiterated the value of promoting appropriate oversight measures to identify and manage such risks ensuring that they proportional to the assessed risk, take into account both risks and benefits, and avoid hampering legitimate peaceful activities. States Parties noted the value of these measures:

- (a) Being transparent and providing for the frequent assessment of science and technology;
- (b) Taking advantage of flexible approaches that leverage existing review processes, consider good practices and available methodologies ~~to measure risks and benefits of relevant activities;~~ and
- (c) Addressing the safety and security risks associated with the conduct of research as well as the possible misuse of research results and products.

States Parties agreed on the value of continued discussion under the Convention, on oversight of dual use research of concern, including specific approaches to identifying relevant activities, **criteria for assessing risks of relevance to the Convention, such as aspects of range of types and quantities of relevant agents and toxins**, as well as systems ~~for assessing and mitigating~~ **managing** relevant risks and benefits.

37. States Parties took note of a model Code of Conduct for Scientists presented to the meeting. States Parties recognised that **such** codes of conduct, whilst being the prerogative of States Parties, encourage responsible scientific conduct by helping to address risks that knowledge, information, products or technologies generated from life science research which could be used for harm. **Codes of conduct, including those developed and used by scientific organizations and institutions, help to support the responsibility of individual scientists to consider potential consequences, both positive and negative, of their work.** Relevant codes of conduct should avoid placing any **undue** restrictions on the exchange of scientific discoveries consistent with the objectives of the Convention **and justified for protective, prophylactic or other peaceful purposes.**

38. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties agreed on the value of:

- (a) Continuing to support, collectively and individually, the promotion of a culture of responsibility and security among life scientists;
- (b) Ensuring coverage of all relevant work, which is being undertaken in a more diverse, broader range of institutions; and
- (c) Making full use, at the national level, of scientists targeted by education and awareness-raising efforts, to identify relevant advances and related dual-use issues, and to keep national legal and regulatory frameworks up to date.

39. In light of the continuing importance of the convergence between the fields of biology and chemistry, States agreed on the value of fostering closer cooperation between the communities supporting the Chemical Weapons Convention and the Convention, bringing scientific experts and policy makers together for greater interaction, as well as exploring ways that States Parties could leverage relevant work of the OPCW's Scientific Advisory Board **and other relevant international scientific entities and advisory boards..**

40. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, of keeping pace with rapid changes in a wide range of fields, and in exploring opportunities for enhanced cooperation and sharing of technology identified by such reviews, States Parties reiterated the value of continuing to consider, in future meetings, possible ways of further strengthening scientific review. In this context, the important role played by national technical experts in the Meeting of Experts was emphasized.

~~41. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for reviewing developments in science and technology related to the Convention. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner. [†]~~

III. Strengthening national implementation

42. States Parties recalled their legal obligation, in accordance with their constitutional processes, to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of biological weapons and to prevent their transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire them.

[†] Language from this paragraph in the original draft elements as circulated in BWC/MSP/2014/L.2 will be reflected in a new paragraph in section V. Further steps to be distributed with the revised draft elements associated with the biennial agenda item.

43. States Parties recalled their agreement to continue to work to strengthen national implementation, taking into account differences in national circumstances and legal and constitutional processes. States Parties agreed on the need to pursue national implementation through the current intersessional programme to foster regional and sub-regional cooperation to promote awareness of the Convention and strengthen regional discussions on the topics of the current intersessional programme. States Parties reiterated the value of elaborating further the existing common understandings related to national implementation **and highlighted the importance of networking, cooperation and collaboration to promote capacity building at the national, sub-regional, regional and international levels.**

44. To further address a range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV, States Parties agreed on the value of, depending on national needs and circumstances and in accordance with national laws and regulations:

(a) Strengthening implementation of all provisions of the Convention by ~~continuously updating and enforcing~~ **continuing to develop, update and enforce** national measures, including: legislation, regulations and administrative measures; national biosafety, biosecurity and control mechanisms; national export controls; disease surveillance and outbreak response capacity; arrangements for the oversight of science and for reviewing developments in science and technology; educational efforts and awareness-raising; assistance and protection capacity for responding to the alleged use of biological and toxin weapons; exchanging information and providing reports established by review conferences, such as participating in the CBMs; and provisions for building capacity for peaceful use.

(b) Strengthening the national institutions which play a role in national implementation by adopting a whole-of-government approach to implementation, including: the identification of a central point of contact and coordination; mechanisms for regular communication amongst key stakeholders; and using **these mechanisms to aid in preparation of** the CBMs ~~to~~ **which can** provide a clear domestic overview of the current status of national implementation and identify cooperation and assistance needs; as well as organising awareness-raising workshops and **simulations, exercises and** training for establishing efficient communication and coordination; **as well as promoting the Convention through related activities such as outreach to industry, education and research sectors.**

(c) Exchanging ideas as to what further measures and initiatives could be adopted by States Parties at the national level, such as;

(i) Efforts to create a greater awareness and understanding of the Convention among government agencies, parliamentarians, law enforcement and border control officials, scientists and civil society, including through the identification of support of relevant national champions;

- (ii) Developing better cooperation and capacity for local, state and federal (or equivalent) authorities to deal with disease;
- (iii) Improving and amending laws and regulations dealing with hazardous waste and strengthening capacity for handling toxic and bio-hazardous waste; and
- (iv) Opportunities to exchange best practice with regional countries and relevant international organizations; **and**

(v) Establishing or strengthening national authorities.

45. Recalling that the Seventh Review Conference called for appropriate measures, including effective national export controls, by all States Parties to implement Article III, States Parties noted the importance of such measures in reducing levels of concern and enhancing international exchange of life science-related knowledge, equipment and materials. States Parties recognized the value of such measures:

- (a) Neither favouring the commercial development of industries, nor hindering legitimate economic development of other countries;
- (b) Affecting only a very few cases where there is an unacceptable risk of diversion for prohibited activities,
- (c) Addressing transfers of tangible and intangible goods;
- (d) Including laws and regulations that establish legal authorities and appropriate penalties, procedures and mechanisms for implementation and enforcement, a list of items subject to control, controls on technology directly associated with listed items, a catch-all provision, and regular outreach to life science researchers and the biotechnology industry; and
- (e) Taking into account proliferation-related information, the significance of the transfer in terms of the appropriateness of the stated end-use, an assessment of the end-use, the role of distributors, brokers, or other intermediaries, the extent and effectiveness of national non-proliferation laws and regulations in the recipient States and any intermediaries, and the applicability of relevant multilateral agreements.

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

- (a) Political support for the Convention and its implementation;
- (b) Collaborative efforts to strengthen or complement existing national frameworks and action plans;
- (c) Cooperation and assistance to provide the necessary technological, financial and human resources for effective implementation, including;
 - (i) Gathering better information about what measures States Parties have in place and what capacity gaps they face;

- (ii) The ISU exploring means of making the information collected more readily searchable;
 - (iii) Developing clearer and more specific common understandings to provide better guidance on the issues that need to be considered and approaches that have been shown to be effective; and
 - (iv) Bringing resources to bear in a targeted way to build capacity and strengthen implementation;
- (d) Exploring ways to strengthen the reporting of laboratory exposures or laboratory acquired infections including common definitions, standards, and data collection systems; and
- (e) Continuing to work to increase participation in, and the utility of, the CBMs, including through a voluntary step-by-step approach, **the ISU surveying States Parties in order to identify impediments to participation, as well as by identifying assistance opportunities and packages available to help States Parties participate.**

47. States Parties recognized the importance of regional and sub-regional cooperation in assisting national implementation by sharing experiences of, and by identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging good practice with relevant regional and sub-regional organizations and using them, as appropriate and in accordance with their mandates, to promote networking, collaboration and coordination, and capacity-building as well as to support national and local training and human capacity-building. States Parties commended those States which have engaged in such cooperation and noted the value of, where possible, supporting financially or otherwise promoting such cooperation.

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

- (a) Developing national plans, including: regulations on accreditation and registration of relevant facilities; a balance between ~~hard measures~~ **regulations and standards, guidance and training** and ~~soft measures~~; and **as well as** a multi-sector and interdisciplinary platform to promote discussion;
- (b) Gathering data on laboratory exposures or laboratory acquired infections, so as to improve risk assessment, biosafety and biosecurity training and practices, policies, intervention and prevention measures, and prevention of future incidents;
- (c) Ensuring the presence of sufficient trained practitioners who are trustworthy, responsible, stable, and can competently perform their duties;
- (d) Raising awareness amongst a broader set of stakeholders, including regional authorities, governors, ~~farmers~~ **the agricultural sector**, academia and the public; and

- (e) Identifying the characteristics of facilities that handle biological agents which may be relevant to the Convention.

49. States Parties recalled that reservations to the 1925 Geneva Protocol concerning retaliation, through the use of any of the objects prohibited by the Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use. States Parties reiterated the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Convention and reiterated their call for those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations, and to notify the Depositary of the 1925 Geneva Protocol accordingly, without delay.

~~33. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for implementation of the Convention. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.[†]~~

IV. How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties

34. Recognizing a need to strengthen the international community's capacity to effectively provide assistance related to Article VII, **States Parties reiterated that there can be no additional preconditions on requesting assistance under Article VII.** and Having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, States Parties ~~agreed on the value of~~ **recalled:**

- (a) The primary responsibility for ~~assisting its population resting~~ **responding to an event rests** with the State Party;
- (b) Assistance, or the provision of support, being provided promptly and efficiently and only upon the request of the affected States Party when:
 - (i) Biological or toxin weapons have been used, or are suspected of being used by any States(s) or other entity against a States Party;
 - (ii) A States Party is threatened by actions or activities of any State or other entity that are prohibited for States Parties by Article I;

^{† †} Language from this paragraph in the original draft elements as circulated in BWC/MSP/2014/L.2 will be reflected in a new paragraph in section V. Further steps to be distributed with the revised draft elements associated with the biennial agenda item.

(c) Preparations being made in advance of this Article being invoked, including:

- (i) A coordinated government approach to emergency management;
- (ii) Addressing the full range of possible implications;
- (iii) Establishing clear channels of communication;
- (iv) Accessing relevant expert advice; and
- (v) Working to improve effective ~~cooperation~~ **coordination** between the law enforcement and health sectors;

(d) Emergency human, animal and plant health and humanitarian assistance pending consideration of a decision by the Security Council, so as to ensure efficient, effective response to an outbreak at the earliest possible point, and ensuring that transition to formal activation of Article VII provisions is seamless and complementary.

52. States Parties recognised that there were a number of challenges to strengthening implementation of Article VII **and recognised the value of addressing them promptly and effectively**, including:

- (a) The complexity of mounting an effective international response to ~~assist~~ **help** victims of a biological weapon;
- (b) Possible delays in the deployment of humanitarian or health responses given the difficulties of operating in an area in which a biological weapon may have been used;
- (c) The potential political or security implications for humanitarian or health organizations of information coming into their possession that could help determine if an event is relevant to Article VII;
- (d) The implication of providing emergency humanitarian or health assistance on perceptions of the origins of an unusual event;
- (e) Potential difficulties in transporting clinical samples relevant to the Convention and in obtaining relevant reference material; and
- (f) Legal, regulatory and logistical challenges to providing and receiving international assistance, including; recognition or waiver of medical credentials, licences, and professional certifications of personnel by the recipient country; liability protections for medical providers or those who manufacture, distribute or administer medical countermeasures; regulatory clearance to import or use medical products in a host country; ~~as well as~~ mission funding; **as well as integrating international components into national operations.**

53. Recognizing the possibility that, following danger to a State Party resulting from activities prohibited by the Convention, national means and resources could be overwhelmed and that assistance may be required, States Parties agreed on the value of such assistance covering, as necessary:

- (a) Specialized personnel and equipment such as **well-trained and equipped first responders, health workers trained to detect and**

manage relevant cases of disease, sensitive surveillance and alert systems, as well as detection, protection, containment and decontamination capability, aircraft, helicopters, ships, field hospitals and water purification units;

(b) Direct and indirect provision of goods and services to the affected population, including prophylactics and therapeutics and associated materials and equipment;

(c) Support for public, animal and plant health, environmental, food security, or logistical aspects of the response;

(d) Support for needs assessment, mapping population movements, coordinating incoming relief, improving communication, and coordination between military and civil defence and protection assets; and

(e) Exchange of best practice, information and technology regarding assistance.

54. Recalling that a States Parties' national preparedness contributes to international capabilities for response, investigations and mitigation of outbreaks of disease due to alleged use of biological or toxin weapons, States Parties agreed on the value, at the national level, of:

(a) Considering what might be done to deal with a threat or actual use of biological or toxin weapons, determining the sorts of assistance that might be required from other States Parties and international organizations and identifying who could provide it, as well as identifying any challenges to its provision;

(b) Prior evaluation and assessment of national capabilities, a gap analysis, and the development and implementation of national action plans to prevent, detect and respond to threats;

(c) Strong detection capabilities, including for disease surveillance, primed health communities, cost-effective rapid diagnostic tests, and accurate disease mapping, as well as appropriate countermeasures and recovery and decontamination options;

(d) Appropriate command, control and coordination of **cross-governmental planning and response as well as** multi-agency assets during the life cycle of response efforts; and

(e) Regular training activities to strengthen national capacities.

55. Recalling the importance of ~~assisting other States Parties by, inter alia,~~ enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties agreed on the value of collaborating to build relevant national capacity, including:

(a) Facilitating, and having the right to participate in the fullest possible exchange of equipment, material and scientific and technological information to protect against, and respond to, the use of biological and toxin weapons;

(b) Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures;

(c) Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons and for purposes not prohibited under the Convention; ~~and~~

(d) Training of personnel, including in forensic services;

(d) Working with relevant international organizations to build relevant national capacity, such as core capacities of public and animal health systems, or those to address toxins, as well as command, control and coordination arrangements.

56. Recognizing that an event relevant to Article VII is more than a humanitarian or animal, plant or public health emergency, and in recognition that there is no institutional mechanism under the Convention to undertake relevant activities, States Parties agreed on the value of:

(a) The United Nations being responsible for coordinating activity between international organizations, non-governmental organizations and States Parties involved in responding to an event, at the level of the Secretary-General, with support from ISU and UNODA;

(b) Ensuring effective coordination and cooperation with relevant international health and humanitarian organizations, such as WHO, FAO, OIE, IPPC, OCHA and the ICRC, in accordance with their mandates **and upon request by a State Party;**

(c) Identifying issue areas where efforts under the Convention can complement other global efforts and make real progress towards improving preparedness and response capacity, for example, improving access to medical countermeasures during emergencies;

(d) Encouraging the international humanitarian community to consider the practical and policy challenges of an (sic) events relevant to Article VII to the humanitarian response system and to strengthen operational preparedness, so as to minimize impediments to a rapid response;

(e) Effective coordination ~~and cooperation~~ with relevant international organizations, such as the OPCW, that also provide assistance in the case of use of toxins;

(f) Effective coordination ~~and cooperation~~ with relevant international mechanisms, such as the UN Secretary-General's Mechanism that ~~could be investigating the alleged use of a biological or toxin weapon~~ **involved with activities related to other Articles of the Convention;**

~~(f) Further development of international mechanisms for the forensic investigation of the cause of an event; and~~

(g) National, regional and international networks of relevant laboratories, including tools to identify potentially relevant facilities.

57. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties recalled the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons. States Parties agreed when requesting assistance:

(a) A State Party should provide the following information:

- (i) Name of the State Party;
- (ii) Date and place of first reported case, indication if there was a related event, a description of the event, to the extent possible, the date and time, when the alleged event(s) took place and/or became apparent to the requesting State Party and, if possible, the duration of the alleged event(s);
- (iii) Severity of the event, number of cases and the number of fatalities, if any;
- (iv) Symptoms and signs – diagnosis if possible, information on the initial treatment and the preliminary results of the treatment of the disease;
- (v) A description of the area involved;
- (vi) All available epidemiological information;
- (vii) Actions taken to manage the outbreak;
- (viii) International organizations already involved in providing assistance;
- (ix) States Parties already involved in providing assistance;
- (x) Indications of why the outbreak is considered to be the result of a biological attack;
- (xi) Characteristics of the agent involved, if available;
- (xii) Types and scope of assistance required;
- (xiii) Indication of any investigations conducted or being conducted;

(b) The request is to be submitted to the United Nations Secretary General for forwarding to the United Nations Security Council as an urgent matter. It can simultaneously be submitted to one of the Depositories as an urgent matter or shared with all States Parties through the ISU; and

(c) Upon request, ~~advice being provided by the ISU~~ **could facilitate the preparation and submission of such a request.**

58. States Parties also agreed on the value of ~~working together to ensure that an assistance mechanism includes~~ **continuing to explore strengthening the process for the provision of assistance in 2015, including:**

(a) Information on, and an inventory of, the types of assistance that States Parties could provide, such an inventory should:

(i) Be separate from the existing assistance and cooperation database; and established by the ISU in the restricted access section of the website;

(ii) Not to be linked with procedures for requesting investigation of alleged use; and

(iii) Include: agreed procedures for States Parties to seek assistance; offers of assistance made by other States Parties, such as for material, equipment, advice, technology and finance; contact points within States Parties and relevant international organizations;

(b) A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

(c) Procedures, or code of conduct, for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party, including consideration of what assistance can be requested and in what volumes, who will coordinate the provision of assistance, how it will be sent and how duplication will be avoided, including with assistance being provided by other international organizations;

(d) A fund for assistance to affected States Parties; and

(e) Capacity-building for international regional and sub-regional organizations that have relevant mandates, such as by joint exercise, workshops and training, including by the use of e-learning modules.

59. States Parties reiterated the value of continuing discussions on strengthening Article VII, ~~including in light of various proposals made by States Parties~~ **and in light of outbreak of Ebola in West Africa, considering:**

(i) Preventative, preparedness, response and recovery activities at the national, regional and international level related to such an outbreak;

(ii) Whether existing modalities of international response allow for timely and adequate support and assistance to the affected countries and peoples including first responders and health care worker; and

(iii) Ways to assure preventative and therapeutic equipment to affected people especially those in developing countries at a time when major pharmaceutical companies are reluctant to invest in relevant drugs and vaccines before there is an assured market.

V. Further steps

60. States Parties further considered that in pursuing the above understandings and actions, States Parties could, according to their respective circumstances and constitutional and legal processes, take into account the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements,

working papers and interventions made by delegations on the topics under discussion at the Meeting of Experts, as contained in annex I of the Report of the Meeting of Experts (BWC/MSP/2014/MX/3), as well as the synthesis of these considerations, lessons, perspectives, recommendations, conclusions and proposals contained in BWC/MSP/2014/L.1, which is attached to this report as annex I. This annex was not proposed for adoption as an outcome of the Meeting, and therefore was not discussed with that aim. Thus, the annex was not agreed upon and consequently has no status.

61. States Parties are encouraged to continue sharing information at subsequent meetings of the intersessional programme on any actions, measures or other steps that they may have taken on issues under consideration in the intersessional programme, in order to further promote common understanding and effective action and to facilitate the Eighth Review Conference's consideration of the work and outcome of these meetings and its decision on any further action, in accordance with the decision of the Seventh Review Conference (BWC/CONF.VII/7, Part III, paragraph 15).

61bis. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussion on potential further measures relevant to the standing agenda items and biennial agenda items of the current intersessional programme. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.

61ter. States Parties noted the value of an informal process, open to all States Parties, to prepare for the 2016 Review Conference by further developing issues of common interest. Such a process shall not impede the current intersessional process.

Third version of the substantive paragraphs (Draft report, Thursday 4 Dec, pm.)

The next version of the substantive paragraphs was issued on **Thursday afternoon, 4 December 2014** entitled *Draft report [Thursday 4 Dec, pm]*. It is understood that a different approach was taken to the provision of text in **bold** for the version of the substantive paragraphs circulated to delegations. As it is evident from studying this and subsequent drafts that new text was **not** consistently being included in **bold** and removed text shown by deletions, we have decided that for this analysis of how the substantive text developed in successive drafts, it would be clearer in this report to show new text in **bold** and removed text by deletions.

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

recalling the common understandings reached during the 2003-2005 and 2007-2010 intersessional work programmes and by the Meeting of States Parties in 2012 and 2013, States Parties continued to develop common understandings on each of the three standing agenda items and the biennial item.

I Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

19. States Parties recalled their legal obligation to facilitate and their right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

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

21. Recalling the importance of the reports by States Parties on their implementation of Article X, States Parties noted that to date, a very small number of States Parties have submitted these reports and urged States Parties to submit clear, specific and timely national reports.

22. In order to further enhance the functioning of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of assessing its functionality, strengthening its utilization and improving its operation. States Parties agreed on the value of continuing and expanding their use of the database, and using it to reconcile supply and demand for technical assistance, and improving the provision of assistance and cooperation by detailing needs and identifying capacity gaps. States Parties also agreed on the value of actively promoting its use and more prominently featuring the assistance and cooperation database on the main ISU webpage. States Parties noted the value of considering in 2015 reasons for its low usage in order to address potential obstacles and adding a roster of experts to the database.

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

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

(b) Continuing to work together to target and mobilize resources, including

financial resources, to address gaps and needs for assistance and cooperation including in particular from developed to developing States Parties and also exploring different ways of cooperation, including North-South, South-South and North-North, cooperation;

(c) Offers for cooperation are sustainable, address the needs of the recipient, and, where appropriate, include arrangements for the longer-term support;

(d) Transparency in needs, challenges to implementation, and the results achieved, as well as being prepared to make substantial commitments when receiving assistance;

(e) Mutuality of benefit from collaborations in healthcare, including the sharing of clinical samples, to address the needs of both partners for timely access to affordable drugs and vaccines and related diagnostic, preventative and therapeutic equipment;

(f) Full advantage is taken of exchanges of life science-related knowledge, materials and equipment around the world generated by industry, academia and other non-governmental groups, including through public-private partnerships;

(g) Environments that foster growth and exchange to take full advantage of the capacity of the private sector, academia and non-governmental organizations;

(h) Where appropriate, that regional cooperation compliments national efforts, such as for the stockpiling of prophylactics and therapeutics.

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

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

(b) Additional information on how States Parties are implementing their obligations and about specific challenges and issues they have observed and identifying specific needs for, and gaps in, cooperation that are currently unmet;

(c) Ensuring assistance is transparent, open, honest, and is used for purposes that are fully consistent with the objectives of the Convention;

and

(d) Ensuring greater interoperability of regulatory standards, such as for emergency use authorizations, and transfers of clinical samples.

25. In order to further address a range of specific measures for the full and comprehensive implementation of Article X taking into account all of its provisions, including facilitation of cooperation and assistance, States Parties recognized the value of:

(a) Continuing national efforts to exchange information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources;

(b) Open-access to scientific publications, reducing possible barriers to access posed by the costs of subscriptions; and

(c) Cross-border initiatives to strengthen disease detection, surveillance and response.

26. In order to further reinforce efforts to develop human resources in the biological sciences and technology relevant to the implementation of the Convention, States Parties recognized the value of:

(a) Building a broad base of relevant capacity, including for national implementation, science and technology; biosafety and biosecurity management, as well as dealing with disease;

(b) Making full use of train-the-trainer approaches, including local-based training supported by national or regional associations and organizations, to reach a wider group of relevant actors.

(c) Opportunities for training and work with cutting edge technology in universities, research institutions and production facilities as well as advanced laboratories;

27. In order to further efforts to strengthen national, regional and international capacity through international cooperation to prevent accidental or deliberate releases of biological agents, as well as for detecting and responding to outbreaks of infectious disease or biological weapons attacks, States Parties noted the value of, at the request of the recipient state and in accordance with their needs and aspirations:

(a) Making detection, surveillance and response capacity more effective and robust, including through real-time bio-surveillance, more effective diagnostics, as well as emergency operation centres with common standards;

(b) Developing and maintaining national regulatory environments conducive to product development of diagnostics, prophylactics, and therapeutics; and

(c) Sharing relevant information on, inter alia, opportunities and challenges resulting from advances in the life sciences and biotechnology, disease outbreaks, biosafety, and health care.

(d) The availability of cost-effective, affordable and quality assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes.

28. In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits of developments in the life sciences, States Parties noted the value of harnessing recent advances, including in enabling technologies, vaccine development and production, biological production technologies, equipment and technical, practical and theoretical training, including for maintenance, occupational health and safety, for high containment laboratories, in order to strengthen the sustainable development of States Parties, taking into account the needs of developing countries in meeting health-related challenges.

29. Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, and taking into account the mandates of existing mechanisms established by those organizations, States Parties noted the value of:

(a) Promoting broader recognition of the unique central role of the Convention in dealing with preventing the development and production of biological and toxin weapons; and

(b) Identifying assistance provided in other settings which could be useful in achieving the aims of the Convention and ensuring that such assistance is consistent with these aims.

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

II. Review of developments in the field of science and technology related to the Convention

31. States Parties identified certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information on these developments, including on the improved understanding of:

(a) Virulence mechanisms, resulting from advances in enabling technologies;

(b) An improved understanding of pathogenesis, which should enable more rapid responses to, and the development of countermeasures against, new or re-emerging pathogens;

(c) Host-pathogen interactions, offering new opportunities for: disease surveillance, detection, and diagnosis, including making vaccine and drug production, simpler, faster, cheaper and more efficient; the identification of targets to treat or prevent disease; negating the mechanisms that pathogens use to evade or disrupt the host immune system; identifying virulence factors in emerging pathogens; and the development of more specific vaccines, therapeutics and diagnostics; and

(e) Toxins, providing new avenues for medicine and research, such as treatments for neuromuscular disorders and post exposure therapy, as well as toxin detection and diagnosis, including through the development of standardised methodologies for detection and identification.

32. States Parties reviewed various enabling technologies, including, for example, genome editing tools including those derived from bacterial 'immune systems', such as CRISPR/CAS9, as well as those related to and continuing progress in synthetic biology. These enabling technologies can affect how science is conducted an applied and may have many benefits in faster, cheaper, and easier application of biological science and technology for both public health and security purposes. These enabling technologies will bring both benefits and challenges for the Convention which may require action by States Parties. Relevant activities should be conducted in a transparent manner and address potential ethical, safety and security concerns.

33. States Parties reviewed advances derived from the convergence of scientific disciplines, including biology, chemistry and nanotechnology. These advances are leading to improvements in defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures, as well as for detection and diagnosis.

34. States Parties agreed that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including: the creation of novel, highly-contagious, virulent pathogens; programming cells to produce toxins, or viruses or other biological materials which could cause harm; and potential changes or shifts in "tacit knowledge" associated with activities relevant to the Convention. States Parties also agreed on the importance of facilitating the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention whilst ensuring themselves such exchanges will be used exclusively for peaceful purposes.

35. States Parties noted the potential relevance, both beneficial and for purposes contrary to the provisions of the Convention, of techniques designed to confer new characteristics to existing pathogens or to confer pathogenicity on non-pathogenic organisms. States Parties agreed on the value of continuing to consider such gain-of-function work in future meetings.

36. Research that is identified as being of dual-use concern is often vitally important to science, public health and agriculture, and its findings often contribute meaningfully to the broader base of knowledge that advances scientific and public health objectives. States Parties recognised that identifying research as being of dual-use concern does not, in itself, provide sufficient justification for proscribing or restricting its availability, or for preventing its pursuit. Identifying research as being of dual-use concern does necessitate greater oversight, and for a collaborative and informed assessment of the potential benefits and risks of the research. In order to further seize opportunities for maximizing benefits from advances in science and technology while minimizing the risk of their application for prohibited purposes, States Parties noted the value of enhancing national oversight of dual-use research of concern without hampering the fullest possible exchange of knowledge and technology for peaceful purposes, including, where appropriate, the early publication of relevant research to generate a window for effective policy engagement after proof-of-principle but prior to the existence of a mature technology. States Parties reiterated the value of promoting appropriate oversight measures to identify and manage such risks ensuring that they proportional to the assessed risk, take into account both risks and benefits, and avoid hampering legitimate peaceful activities. States Parties noted the value of these measures:

- (a) Being transparent and providing for the frequent assessment of science and technology;
- (b) Taking advantage of flexible approaches that leverage existing review processes, consider good practices and available methodologies; and
- (c) Addressing the safety and security risks associated with the conduct of research as well as the possible misuse of research results and products.

States Parties agreed on the value of continued discussion under the Convention, on oversight of dual use research of concern, **including specific approaches to** identifying relevant activities, criteria for assessing risks of relevance to the Convention, such as aspects of range of types and quantities of relevant agents or toxins, as well systems managing relevant risks and benefits.

37. States Parties took note of a model Code of Conduct for Scientists presented to the meeting. States Parties recognised that such codes of

conduct, whilst being the prerogative of States Parties, encourage responsible scientific conduct by helping to address risks that knowledge, information, products or technologies generated from life science research which could be used for harm. Codes of conduct, including those developed and used by scientific organizations and institutions, help to support the responsibility of individual scientists to consider the potential consequences, both positive and negative, of their work. Relevant codes of conduct should avoid placing any restrictions on the exchange of scientific discoveries consistent with the objectives of the Convention and justified for protective, prophylaxis or other peaceful purposes.

38. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties agreed on the value of:

- (a) Continuing to support, collectively and individually, the promotion of a culture of responsibility and security among life scientists;
- (b) Ensuring coverage of all relevant work, which is being undertaken in a more diverse, broader range of institutions; and
- (c) Making full use, at the national level, of scientists targeted by education and awareness-raising efforts, to identify relevant advances and related dual-use issues, and to keep national legal and regulatory frameworks up to date.

39. In light of the continuing importance of the convergence between the fields of biology and chemistry. States agreed on the value of fostering closer cooperation between the communities supporting the Chemical Weapons Convention and the Convention, bringing scientific experts and policy makers together for greater interaction, as well as exploring ways that States Parties could leverage relevant work of the OPCW's Scientific Advisory Board and other relevant international scientific entities and advisory boards.

40. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, of keeping pace with rapid changes in a wide range of fields, and in exploring opportunities for enhanced cooperation and sharing of technology identified by such reviews, States Parties reiterated the value of continuing to consider, in future meetings, possible ways of further strengthening scientific review. In this context, the important role played by national technical experts in the Meeting of Experts was emphasised

III. Strengthening national implementation

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

biological weapons and to prevent their transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire them.

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

43. To further address a range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV. States Parties agreed on the value of depending on national needs and circumstances and in accordance with national laws and regulations:

(a) Strengthening implementation of all provisions of the Convention by continuing to develop, update and enforce national measures, including: legislation, regulations and administrative measures; national biosafety, biosecurity and control mechanisms; national export controls; disease surveillance and outbreak response capacity; arrangements for the oversight of science and for reviewing developments in science and technology; educational efforts and awareness-raising; assistance and protection capacity for responding to the alleged use of biological and toxin weapons; exchanging information and providing reports established by review conferences, such as participating in the CBMs; and provisions for building capacity for peaceful use.

(b) Strengthening the national institutions which play a role in national implementation by adopting a whole-of-government approach to implementation, including: the identification of a central point of contact and coordination; mechanisms for regular communication amongst key stakeholders; and using these mechanisms to aid in preparation of CBMs which can provide a clear domestic overview of the current status of national implementation and identify cooperation and assistance needs; as well as organising awareness-raising workshops and simulations, exercises and training for establishing efficient communication and coordination; as well as promoting the Convention through related activities such as outreach to industry, education and research sectors.

(c) Exchanging ideas as to what further measures and initiatives could be adopted by States Parties at the national level, such as;

(i) Efforts to create a greater awareness and understanding of the Convention among government agencies, parliamentarians, law enforcement and border control officials, scientists and civil society, including through the identification of support of relevant national champions;

(ii) Developing better cooperation and capacity for local, state and federal (or equivalent) authorities to deal with disease;

(iii) Improving and amending laws and regulations dealing with hazardous waste and strengthening capacity for handling toxic and bio-hazardous waste; and

(iv) Opportunities to exchange best practice with regional countries and relevant international organizations.

(v) Establishing or strengthening national authorities.

44. Recalling that the Seventh Review Conference called for appropriate measures, including effective national export controls, by all States Parties to implement Article III, States Parties noted the importance of such measures in reducing levels of concern and enhancing international exchange of life science-related knowledge, equipment and materials. States Parties recognised the value of such measures:

(a) Neither favouring the commercial development of industries, nor hindering legitimate economic development of other countries;

(b) Affecting only a very few cases where there is an unacceptable risk of diversion for prohibited activities,

(c) Addressing transfers of tangible and intangible goods;

(d) Including laws and regulations that establish legal authorities and appropriate penalties, procedures and mechanisms for implementation and enforcement, a list of items subject to control, controls on technology directly associated with listed items, a catch-all provision, and regular outreach to life science researchers and the biotechnology industry; and

(e) Taking into account proliferation-related information, the significance of the transfer in terms of the appropriateness of the stated end-use, an assessment of the end-use, the role of distributors, brokers, or other intermediaries, the extent and effectiveness of national non-proliferation laws and regulations in the recipient States and any intermediaries, and the applicability of relevant multilateral agreements.

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

- (a) Political support for the Convention and its implementation;
- (b) Collaborative efforts to strengthen or complement existing national frameworks and action plans;
- (c) Cooperation and assistance to provide the necessary technological, financial and human resources for effective implementation, including;
 - (i) gathering better information about what measures States Parties have in place and what capacity gaps they face;
 - (ii) the ISU exploring means of making the information collected more readily searchable;
 - (iii) developing clearer and more specific common understandings to provide better guidance on the issues that need to be considered and approaches that have been shown to be effective; and
 - (iv) bringing resources to bear in a targeted way to build capacity and strengthen implementation;
- (d) Exploring ways to strengthen the reporting of laboratory exposures or laboratory acquired infections including common definitions, standards, and data collection systems; and
- (e) Continuing to work to increase participation in, and the utility of, the CBMs, including through a voluntary step-by-step approach, the ISU surveying States Parties in order to identify impediments to participation, as well as by identifying assistance opportunities and packages available to help States Parties participate.

46. States Parties recognized the importance of regional and sub-regional cooperation in assisting national implementation by sharing experiences of, and by identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging good practice with relevant regional and sub-regional organizations and using them, as appropriate and in accordance with their mandates, to promote networking, collaboration and coordination, and capacity-building as well as to support national and local training and human capacity-building. States Parties commended those States which have engaged in such cooperation and noted the value of, where possible, supporting financially or otherwise promoting such cooperation.

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

- (a) Developing national plans, including: regulations on accreditation and registration of relevant facilities; a balance between regulations and standards, guidance and training; as well as a multi-sector and interdisciplinary platform to promote discussion;
- (b) Gathering data on laboratory exposures or laboratory acquired infections, so as to improve risk assessment, biosafety and biosecurity training and practices, policies, intervention and prevention measures, and prevention of future incidents;
- (c) Ensuring the presence of sufficient trained practitioners who are trustworthy, responsible, stable, and can competently perform their duties;
- (d) Raising awareness amongst a broader set of stakeholders, including regional authorities, governors, the agricultural sector, academia and the public; and
- (e) Identifying the characteristics of facilities that handle biological agents which may be relevant to the Convention.

48. States Parties recalled that reservations to the 1925 Geneva Protocol concerning retaliation, through the use of any of the objects prohibited by the Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use. States Parties reiterated the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Convention and reiterated their call for those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations, and to notify the Depositary of the 1925 Geneva Protocol accordingly, without delay.

49. States Parties agreed on the value of continuing discussion on measures to strengthen national implementation of the Convention, including in light of various proposals made by States Parties.

IV. How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties

49. [sic] Recognizing a need to strengthen the international community's capacity to effectively provide assistance related to Article VII, States Parties reiterated that there can be no additional preconditions on requesting assistance under Article VII. Having considered relevant agreements reached at

past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, States Parties recalled:

- (a) The primary responsibility for responding to an event rests with the State Party;
- (b) Assistance, or the provision of support, being provided promptly and efficiently and only upon the request of the affected States Party when:
 - (i) biological or toxin weapons have been used, or are suspected of being used by any States(s) or other entity against a States Party;
 - (ii) A States Party is threatened by actions or activities of any State or other entity that are prohibited for States Parties by Article I;
- (c) Preparations being made in advance of this Article being invoked, including:
 - (i) a coordinated government approach to emergency management;
 - (ii) addressing the full range of possible implications;
 - (iii) establishing clear channels of communication;
 - (iv) accessing relevant expert advice; and
 - (v) working to improve effective coordination between the law enforcement and health sectors;
- (d) Emergency human, animal and plant health and humanitarian assistance pending consideration of a decision by the Security Council, so as to ensure efficient, effective response to an outbreak at the earliest possible point, and ensuring that transition to formal activation of Article VII provisions is seamless and complementary.

50. States Parties recognised that there were a number of challenges to strengthening implementation of Article VII and recognized the value of addressing them promptly and effectively, including:

- (a) The complexity of mounting an effective international response to help victims of a biological weapon;
- (b) Possible delays in the deployment of humanitarian or health responses given the difficulties of operating in an area in which a biological weapon may have been used;
- (c) The potential political or security implications for humanitarian or health organizations of information coming into their possession that could help determine if an event is relevant to Article VII;

- (d) The implication of providing emergency humanitarian or health assistance on perceptions of the origins of an unusual event;
- (e) Potential difficulties in transporting clinical samples relevant to the Convention and in obtaining relevant reference material; and
- (f) Legal, regulatory and logistical challenges to providing and receiving international assistance, including; recognition or waiver of medical credentials, licences, and professional certifications of personnel by the recipient country; liability protections for medical providers or those who manufacture, distribute or administer medical countermeasures; regulatory clearance to import or use medical products in a host country; as well as mission funding; as well as integrating international components into national operations.

51. Recognizing the possibility that, following danger to a State Party resulting from activities prohibited by the Convention, national means and resources could be overwhelmed and that assistance may be required, States Parties agreed on the value of such assistance covering, as necessary:

- (a) Specialised personnel and equipment such as well-trained and equipped first responders, healthworkers trained to detect and manage relevant cases of disease, sensitive surveillance and alert systems, as well as detection, protection, containment and decontamination capability, aircraft, helicopters, ships, field hospitals and water purification units;
- (b) Direct and indirect provision of goods and services to the affected population, including prophylactics and therapeutics and associated materials and equipment;
- (c) Support for public, animal and plant health, environmental, food security, or logistical aspects of the response;
- (d) Support for needs assessment, mapping population movements, coordinating incoming relief, improving communication, and coordination between military and civil defence and protection assets; and
- (e) Exchange of best practice, information and technology regarding assistance.

52. Recalling that a States Parties' national preparedness contributes to international capabilities for response, investigations and mitigation of outbreaks of disease due to alleged use of biological or toxin weapons, States Parties agreed on the value, at the national level, of:

- (a) Considering what might be done to deal with a threat or actual use of biological or toxin weapons, determining the sorts of assistance that might be required from other States Parties and international organisations and

identifying who could provide it, as well as identifying any challenges to its provision;

(b) Prior evaluation and assessment of national capabilities, a gap analysis, and the development and implementation of national action plans to prevent, detect and respond to threats;

(c) Strong detection capabilities, including for disease surveillance, primed health communities, cost effective rapid diagnostic tests, and accurate disease mapping, as well as appropriate countermeasures and recovery and decontamination options;

(d) Appropriate command, control and coordination of cross-governmental planning and response as well as multi-agency assets during the life cycle of response efforts; and

(e) Regular training activities to strengthen national capacities.

53. Recalling the importance of assisting other States Parties by, inter alia, [deleted words reinstated] enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties agreed on the value of collaborating to build relevant national capacity, including:

(a) Facilitating, and having the right to participate in the fullest possible exchange of equipment, material and scientific and technological information to protect against, and respond to, the use of biological and toxin weapons;

(b) Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures;

(c) Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons and for purposes not prohibited under the Convention;

(d) Training of personnel, including in forensic services;

(e) Working with relevant international organizations to build relevant national capacity, such as core capacities of public and animal health systems, or those to address toxins, as well as command, control and coordination arrangements.

54. Recognizing that an event relevant to Article VII is more than a humanitarian or animal, plant or public health emergency, and in recognition that there is no institutional mechanism under the Convention to undertake relevant activities, States Parties agreed on the value of:

(a) The United Nations being responsible for coordinating activity between international organizations, non-governmental organizations and States Parties involved in with responding to an event, at the level of the Secretary-General, with support from the ISU and UN ODA;

(b) Ensuring effective coordination **and cooperation** with relevant international health and humanitarian organizations, such as WHO, FAO, OIE, IPPC, OCHA and the ICRC, in accordance with their mandates and upon request by a States Party;

(c) Identifying issue areas where efforts under the Convention can complement other global efforts and make real progress towards improving preparedness and response capacity, for example, improving access to medical countermeasures during emergencies;

(d) Encouraging the international humanitarian community to consider the practical and policy challenges of an (sic) events relevant to Article VII to the humanitarian response system and to strengthen operational preparedness, so as to minimize impediments to a rapid response.

(e) Effective coordination **and cooperation** with relevant international organizations, such as the OPCW, that also provide assistance in the case of use of toxins;

(f) Effective coordination **and cooperation** with relevant international mechanisms, such as the UN Secretary-General's Mechanism that could be involved with activities related to other articles of the Convention;

(g) Further development of international mechanisms for the forensic investigation of the cause of an event; and

(h) National, regional and international networks of relevant laboratories, including tools to identify potentially relevant facilities.

55. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties recalled the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons. States Parties agreed when requesting assistance:

(a) A State Party should provide the following information:

(i) Name of the State Party;

(ii) Date and place of first reported case, indication if there was a related event, a description of the event, to the extent possible, the date and time, when the alleged event(s) took place and/or became apparent to the requesting State Party and, if possible, the duration of the alleged event(s);

(iii) Severity of the event, number of cases and the number of fatalities, if any;

(iv) Symptoms and signs — diagnosis if possible, information on the initial treatment and the preliminary results of the treatment of the disease;

(v) A description of the area involved;

(vi) All available epidemiological information;

(vii) Actions taken to manage the outbreak;

(viii) International organisations already involved in providing assistance;

(ix) States already involved in providing assistance;

(x) Indications of why the outbreak is considered to be the result of a biological attack;

(xi) Characteristics of the agent involved, if available;

(xii) Types and scope of assistance required;

(xiii) Indication of any investigations conducted or being conducted;

(b) The request is to be submitted to the United Nations Secretary General for forwarding to the United Nations Security Council as an urgent matter. It can simultaneously be submitted to one of the Depositories as an urgent matter or shared with all States Parties through the ISU; and

(c) Upon request, the ISU could facilitate the preparation and submission of such a request.

56. States Parties also agreed on the value of continuing to explore strengthening the process for the provision of assistance in 2015, including:

(a) Information on, and an inventory of, the types of assistance that States Parties could provide, such an inventory should:

(i) be separate from the existing assistance and cooperation database; and established by the ISU in the restricted access section of the website;

(ii) not be linked with procedures for requesting investigation of alleged use; and

(iii) include: agreed procedures for States Parties to seek assistance; offers of assistance made by other States Parties, such as for material, equipment, advice, technology and finance; contact points within States Parties and relevant international organizations;

(b) A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

(d) Procedures, or code of conduct, for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party, including consideration of what assistance can be requested and in what volumes, who will coordinate the provision of assistance, how it will be sent and how duplication will be avoided, including with assistance being provided by other international organizations;

(e) A fund for assistance to affected States Parties; and

(f) Capacity building for international regional and sub-regional organizations that have relevant mandates, such as by joint exercise, workshops and training, including by the use of e-learning modules.

57. States Parties reiterated the value of continuing discussions on strengthening Article VII, and in the light of the outbreak of Ebola in West Africa, considering:

(i) Preventative, preparedness, response and recovery activities at the national, regional and international level related to such an outbreak;

(ii) Whether existing modalities or international response allow for timely and adequate support and assistance to the affected countries and peoples including first responders and health care workers; and

(iii) Ways to assure preventative and therapeutic equipment to affected people especially those in developing countries at a time when major pharmaceutical companies are reluctant to invest in relevant drugs and vaccines before there is an assured market.

V. Further steps

58. States Parties further considered that in pursuing the above understandings and actions, States parties could, according to their respective circumstances and constitutional and legal processes, take into account the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions made by delegations on the topics under discussion at the Meeting of Experts (BWC/MSP/2013/MX3) as well as the synthesis of these considerations, lessons, perspectives, recommendations, conclusions and proposals contained

in BWC/MSP/2013/L.1, which is attached to this report as annex I. This annex was not proposed for adoption as an outcome of the Meeting, and therefore was not discussed with that aim. Thus, the annex was not agreed upon and has no status.

61. States Parties are encouraged to continue sharing information at subsequent meetings of the intersessional programme on any actions, measures or other steps that they may have taken on issues under consideration in the intersessional programme. In order to promote further understanding and effective action and to facilitate the Eighth Review Conference's consideration of the work and outcome of these meetings and its decision on further action, in accordance with the decision of the Seventh Review Conference (BWC/CONF.VII/7, Part III, paragraph 15).

61bis. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant to the standings agenda items and biennial agenda items of the current intersessional programme. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.

61ter. States Parties noted the value of an informal process, open to all States Parties, to prepare for the 2016 Review Conference by further developing issues of common interest. Such a practice shall not impede the current intersessional process.

Fourth version of the substantive paragraphs (Revised draft report, Friday 5 Dec, am.)

The next version of the substantive paragraphs was issued on Friday morning as *Revised draft report [Friday 5 Dec, am]*.

18. In accordance with the decision of the Seventh Review Conference, and recalling the common understandings reached during the 2003-2005 and 2007-2010 intersessional work programmes and by the Meeting of States Parties in 2012 and 2013, States Parties continued to develop common understandings on each of the three standing agenda items and the biennial item.

I. Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

19. States Parties recalled their legal obligation to facilitate and their right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological)

agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

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

21. States Parties reiterated the value of the submission of clear, specific and timely national reports on implementation of Article X as agreed at the Seventh Review Conference. ~~Recalling the importance of the reports by States Parties on their implementation of Article X, States Parties noted that to date, a very small number of States Parties have submitted these reports and urged States Parties to submit clear, specific and timely national reports.~~

22. In order to further enhance the functioning of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of assessing its functionality, strengthening its utilization and improving its operation. States Parties agreed on the value of continuing and expanding their use of the database, and using it to reconcile supply and demand for technical assistance, and improving the provision of assistance and cooperation by detailing needs and identifying capacity gaps. States Parties also agreed on the value of actively promoting its use and more prominently featuring the assistance and cooperation database on the main ISU webpage. States Parties noted the value of considering in 2015 reasons for its low usage in order to address potential obstacles and adding a roster of experts to the database.

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

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

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

(c) pursuing a long-term, sustainable and systematic approach to the provision of cooperation and assistance; ~~Offers for cooperation are sustainable, address the needs of the recipient, and, where appropriate,~~

~~include arrangements for the longer-term support;~~

~~(d) Transparency in needs, challenges to implementation, and the results achieved, as well as being prepared to make substantial commitments when receiving assistance;~~

~~(d) Mutuality of benefit from **international cooperation** collaborations in healthcare, including the sharing of clinical samples, to address the needs of both partners for timely access to affordable drugs and vaccines and related diagnostic, preventative and therapeutic equipment;~~

~~(e) Full advantage is taken of exchanges of life science-related knowledge, materials and equipment around the world generated by industry, academia and other non-governmental groups, including through public-private partnerships;~~

~~(g) Environments that foster growth and exchange to take full advantage of the capacity of the private sector, academia and non-governmental organizations;~~

(e) The Conference recognizes the important role of the private sector in the transfer of technology and information and the wide range of organizations within the United Nations system that are already engaged in international cooperation relevant to this Convention; and

(f) Where appropriate, that regional cooperation compliments national efforts, such as for the stockpiling of prophylactics and therapeutics.

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

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

(b) Additional information on how States Parties are implementing their obligations and about specific challenges and issues they have observed and identifying specific needs for, and gaps in, cooperation that are currently unmet;

~~(c) Ensuring assistance is transparent, open, honest, and is used for purposes that are fully consistent with the objectives of the Convention; and~~

~~(d) Ensuring greater interoperability of regulatory standards, such as for emergency use authorizations, and transfers of clinical samples.~~

States parties also noted the value of continuing to consider this topic, including the possible importance of the interoperability of regulatory standards.

25. In order to further address a range of specific measures for the full and comprehensive implementation of Article X taking into account all of its provisions, including facilitation of cooperation and assistance, States Parties recognized the value of:

(a) Continuing national, **regional and international** efforts to exchange **equipment, materials**, information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources;

(b) Open-access to scientific publications, reducing possible barriers to access posed by the costs of subscriptions; and

~~(e) Cross-border initiatives to strengthen disease detection, surveillance and response.~~

(c) Facilitating the transport, entry, exit, processing and disposal of biological substances and diagnostic specimens and materials, in accordance with national laws and regulations, for public, animal and plant health response and other peaceful purposes.

26. In order to further reinforce efforts to develop human resources in the biological sciences and technology relevant to the implementation of the Convention, States Parties recognized the value of:

(a) Building a broader base of relevant **human** capacity, including, *inter alia* for national implementation, science and technology; biosafety and biosecurity management, as well as dealing with disease;

(b) Making full use of train-the-trainer approaches, including local-based training supported by national or regional associations and organizations, to reach a wider group of relevant actors; and

(c) Opportunities for training and work with cutting edge technology in universities, research institutions and production facilities as well as advanced laboratories;

27. In order to further efforts to strengthen national, regional and international capacity through international cooperation to prevent accidental or deliberate releases of biological agents, as well as for detecting and responding to outbreaks of infectious disease or biological weapons attacks, States Parties noted the value of, at the request of the recipient state and in accordance with

their needs and aspirations:

(a) Making detection, surveillance and response capacity more effective and robust, including through real-time bio-surveillance, more effective diagnostics, as well as emergency operation centres with common standards;

~~(b) Developing and maintaining national regulatory environments conducive to product development of diagnostics, prophylactics, and therapeutics; and~~

(b) Sharing relevant information on, inter alia, opportunities and challenges resulting from advances in the life sciences and biotechnology, disease outbreaks, biosafety, and health care.

(c) The availability of cost-effective, affordable and quality assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes.

States Parties also noted the value of continuing to consider this topic, including regulatory environments conducive to development of diagnostics, prophylactics and therapeutics.

28. In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits of developments in the life sciences, States Parties noted the value of harnessing recent advances, including in enabling technologies, vaccine development and production, biological production technologies, equipment and technical, practical and theoretical training, including for maintenance, occupational health and safety, for high containment laboratories, in order to strengthen the sustainable development of States Parties, taking into account the needs of developing countries in meeting health-related challenges.

29. Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, and taking into account the mandates of existing mechanisms established by those organizations, States Parties noted the value of:

~~(a) Promoting broader recognition of the unique central role of the Convention in dealing with preventing the development and production of biological and toxin weapons; and~~

~~(b) Identifying assistance provided in other settings which could be useful in achieving the aims of the Convention and ensuring that such assistance is consistent with these aims.~~ **Closer cooperation and coordination between States Parties and relevant international organizations, in accordance with their respective mandates.**

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

II. Review of developments in the field of science and technology related to the Convention

31. States Parties identified certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information on these developments, including on the improved understanding of:

(a) Virulence mechanisms, ~~resulting from advances in enabling technologies;~~

(b) Pathogenesis, which should enable more rapid responses to, and the development of countermeasures against, new or re-emerging pathogens; ~~An improved understanding of pathogenesis, which should enable more rapid responses to, and the development of countermeasures against, new or re-emerging pathogens;~~

(c) Host-pathogen interactions, offering new opportunities for: disease surveillance, detection, and diagnosis, including making vaccine and drug production, simpler, faster, cheaper and more efficient; the identification of targets to treat or prevent disease; negating the mechanisms that pathogens use to evade or disrupt the host immune system; identifying virulence factors in emerging pathogens; and the development of more specific vaccines, therapeutics and diagnostics; and

(d) Toxins, providing new avenues for medicine and research, such as treatments for neuromuscular disorders and post exposure therapy, as well as toxin detection and diagnosis, including through the development of standardised methodologies for detection and identification.

32. States Parties reviewed various enabling technologies, including, for example, genome editing tools including those derived from bacterial ‘immune systems’, such as CRISPR/CAS9, as well as those related to and continuing progress in synthetic biology. ~~These enabling technologies can affect how science is conducted an applied and will~~ **may have many benefits in faster, cheaper, and easier application of biological science and technology for both public health and security purposes.** ~~These enabling technologies will bring both benefits and challenges for the Convention which may require action by States Parties. Relevant activities should be conducted in a transparent manner and address potential ethical, safety and security concerns.~~

33. States Parties reviewed advances derived from the convergence of scientific disciplines, including biology, chemistry and nanotechnology. ~~These advances are leading to improvements in defensive countermeasures, protective clothing~~

~~and equipment, decontamination, medical countermeasures, as well as for detection and diagnosis.~~ **States Parties noted the value of continuing to consider how these advances might be applied to defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures as well as for detection and diagnosis.**

34. States Parties **noted** agreed that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including: the creation of novel, highly-contagious, virulent pathogens; programming cells to produce toxins, viruses or other biological materials which could cause harm; and potential changes or shifts in “tacit knowledge” associated with activities relevant to the Convention. States Parties also agreed on the importance of facilitating the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention whilst ensuring themselves such exchanges will be used exclusively for peaceful purposes.

~~35. States Parties noted the potential relevance, both beneficial and for purposes contrary to the provisions of the Convention, of techniques designed to confer new characteristics to existing pathogens or to confer pathogenicity on non-pathogenic organisms.~~ States Parties agreed on the value of continuing to consider such gain-of-function work in future meetings.

36. Research that is identified as being of dual-use concern is often vitally important to science, public health and agriculture, and its findings often contribute meaningfully to the broader base of knowledge that advances scientific and public health objectives. States Parties recognised that identifying research as being of dual-use concern does not, in itself, provide sufficient justification for proscribing or restricting its availability, or for preventing its pursuit. Identifying research as being of dual-use concern does necessitate greater oversight, and for a collaborative and informed assessment of the potential benefits and risks of the research. ~~In order to further seize opportunities for maximizing benefits from advances in science and technology while minimizing the risk of their application for prohibited purposes, States Parties noted the value of enhancing national oversight of dual-use research of concern without hampering the fullest possible exchange of knowledge and technology for peaceful purposes, including, where appropriate, the early publication of relevant research to generate a window for effective policy engagement after proof of principle but prior to the existence of a mature technology. States Parties reiterated the value of promoting appropriate oversight measures to identify and manage such risks ensuring that they proportional to the assessed risk, take into account both risks and benefits, and avoid hampering legitimate peaceful activities. States Parties noted the value of these measures:~~

- (a) Being transparent and providing for the frequent assessment of science and technology;

~~(b) Taking advantage of flexible approaches that leverage existing review processes, consider good practices and available methodologies; and~~

~~(c) Addressing the safety and security risks associated with the conduct of research as well as the possible misuse of research results and products.~~

States Parties noted the value of addressing associated safety and security risks as well as the possible misuse of research results and products.

States Parties agreed on **noted** the value of continued discussion under the Convention **at future meetings**, on oversight of dual use research of concern, including specific approaches to identifying relevant activities **and** criteria for assessing risks of relevance to the Convention, ~~such as aspects of range of types and quantities of relevant agents or toxins, as well systems managing relevant risks and benefits.~~

37. States Parties ~~took~~ **noted the value** of a model codes of conduct for Scientists presented to the meeting. States Parties recognised that such codes of conduct, whilst being the prerogative of States Parties, encourage responsible scientific conduct by helping to address risks that ~~knowledge, information, products or technologies generated from~~ life science research **output** which could be used for harm. Codes of conduct, including those developed and used by scientific organizations and institutions, help to support the responsibility of individual scientists to consider the potential consequences, both positive and negative, of their work. Relevant codes of conduct should avoid placing any **undue** restrictions on the exchange of scientific discoveries consistent with the objectives of the Convention and justified for protective, prophylaxis or other peaceful purposes.

38. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties agreed on the value of:

(a) Continuing to support, collectively and individually, the promotion of a culture of responsibility and security among life scientists;

~~(b) Ensuring coverage of all relevant work, which is being undertaken in a more diverse, broader range of institutions; and~~

(b) Making full use, at the national level, of scientists ~~targeted by~~ **engaged in** education and awareness-raising efforts, to identify relevant advances and related dual-use issues, and to keep national legal and regulatory frameworks up to date.

~~39. In light of the continuing importance of the convergence between the fields of biology and chemistry. States agreed on the value of fostering closer cooperation between the communities supporting the Chemical Weapons Convention and the Convention, bringing scientific experts and policy makers together for greater interaction, as well as exploring ways that States Parties~~

~~could leverage relevant work of the OPCW's Scientific Advisory Board and other relevant international scientific entities and advisory boards.~~

39. States Parties noted the value of continued discussion at future meetings of the convergence between the fields of biology and chemistry, and other scientific disciplines.

40. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, of keeping pace with rapid changes in a wide range of fields, and in exploring opportunities for enhanced cooperation and sharing of technology identified by such reviews, States Parties reiterated the value of continuing to consider, in future meetings, possible ways of further strengthening scientific review. In this context, the important role played by national technical experts in the Meeting of Experts was emphasized **as well as the value of contributions to the sponsorship programme to facilitate such participation.**

III. Strengthening national implementation

41. States Parties recalled their legal obligation, in accordance with their constitutional processes, to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of biological weapons and to prevent their transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire them.

42 States Parties recalled their agreement to continue to work to strengthen national implementation, taking into account differences in national circumstances and legal and constitutional processes. States Parties agreed on the need to pursue national implementation through the current intersessional programme to foster regional and sub-regional cooperation to promote awareness of the Convention and strengthen regional discussions on the topics of the current intersessional programme. States Parties **reiterated** the value of elaborating further the existing common understandings related to national implementation ~~and highlighted the importance of networking, cooperation and collaboration to promote capacity building at the national, sub-regional, regional and international levels.~~

43. To further address a range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV. States Parties agreed on the value of, depending on national needs and circumstances and in accordance with national laws and regulations:

- (a) ~~Strengthening implementation of all provisions of the Convention by continuing to develop, update and enforce national measures, including:~~ legislation, regulations and administrative measures; national biosafety,

biosecurity and control mechanisms; national export controls; disease surveillance and outbreak response capacity; arrangements for the oversight of science and for reviewing developments in science and technology; educational efforts and awareness-raising; assistance and protection capacity for responding to the alleged use of biological and toxin weapons; exchanging information and providing reports established by review conferences, ~~such as participating in the CBMs~~; and provisions for building capacity for peaceful use.

(b) Strengthening the national institutions which play a role in national implementation by adopting a whole-of-government approach to implementation. **In this regard States Parties noted the value of continued discussion at future meetings:** ~~including:~~ the identification of a central point of contact and coordination; mechanisms for regular communication amongst key stakeholders; ~~and using these mechanisms to aid in preparation of CBMs which can provide a clear domestic overview of the current status of national implementation and identify cooperation and assistance needs; [shown in bold although unchanged from the previous draft report] as well as organising awareness-raising workshops and simulations, exercises and training for establishing efficient communication and coordination; as well as promoting the Convention through related activities such as outreach to industry, education and research sectors; and~~

(c) Exchanging ideas as to what further measures and initiatives could be adopted by States Parties at the national level **to increase of awareness and understanding, improve domestic cooperation and capacity, and utilization of best practices.** ~~such as;~~

~~(i) efforts to create a greater awareness and understanding of the Convention among government agencies, parliamentarians, law enforcement and border control officials, scientists and civil society, including through the identification of support of relevant national champions;~~

~~(ii) developing better cooperation and capacity for local, state and federal (or equivalent) authorities to deal with disease;~~

~~(iii) improving and amending laws and regulations dealing with hazardous waste and strengthening capacity for handling toxic and bio-hazardous waste; and~~

~~(iv) opportunities to exchange best practice with regional countries and relevant international organizations.~~

~~(v) Establishing or strengthening national authorities.~~

44. Recalling that the Seventh Review Conference called for appropriate measures, including effective national export controls, by all States Parties to implement Article III, States Parties noted the importance of such measures in reducing levels of concern and enhancing international exchange of life science-related knowledge, equipment and materials. States Parties recognised the value of such measures:

- (a) Neither favouring the commercial development of industries, nor hindering legitimate economic development of other countries;
- (b) Affecting only a very few cases where there is an unacceptable risk of diversion for prohibited activities,
- (c) Addressing transfers of tangible and intangible goods;
- (d) Including laws and regulations that establish legal authorities and appropriate penalties, procedures and mechanisms for implementation and enforcement, a list of items subject to control, controls on technology directly associated with listed items, a catch-all provision, and regular outreach to life science researchers and the biotechnology industry; and
- (e) Taking into account proliferation-related information, the significance of the transfer in terms of the appropriateness of the stated end-use, an assessment of the end-use, and the role of ~~distributors, brokers, or other intermediaries, the extent and effectiveness of national non-proliferation laws and regulations in the recipient States and any intermediaries, and the applicability of relevant multilateral agreements.~~

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

- (a) Political support for the Convention and its implementation;
- (b) Collaborative efforts to strengthen or complement existing national frameworks ~~and action plans;~~
- (c) Cooperation and assistance to provide the necessary technological, financial and human resources for effective implementation, including **facilitating the gathering and use of information, improved guidance and effective targeting of resources;**
 - ~~(i) gathering better information about what measures States Parties have in place and what capacity gaps they face;~~
 - ~~(ii) the ISU exploring means of making the information collected more readily searchable;~~

~~(iii) developing clearer and more specific common understandings to provide better guidance on the issues that need to be considered and approaches that have been shown to be effective; and~~

~~(iv) bringing resources to bear in a targeted way to build capacity and strengthen implementation;~~

~~(d) Exploring ways to strengthen the reporting of laboratory exposures or laboratory acquired infections including common definitions, standards, and data collection systems; and~~

(d) Continuing to work to increase participation in, and the utility of, the CBMs, including through a voluntary step-by-step approach, the ISU surveying States Parties in order to identify impediments to participation, as well as by identifying assistance opportunities and packages available to help States Parties participate.

46. States Parties recognized the importance of regional and sub-regional cooperation in assisting national implementation by sharing experiences of, and by identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging good practice with relevant regional and sub-regional organizations and using them, as appropriate and in accordance with their mandates, to promote networking, collaboration and coordination, and capacity-building as well as to support national and local training and human capacity-building. States Parties commended those States which have engaged in such cooperation and noted the value of, where possible, supporting financially or otherwise promoting such cooperation.

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

(a) Developing national plans, including: regulations on accreditation and registration of relevant facilities; a balance between regulations and standards, guidance and training; as well as a multi-sector and interdisciplinary platform to promote discussion;

(b) Gathering data on laboratory exposures or laboratory acquired infections, so as to improve risk assessment, biosafety and biosecurity training and practices, policies, intervention and prevention measures, and prevention of future incidents; and

~~(e) Ensuring the presence of sufficient trained practitioners who are trustworthy, responsible, stable, and can competently perform their duties;~~

(c) Raising awareness amongst a broader set of stakeholders, including regional authorities, governors, the agricultural sector, academia and the public; and

~~(e) Identifying the characteristics of facilities that handle biological agents which may be relevant to the Convention.~~

48. States Parties recalled **the agreements on the 1925 Geneva Protocol contained in the Final Document of the Seventh Review Conference.** ~~that reservations to the 1925 Geneva Protocol concerning retaliation, through the use of any of the objects prohibited by the Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use. States Parties reiterated the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Convention and reiterated their call for those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations, and to notify the Depositary of the 1925 Geneva Protocol accordingly, without delay.~~

49. States Parties agreed on the value of continuing discussion on measures to strengthen national implementation of the Convention, including in light of various proposals made by States Parties.

IV. How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties

~~49bis. Recognizing a need to strengthen the international community's capacity to effectively provide assistance related to Article VII, States Parties reiterated that there can be no additional preconditions on requesting assistance under Article VII.~~ **States Parties reiterated that States Parties bear the responsibility for providing assistance and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons. States Parties reaffirmed the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any State Party, which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention**

49ter. Having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, States Parties noted the value of preparations being made in advance of this Article being invoked, assistance, or the provision of support, being provided promptly and efficiently and only upon the request of the affected State Party when recalled:

~~(a) The primary responsibility for responding to an event rests with the State Party;~~

~~(b) Assistance, or the provision of support, being provided promptly and efficiently and only upon the request of the affected States Party when:~~

~~(i) biological or toxin weapons have been used, or are suspected of being used by any States(s) or other entity against a States Party;~~

~~(ii) A States Party is threatened by actions or activities of any State or other entity that are prohibited for States Parties by Article I;~~

~~(e) Preparations being made in advance of this Article being invoked, including:~~

~~(i) a coordinated government approach to emergency management;~~

~~(ii) addressing the full range of possible implications;~~

~~(iii) establishing clear channels of communication;~~

~~(iv) accessing relevant expert advice; and~~

~~(v) working to improve effective coordination between the law enforcement and health sectors;~~

~~(d) Emergency human, animal and plant health and humanitarian assistance pending consideration of a decision by the Security Council, so as to ensure efficient, effective response to an outbreak at the earliest possible point, and ensuring that transition to formal activation of Article VII provisions is seamless and complementary.~~

50. States Parties recognised that, **without adding preconditions to the use of Article VII**, there were **are** a number of challenges to strengthening its implementation. ~~of Article VII and~~ **States Parties** recognized the value of **continuing to consider these challenges and ways to address them promptly and effectively in 2015**. ~~addressing them promptly and effectively, including:~~

~~(a) The complexity of mounting an effective international response to help victims of a biological weapon;~~

~~(b) Possible delays in the deployment of humanitarian or health responses given the difficulties of operating in an area in which a biological weapon may have been used;~~

~~(c) The potential political or security implications for humanitarian or health organizations of information coming into their possession that could help determine if an event is relevant to Article VII;~~

~~(d) The implication of providing emergency humanitarian or health assistance on perceptions of the origins of an unusual event;~~

~~(e) Potential difficulties in transporting clinical samples relevant to the Convention and in obtaining relevant reference material; and~~

~~(f) Legal, regulatory and logistical challenges to providing and receiving international assistance, including; recognition or waiver of medical credentials, licences, and professional certifications of personnel by the recipient country; liability protections for medical providers or those who manufacture, distribute or administer medical countermeasures; regulatory clearance to import or use medical products in a host country; as well as mission funding; as well as integrating international components into national operations.~~

51. Recognizing the possibility that, following danger to a State Party resulting from activities prohibited by the Convention, national means and resources could be overwhelmed and that assistance may be required, States Parties agreed on the value of **discussing what assistance might be needed in 2015**. ~~such assistance covering, as necessary:~~

~~(a) Specialised personnel and equipment such as well trained and equipped first responders, healthworkers trained to detect and manage relevant cases of disease, sensitive surveillance and alert systems, as well as detection, protection, containment and decontamination capability, aircraft, helicopters, ships, field hospitals and water purification units;~~

~~(b) Direct and indirect provision of goods and services to the affected population, including prophylactics and therapeutics and associated materials and equipment;~~

~~(c) Support for public, animal and plant health, environmental, food security, or logistical aspects of the response;~~

~~(d) Support for needs assessment, mapping population movements, co-ordinating incoming relief, improving communication, and coordination between military and civil defence and protection assets; and~~

~~(e) Exchange of best practice, information and technology regarding assistance.~~

52. Recalling that a States Parties' national preparedness contributes to international capabilities for response, investigations and mitigation of outbreaks of disease due to alleged use of biological or toxin weapons, States Parties ~~agreed on~~ **noted** the value, at the national level, of:

(a) Considering what might be done to deal with a threat or actual use of biological or toxin weapons, determining the sorts of assistance that might be required from other States Parties and international organizations and

identifying who could provide it, as well as identifying any challenges to its provision;

(b) Ensuring effective national capabilities, including through the use, as appropriate, of gap analysis and national plans; ~~Prior evaluation and assessment of national capabilities, a gap analysis, and the development and implementation of national action plans to prevent, detect and respond to threats;~~

(c) Strong detection capabilities, including for disease surveillance, primed health communities, cost effective rapid diagnostic tests, and accurate disease mapping, as well as appropriate countermeasures and recovery and decontamination options;

(d) Appropriate command, control and coordination of cross-governmental planning and response as well as multi-agency assets during the life cycle of response efforts; and

(e) Regular training activities to strengthen national capacities.

53. Recalling the importance of ~~assisting other States Parties by, inter alia,~~ enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties agreed on the value of collaborating to build relevant national capacity, including:

(a) Facilitating, and having the right to participate in the fullest possible exchange of equipment, material and scientific and technological information to protect against, and respond to, the use of biological and toxin weapons;

(b) Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures;

(c) Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons and for purposes not prohibited under the Convention;

~~(d) Training of personnel, including in forensic services;~~

(e) Working with relevant international organizations to build relevant national capacity, ~~such as core capacities of public and animal health systems, or those to address toxins, as well as command, control and coordination arrangements.~~

54. Recognizing that an event relevant to Article VII is more than an ~~humanitarian~~ or animal, plant or public health emergency, and in recognition that there is no

institutional mechanism under the Convention to undertake relevant activities, States Parties agreed on the value of:

- (a) The United Nations being responsible for coordinating activity between international organizations, non-governmental organizations and States Parties involved in with responding to an event, ~~at the level of the Secretary-General, with support from the ISU and UN-ODA;~~
- (b) Ensuring effective coordination and cooperation with relevant international health and humanitarian organizations, ~~such as WHO, FAO, OIE, IPPC, OCHA and the ICRC,~~ in accordance with their mandates and upon request by a States Party;
- (c) Identifying issue areas where efforts under the Convention can complement other global efforts and make real progress towards improving preparedness and response capacity, ~~for example, improving access to medical countermeasures during emergencies;~~
- (d) Encouraging ~~the international humanitarian community~~ **OCHA and ICRC** to consider the practical and policy challenges of an (sic) events relevant to Article VII ~~to the humanitarian response system~~ and to strengthen operational preparedness, so as to minimize impediments to a rapid response.
- (e) Effective coordination and cooperation with relevant international organizations, such as the OPCW, that also provide assistance in the case of use of toxins;
- (f) Effective coordination and cooperation with ~~relevant international mechanisms, such as the UN Secretary General's Mechanism that~~ **other parts of the United Nations which** could be involved with activities related to other articles of the Convention;
- ~~(g) Further development of international mechanisms for the forensic investigation of the cause of an event; and~~
- (h) **Improved ways to identify relevant facilities and other means to strengthen** national, regional and international networks of relevant laboratories, ~~including tools to identify potentially relevant facilities.~~

55. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties **recalled** the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons. **States Parties noted the value of considering in 2015, *inter alia*, what information might be provided, to whom and how.**

~~55. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties recalled the need for clear procedures for submitting~~

requests for assistance or for responding to a case of alleged use of biological or toxin weapons. States Parties agreed when requesting assistance:

~~(a) A State Party should provide the following information:~~

~~(i) Name of the State Party;~~

~~(ii) Date and place of first reported case, indication if there was a related event, a description of the event, to the extent possible, the date and time, when the alleged event(s) took place and/or became apparent to the requesting State Party and, if possible, the duration of the alleged event(s);~~

~~(iii) Severity of the event, number of cases and the number of fatalities, if any;~~

~~(iv) Symptoms and signs — diagnosis if possible, information on the initial treatment and the preliminary results of the treatment of the disease;~~

~~(v) A description of the area involved;~~

~~(vi) All available epidemiological information;~~

~~(vii) Actions taken to manage the outbreak;~~

~~(viii) International organisations already involved in providing assistance;~~

~~(ix) States already involved in providing assistance;~~

~~(x) Indications of why the outbreak is considered to be the result of a biological attack;~~

~~(xi) Characteristics of the agent involved, if available;~~

~~(xii) Types and scope of assistance required;~~

~~(xiii) Indication of any investigations conducted or being conducted;~~

~~(b) The request is to be submitted to the United Nations Secretary General for forwarding to the United Nations Security Council as an urgent matter. It can simultaneously be submitted to one of the Depositories as an urgent matter or shared with all States Parties through the ISU; and~~

~~(c) Upon request, the ISU could facilitate the preparation and submission of such a request.~~

56. States Parties also agreed on the value of continuing to explore strengthening the process for the provision of assistance in 2015, including:

(a) Information on, and **the feasibility of** an inventory of, the types of assistance that States Parties could provide, ~~such an inventory should:~~

~~(i) be separate from the existing assistance and cooperation database; and established by the ISU in the restricted access section of the website;~~

~~(ii) not be linked with procedures for requesting investigation of alleged use; and~~

~~(iii) include: agreed procedures for States Parties to seek assistance; offers of assistance made by other States Parties, such as for material, equipment, advice, technology and finance; contact points within States Parties and relevant international organizations;~~

(b) A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

(d) Procedures, or code of conduct, for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party, ~~including consideration of what assistance can be requested and in what volumes, who will coordinate the provision of assistance, how it will be sent and how duplication will be avoided, including with assistance being provided by other international organizations;~~

(e) A fund for assistance to affected States Parties; and

(f) Capacity building for international regional and sub-regional organizations that have relevant mandates, such as by joint exercise, workshops and training, including by the use of e-learning modules.

57. States Parties reiterated the value of continuing discussions on strengthening Article VII, and **taking into consideration lessons learned from combating infectious disease, such as** ~~in the light of the outbreak of Ebola in West Africa, considering:~~

~~(i) Preventative, preparedness, response and recovery activities at the national, regional and international level related to such an outbreak;~~

~~(ii) Whether existing modalities or international response allow for timely and adequate support and assistance to the affected countries and peoples including first responders and health care workers; and~~

~~(iii) Ways to assure preventative and therapeutic equipment to affected people especially those in developing countries at a time when major pharmaceutical companies are reluctant to invest in relevant drugs and vaccines before there is an assured market.~~

V. Further steps

58. States Parties further considered that in pursuing the above understandings and actions, States parties could, according to their respective circumstances and constitutional and legal processes, take into account the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions made by delegations on the topics under discussion at the Meeting of Experts (BWC/MSP/2013/MX3) as well as the synthesis of these considerations, lessons, perspectives, recommendations, conclusions and proposals contained in BWC/MSP/2013/L.1, which is attached to this report as annex I. This annex was not proposed for adoption as an outcome of the Meeting, and therefore was not discussed with that aim. Thus, the annex was not agreed upon and has no status.

59. States Parties are encouraged to continue sharing information at subsequent meetings of the intersessional programme on any actions, measures or other steps that they may have taken on issues under consideration in the intersessional programme. In order to promote further understanding and effective action and to facilitate the Eighth Review Conference's consideration of the work and outcome of these meetings and its decision on further action, in accordance with the decision of the Seventh Review Conference (BWC/CONF.VII/7, Part III, paragraph 15).

59bis. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant to the standings agenda items and biennial agenda items of the current intersessional programme. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.

59ter. States Parties noted the value of an informal process, open to all States Parties, to prepare for the 2016 Review Conference by further developing issues of common interest. Such a practice shall not impede the current intersessional process.

Fifth version of the substantive paragraphs (Re-revised draft report, Friday 5 Dec, pm.)

The next version of the substantive paragraphs was issued on Friday afternoon as *Re-revised draft report [Friday 5 Dec, pm]*.

18. In accordance with the decision of the Seventh Review Conference, and recalling the common understandings reached during the 2003-2005 and 2007-2010 intersessional work programmes and by the Meeting of States Parties in 2012 and 2013, States Parties continued to develop common understandings on each of the three standing agenda items and the biennial item.

I. Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

19. States Parties recalled their legal obligation to facilitate and their right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

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

21. States Parties reiterated the value of the submission of clear, specific and timely national reports on implementation of Article X as agreed at the Seventh Review Conference.

22. In order to further enhance the functioning of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of assessing its functionality, strengthening its utilization and improving its operation. States Parties agreed on the value of continuing and expanding their use of the database, and using it to reconcile supply and demand for technical assistance, and improving the provision of assistance and cooperation by detailing needs and identifying capacity gaps. States Parties also agreed on the value of actively promoting its use and more prominently featuring the assistance and cooperation database on the main ISU webpage. States Parties noted the value of considering in 2015 reasons for its low usage in order to address potential obstacles ~~and adding a roster of experts to the database.~~

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

- (a) Promoting international cooperation providing for the fullest possible

exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes in accordance with Article X of the Convention and not limiting this cooperation to financial resources;

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

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

(d) Mutuality of benefit from international cooperation to address the needs of both partners for timely access to affordable drugs and vaccines and related diagnostic, preventative and therapeutic equipment;

(e) The Conference recognizes the important role of the private sector in the transfer of technology and information and the wide range of organizations within the United Nations system that are already engaged in international cooperation relevant to this Convention; and

(f) Where appropriate, that regional cooperation compliments national efforts, such as for the stockpiling of prophylactics and therapeutics.

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

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

(b) Additional information on how States Parties are implementing their obligations and about specific challenges and issues they have observed and identifying specific needs for, and gaps in, cooperation that are currently unmet;

States parties also noted the value of continuing to consider this topic, including the possible importance of the interoperability of regulatory standards.

25. In order to further address a range of specific measures for the full and comprehensive implementation of Article X taking into account all of its provisions, including facilitation of cooperation and assistance, States Parties recognized the value of:

- (a) Continuing national, regional and international efforts to exchange equipment, materials, information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources;
- (b) Open-access to scientific publications, reducing possible barriers to access posed by the costs of subscriptions; and
- (c) Facilitating the transport, entry, exit, processing and disposal of biological substances and diagnostic specimens and materials, in accordance with national laws and regulations, for public, animal and plant health response and other peaceful purposes.

26. In order to further reinforce efforts to develop human resources in the biological sciences and technology relevant to the implementation of the Convention, States Parties recognized the value of:

- (a) Building a broader base of human capacity, including, *inter alia* for national implementation, science and technology; biosafety and biosecurity management, as well as dealing with disease;
- (b) Making full use of train-the-trainer approaches, including, **as appropriate**, local-based training supported by national or regional associations and organizations; and
- (c) Opportunities for training and work with cutting edge technology in universities, research institutions and production facilities as well as advanced laboratories;

27. In order to further efforts to strengthen national, regional and international capacity through international cooperation to prevent accidental or deliberate releases of biological agents, as well as for detecting and responding to outbreaks of infectious disease or biological weapons attacks, States Parties noted the value of, at the request of the recipient State and in accordance with their needs ~~and aspirations~~:

- (a) Making detection, surveillance and response capacity more effective and robust, including through real-time bio-surveillance, more effective diagnostics, as well as emergency operation centres with common standards;
- (b) Sharing relevant information on, *inter alia*, opportunities and challenges resulting from advances in the life sciences and biotechnology, disease outbreaks, biosafety, and health care.
- (c) The availability of cost-effective, affordable and quality assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes.

States Parties also noted the value of continuing to consider this topic, including regulatory environments conducive to development of diagnostics, prophylactics and therapeutics.

28. In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits of developments in the life sciences, States Parties noted the value of harnessing recent advances, including in enabling technologies, vaccine development and production, biological production technologies, equipment and technical, practical and theoretical training, including for maintenance, occupational health and safety, for high containment laboratories, in order to strengthen the sustainable development of States Parties, taking into account the needs of developing countries in meeting health-related challenges.

29. Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, and taking into account the mandates of existing mechanisms established by those organizations, States Parties noted the value of:

- (a) Promoting broader recognition of the role of the Convention; and
- (b). Closer cooperation and coordination between States Parties and relevant international organizations, in accordance with their respective mandates.

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

IL Review of developments in the field of science and technology related to the Convention

31. States Parties identified certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information on these developments, including on the improved understanding of:

- (a) Virulence mechanisms;
- (b) Pathogenesis, which should enable more rapid responses to, and the development of countermeasures against, new or re-emerging pathogens;
- (c) Host-pathogen interactions, offering new opportunities for: disease surveillance, detection, and diagnosis, including making vaccine and drug production, simpler, faster, cheaper and more efficient; the identification of targets to treat or prevent disease; negating the mechanisms that pathogens use to evade or disrupt the host immune system; identifying

virulence factors in emerging pathogens; and the development of more specific vaccines, therapeutics and diagnostics; and

(e) Toxins, providing new avenues for medicine and research, such as treatments for neuromuscular disorders and post exposure therapy, as well as toxin detection and diagnosis, ~~including through the development of standardised methodologies for detection and identification.~~

32. States Parties reviewed various enabling technologies, including, for example, genome editing tools including those derived from bacterial ‘immune systems’, such as CRISPR/CAS9, as well as those related to and continuing progress in synthetic biology.

33. States Parties reviewed advances derived from the convergence of scientific disciplines, including biology, chemistry and nanotechnology. States Parties noted the value of continuing to consider how these advances might be applied to defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures, as well as for detection and diagnosis.

34. States Parties noted that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including: the creation of novel, highly-contagious, virulent pathogens; programming cells to produce toxins, viruses or other biological materials which could cause harm; and potential changes or shifts in “tacit knowledge” associated with activities relevant to the Convention. States Parties also agreed on the importance of facilitating the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention ~~whilst ensuring themselves such exchanges will be used exclusively for peaceful purposes.~~

35. States Parties agreed on the value of continuing to consider ~~such~~ gain-of-function work **and consider possible implications for the Convention** in future meetings.

36. Research that is identified as being of dual-use concern is often vitally important to science, public health and agriculture, and its findings often contribute meaningfully to the broader base of knowledge that advances scientific and public health objectives. States Parties recognised that identifying research as being of dual-use concern does not, in itself, provide sufficient justification for proscribing or restricting its availability, or for preventing its pursuit. Identifying research as being of dual-use concern does necessitate greater oversight, and for a collaborative and informed assessment of the potential benefits and risks of the research. States Parties noted the value of addressing associated safety and security risks as well as the possible misuse of research results and products. States Parties **also** noted the value of continued discussion at future meetings on oversight of dual use research of

concern, including specific approaches to identifying relevant activities and criteria for assessing **both risks and possible benefits and mitigating identified risks** of relevance to the Convention.

37. States Parties noted the value of a model **voluntary** codes of conduct. States Parties recognised that codes of conduct, whilst being the prerogative of States Parties, encourage responsible scientific conduct by helping to address risks that life science research output could be used for harm. Codes of conduct, including those developed and used by scientific organizations and institutions, help to support the responsibility of individual scientists to consider the potential consequences, both positive and negative, of their work. Relevant codes of conduct should avoid placing any undue restrictions on the exchange of scientific discoveries consistent with the objectives of the Convention and justified for protective, prophylaxis or other peaceful purposes.

38. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties agreed on the value of:

- (a) Continuing to support, collectively and individually, the promotion of a culture of responsibility and security among life scientists; and
- (b) Making full use, at the national level, of scientists engaged in education and awareness-raising efforts, to identify relevant advances and related dual-use issues, and to keep national legal and regulatory frameworks up to date.

39. States Parties noted the value of continued discussion at future meetings of the convergence between the fields of biology and chemistry, and other scientific disciplines.

40. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, of keeping pace with rapid changes in a wide range of fields, and in exploring opportunities for enhanced cooperation and sharing of technology identified by such reviews, States Parties reiterated the value of continuing to consider, in future meetings, possible ways of further strengthening scientific review. In this context, the important role played by national technical experts in the Meeting of Experts was emphasized as well as the value of contributions to the sponsorship programme to facilitate such participation.

III. Strengthening national implementation

41. States Parties recalled their legal obligation, in accordance with their constitutional processes, to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of biological weapons and to prevent their transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any

State, group of States or international organizations to manufacture or otherwise acquire them.

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

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

43. To further address a range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV. States Parties ~~agreed on~~ **noted** the value of, depending on national needs and circumstances and in accordance with national laws and regulations:

(a) legislation, regulations and administrative measures; national biosafety, biosecurity and control mechanisms; national export controls; disease surveillance and outbreak response capacity; arrangements for the oversight of science and for reviewing developments in science and technology; educational efforts and awareness-raising; assistance and protection capacity for responding to the alleged use of biological and toxin weapons; exchanging information and providing reports established by review conferences and provisions for building capacity for peaceful use.

(b) Strengthening the national institutions which play a role in national implementation; ~~and by adopting a whole of government approach to implementation. In this regard States Parties noted the value of continued discussion at future meetings: the identification of a central point of contact and coordination; mechanisms for regular communication amongst key stakeholders; using these mechanisms to aid in preparation of CBMs which can provide a clear domestic overview of the current status of national implementation and identify cooperation and assistance needs; organising awareness-raising workshops and simulations; exercises and training for establishing efficient communication and coordination; as well as promoting the Convention through related~~

~~activities such as outreach to industry, education and research sectors; and~~

(c) Exchanging ideas as to what further measures and initiatives could be adopted by States Parties at the national level to increase of awareness and understanding, improve domestic cooperation and capacity, and utilization of best practices.

44. Recalling that the Seventh Review Conference called for appropriate measures, including effective national export controls, by all States Parties to implement Article III, States Parties **discussed measures, including, *inter alia*:** ~~noted the importance of such measures in reducing levels of concern and enhancing international exchange of life science related knowledge, equipment and materials. States Parties recognised the value of such measures:~~

(a) Neither favouring the commercial development of industries, nor hindering legitimate economic development of other countries;

(b) Affecting only a very few cases where there is an unacceptable risk of diversion for prohibited activities,

(c) Addressing transfers of tangible and intangible goods;

(d) Including laws and regulations that establish legal authorities and appropriate penalties, procedures and mechanisms for implementation and enforcement, a list of items subject to control, controls on technology directly associated with listed items, a catch-all provision, and regular outreach to life science researchers and the biotechnology industry; and

(e) Taking into account proliferation-related information, the significance of the transfer in terms of the appropriateness of the stated end-use, an assessment of the end-use, and the role of intermediaries.

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

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

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

(c) **Continuing to strengthen the national institutions which play a role in national implementation;**

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

~~(b) Collaborative efforts to strengthen or complement existing national frameworks;~~

~~(c) Cooperation and assistance to provide the necessary technological, financial and human resources for effective implementation, including facilitating the gathering and use of information, improved guidance and effective targeting of resources;~~

(e) Continuing to work to increase participation in, and the utility of, the CBMs, including through a voluntary step-by-step approach, **seeking** the ISU surveying States Parties in order to identify impediments to **and difficulties** in participation, **as appropriate**, as well as by identifying assistance opportunities and packages available to help States Parties participate.

46. States Parties recognized the importance of regional and sub-regional cooperation in assisting national implementation by sharing experiences of, and by identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging good practice with relevant regional and sub-regional organizations and using them, as appropriate and in accordance with their mandates, to promote networking, collaboration and coordination, and capacity-building as well as to support national and local training and human capacity-building. States Parties commended those States which have engaged in such cooperation and noted the value of, where possible, supporting financially or otherwise promoting such cooperation.

47. In order to further efforts to mitigate biological risks, States Parties noted the value of, in accordance with national laws and regulations, **raising awareness amongst all relevant personnel and organizations.:**

~~(a) Developing national plans, including: regulations on accreditation and registration of relevant facilities; a balance between regulations and standards, guidance and training; as well as a multi-sector and interdisciplinary platform to promote discussion;~~

~~(b) Gathering data on laboratory exposures or laboratory acquired infections, so as to improve risk assessment, biosafety and biosecurity training and practices, policies, intervention and prevention measures, and prevention of future incidents; and~~

~~(c) Raising awareness amongst a broader set of stakeholders, including regional authorities, governors, the agricultural sector, academia and the public;~~

~~48. States Parties recalled the agreements on the 1925 Geneva Protocol contained in the Final Document of the Seventh Review Conference.~~

49. States Parties agreed on **noted** the value of continuing discussion on measures to strengthen national implementation of the Convention, including in light of various proposals made by States Parties.

IV. How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties

49bis. States Parties reiterated that States Parties bear the responsibility for providing assistance and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons. States Parties reaffirmed the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any State Party, which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention.

49ter. Having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, **including that in view of the humanitarian imperative, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties, if requested.** States Parties noted **States Parties' national preparedness contributes to international capabilities for response, investigation, and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons.** ~~the value of preparations being made in advance of this Article being invoked, assistance, or the provision of support, being provided promptly and efficiently and only upon the request of the affected State Party when:~~

~~(i) biological or toxin weapons have been used, or are suspected of being used by any States(s) or other entity against a States Party;~~

~~(ii) A States Party is threatened by actions or activities of any State or other entity that are prohibited for States Parties by Article I;~~

50. States Parties recognised that, without adding preconditions to the use of Article VII, there are a number of challenges to strengthening **its** implementation. States Parties recognized the value of continuing to consider **in 2015** these challenges and ways to address them ~~promptly and effectively in 2015.~~

51. Recognizing the possibility that, following danger to a State Party resulting from activities prohibited by the Convention, national means and resources could be overwhelmed and that assistance may be required, States Parties agreed on the value of discussing what assistance might be needed in 2015.

52. Recalling that a States Parties' national preparedness contributes to international capabilities for response, investigations and mitigation of outbreaks of disease due to alleged use of biological or toxin weapons, States Parties noted the value, at the national level, of:

- (a) Considering what might be done to deal with a threat or actual use of biological or toxin weapons, determining the sorts of assistance that might be required from other States Parties and international organizations and identifying who could provide it, as well as identifying any challenges to its provision;
- (b) Ensuring effective national capabilities, including through the use, as appropriate, of gap analysis and national plans;
- (c) Strong detection capabilities, including for disease surveillance, primed health communities, cost effective rapid diagnostic tests, and accurate disease mapping, as well as appropriate countermeasures and recovery and decontamination options;
- (d) Appropriate command, control and coordination of cross-governmental planning and response as well as multi-agency assets during the life cycle of response efforts; and
- (e) Regular training activities to strengthen national capacities.

53. Recalling the importance of enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties ~~agreed on~~ **noted** the value of collaborating to build relevant national capacity, including:

- (a) Facilitating, and having the right to participate in the fullest possible exchange of equipment, material and scientific and technological information to protect against, and respond to, the use of biological and toxin weapons;
- (b) Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures;
- (c) Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons and for purposes not prohibited under the Convention;
- (d) Working with relevant international organizations to build relevant national capacity; **and**
- (e) States Parties noted that national preparedness contributes to international capabilities for response, investigation and mitigation of**

outbreaks of disease, including those due to alleged use of biological or toxin weapons. States Parties noted that there are differences among States Parties in terms of their level of development, national capabilities and resources, and that these differences affect national and international capacity to respond effectively to an alleged use of a biological or toxin weapon. States Parties encourage States Parties, in a position to do so, to assist other States Parties, upon request, to build capacity.

54. Recognizing that an event relevant to Article VII is more than an animal, plant or public health emergency, and in recognition that there is no institutional mechanism under the Convention to undertake relevant activities, States Parties agreed on the value of:

(a) **That in the event that this Article might be invoked, the United Nations being responsible for could play a coordinating role in providing assistance, with the help of States Parties, as well as the appropriate intergovernmental organizations, in accordance with their mandates, such as the World Health organization (WHO), the World Organization for Animal Health (OIE), the Food and Agriculture Organization of the United Nations (FAO), and the International Plant Protection Convention (IPPC). States Parties noted the value of further dialogue regarding appropriate means of coordination between States Parties and relevant international organizations; and activity between international organizations, non-governmental organizations and States Parties involved in with responding to an event;**

(b) Ensuring effective coordination and cooperation with **and between** relevant international health and humanitarian organizations, in accordance with their mandates and upon request by a States Party;

~~(c) Identifying issue areas where efforts under the Convention can complement other global efforts and make real progress towards improving preparedness and response capacity;~~

~~(d) Encouraging OCHA and ICRC to consider the practical and policy challenges of an event relevant to Article VII and to strengthen operational preparedness, so as to minimize impediments to a rapid response.~~

~~(e) Effective coordination and cooperation with relevant international organizations, such as the OPCW, that also provide assistance in the case of use of toxins;~~

~~(f) Effective coordination and cooperation with other parts of the United Nations which could be involved with activities related to other articles of the Convention;~~

~~(h) Improved ways to identify relevant facilities and other means to strengthen national, regional and international networks of relevant laboratories;~~

55. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties recalled the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons. States Parties noted the value of considering in 2015, *inter alia*, what information might be provided, ~~to whom and how.~~

56. States Parties also agreed on the value of continuing to explore strengthening the process for the provision of assistance in 2015, including, *inter alia*.

(a) Information on, and the feasibility of an inventory of, the types of assistance that States Parties could provide:

(b) A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

(d) Procedures, or code of conduct, for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party,

(e) A fund for assistance to affected States Parties; and

(f) Capacity building for international regional and sub-regional organizations that have relevant mandates, such as by joint exercise, workshops and training, including by the use of e-learning modules.

57. States Parties reiterated the value of continuing discussions on strengthening Article VII, and taking into consideration lessons learned from combating infectious disease, such as Ebola

[No text was included in the Friday pm *Re-revised draft report* on **V. Further steps**]

Sixth and final version of the substantive paragraphs (BWC/MSP/2014/5)

The final substantive paragraphs then appeared in the report of MSP/2014 – in BWC/MSP/2014/5 – as follows:

18. In accordance with the decision of the Seventh Review Conference, and recalling the common understandings reached during the 2003–2005 and 2007–2010 intersessional work programmes and by the Meeting of States Parties in 2012 and 2013, States Parties continued to develop common understandings on each of the three standing agenda items and the biennial item.

A. Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

19. States Parties recalled their legal obligation to facilitate and their right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

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

21. States Parties reiterated the value of the submission of clear, specific, and timely national reports on implementation of Article X as agreed at the Seventh Review Conference.

22. In order to further enhance the functioning of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of assessing its functionality, strengthening its utilization and improving its operation. States Parties **noted** ~~agreed on~~ the value of continuing and expanding their use of the database, and using it to reconcile supply and demand for technical assistance, and improving the provision of assistance and cooperation by detailing needs and identifying capacity gaps. States Parties also agreed on the value of actively promoting its use and more prominently featuring the assistance and cooperation database on the main ISU webpage. States Parties noted the value of considering in 2015 reasons for its low usage in order to address potential obstacles.

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

- (a) Promoting international cooperation providing for the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes in accordance with Article X of the Convention and not limiting this cooperation to financial resources;
- (b) Continuing to work together to target and mobilize resources, including financial resources, to address gaps and needs for assistance and cooperation including in particular from developed to developing States Parties and also exploring different ways of cooperation;
- (c) Pursuing a long-term, sustainable and systematic approach to the provision of cooperation and assistance;
- (d) Mutuality of benefit from international cooperation to address the needs of both partners **including the need** for timely access to

affordable drugs and vaccines and related diagnostic, preventative and therapeutic equipment;

(e) ~~The Conference recognizes~~ The important role of the private sector in the transfer of technology and information and the wide range of organizations within the United Nations system that are already engaged in international cooperation relevant to the Convention; and

(f) Where appropriate, that regional cooperation compliments national efforts, such as for the stockpiling of prophylactics and therapeutics.

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

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

~~(b) Additional information on how States Parties are implementing their obligations and about specific challenges and issues they have observed and identifying specific needs for, and gaps in, cooperation that are currently unmet;~~

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

States Parties also noted the value of continuing to consider this topic, including the possible importance of the interoperability of regulatory standards.

25. In order to further address a range of specific measures for the full and comprehensive implementation of Article X taking into account all of its provisions, including facilitation of cooperation and assistance, States Parties recognized the value of:

(a) Continuing national, regional and international efforts to exchange equipment, materials, **scientific and technological** information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources;

(b) Open-access to scientific publications, reducing possible barriers to access posed by the costs of subscriptions: and

(c) Facilitating the transport, entry, exit, processing and disposal of biological substances and diagnostic specimens and materials, in accordance with national laws and regulations, for public, animal and plant health response and for other peaceful purposes.

26. In order to further reinforce efforts to develop human resources in the biological sciences and technology relevant to the implementation of the Convention, States Parties recognized the value of **international**

cooperation, upon request:

- (a) Building a broader **range** base of human capacity, including, *inter alia* for national implementation **of all the provisions of the Convention**, science and technology; biosafety and biosecurity management, as well as dealing with disease;
- (b) Making full use of train-the-trainer approaches, including, as appropriate, local-based training supported by national or regional associations and organizations; and
- (c) Opportunities for training and work with cutting edge technology in universities, research institutions and production facilities as well as advanced laboratories.

27. In order to further efforts to strengthen national, regional and international capacity through international cooperation to prevent accidental or deliberate releases of biological agents, as well as for detecting and responding to outbreaks of infectious disease or biological weapons attacks, States Parties noted the value of, at the request of the recipient State and in accordance with their needs:

- (a) Making detection, surveillance and response capacity more effective and robust, including through real-time bio-surveillance, more effective diagnostics, as well as emergency operation centres with common standards;
- (b) Sharing relevant information on, *inter alia*, opportunities and challenges resulting from advances in the life sciences and biotechnology, disease outbreaks, biosafety, and health care; **and**
- (c) The availability of cost-effective, affordable and quality assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes.

States Parties also noted the value of continuing to consider this topic, including environments conducive to development of diagnostics, prophylactics and therapeutics.

28. In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits of developments in the life sciences, States Parties noted the value of harnessing recent advances, including in enabling technologies, vaccine development and production, biological production technologies, equipment and technical, practical and theoretical training, including for maintenance, occupational health and safety, for high containment laboratories, in order to strengthen the sustainable development of States Parties, taking into account the needs of developing countries in meeting health-related challenges.

29. Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, and taking into account the mandates of existing mechanisms established by those organizations, States Parties noted the value of:

- (a) Promoting broader recognition of the role of the Convention; and
- (b) Closer cooperation and coordination between States Parties and relevant international organizations in accordance with their respective mandates.

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

B. Review of developments in the field of science and technology related to the Convention

31. States Parties identified certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information on these developments, including on the improved understanding of, **and technologies to investigate:**

- (a) Virulence mechanisms;
- (b) Pathogenesis, which should enable more rapid responses to, and the development of countermeasures against, new or re-emerging pathogens;
- (c) Host-pathogen interactions, offering new opportunities for: disease surveillance, detection, and diagnosis, including making vaccine and drug production simpler, faster, cheaper and more efficient; the identification of targets to treat or prevent disease; negating the mechanisms that pathogens use to evade or disrupt the host immune system; identifying virulence factors in emerging pathogens; and the development of more specific vaccines, therapeutics and diagnostics; and
- (d) Toxins, providing new avenues for medicine and research, such as treatments for neuromuscular disorders and post exposure therapy, as well as toxin detection and diagnosis.

32. States Parties reviewed various enabling technologies, including, for example, genome editing tools including those derived from bacterial “immune systems”, such as CRISPR/CAS9, as well as those related to continuing progress in synthetic biology.

33. States Parties reviewed advances derived from the convergence of scientific disciplines, including biology, chemistry and nanotechnology. States Parties noted the value of continuing to consider how these advances might be applied to defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures, as well as for detection and diagnosis.

34. States Parties noted that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including: the creation of novel, highly-contagious, virulent pathogens; **and** programming

cells to produce toxins, viruses or other biological materials which could cause harm. States Parties also agreed on the importance of facilitating the fullest possible exchange of **relevant** dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention.

35. States Parties also noted the value of continuing to review gain-of-function work and consider the possible implications for the Convention in future meetings.

36. Research that is identified as being of dual-use concern is often vitally important to science, public health and agriculture, and its findings often contribute meaningfully to the broader base of knowledge that advances scientific and health objectives. States Parties recognised that identifying research as being of dual-use concern does not, in itself, provide sufficient justification for proscribing or restricting its availability, or for preventing its pursuit. Identifying research as being of dual-use concern does necessitate greater **national** oversight, and for a collaborative and informed assessment of the potential benefits and risks of the research. States Parties noted the value of addressing associated safety and security risks as well as the possible misuse of research results and products. States Parties also noted the value of continued discussion at future meetings on oversight of dual-use research of concern, including specific approaches to: identifying relevant criteria; assessing both risks and possible benefits; and mitigating identified risks.

37. States Parties noted the value of model voluntary codes of conduct. States Parties recognised that codes of conduct, whilst being the prerogative of States Parties, encourage responsible scientific conduct by helping to address risks that life science research output could be used for harm. Codes of conduct, including those developed and used by scientific organizations and institutions, help to support the responsibility of individual scientists to consider the potential consequences, both positive and negative, of their work. Relevant codes of conduct should avoid placing any undue restrictions on the exchange of scientific discoveries consistent with the objectives of the Convention and justified for protective, prophylactic or other peaceful purposes.

38. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties noted the value of:

- (a) Continuing to support, collectively and individually, the promotion of a culture of responsibility and **biosecurity** among life scientists; and
- (b) Making full use, at the national level, of scientists engaged in education and awareness-raising efforts, to identify relevant advances and related issues, and to keep national legal and regulatory frameworks up to date.

39. States Parties noted the value of continued discussion at future meetings

of the convergence between the fields of biology and chemistry, and other scientific disciplines.

40. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, of keeping pace with rapid changes in a wide range of fields, and in exploring opportunities for enhanced cooperation and sharing of technology identified by such reviews, States Parties reiterated the value of continuing to consider, in future meetings, possible ways of further strengthening scientific review. In this context, the important role played by national ~~technical~~ experts in the Meeting of Experts was emphasized as well as the value of contributions to the sponsorship programme to facilitate such participation.

C. Strengthening national implementation

41. States Parties recalled their legal obligation, in accordance with their constitutional processes, to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of biological weapons and to prevent their transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire them.

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

43. ~~42bis~~, States Parties noted the value of continuing to develop measures for, and taking advantage of, international cooperation in accordance with Article X to strengthen implementation of the Convention. States Parties noted the value of such international cooperation including public health, socio-economic development, biological safety and security, as well as national capacities to prevent, detect and respond to biological threats.

44. To further address a range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV, States Parties noted the value of, depending on national needs and circumstances and in accordance with national laws and regulations:

- (a) Legislation, regulations and administrative measures; national biosafety, biosecurity and control mechanisms; national export controls; disease surveillance and outbreak response capacity; arrangements for the oversight of science and for reviewing developments in science and

technology; educational efforts and awareness-raising; assistance and protection capacity for responding to the alleged use of biological and toxin weapons; exchanging information and providing reports established by review conferences; and provisions for building capacity for peaceful use;

(b) Strengthening the national institutions which play a role in national implementation; and

(c) Exchanging ideas as to what further measures and initiatives could be adopted by States Parties at the national level to increase of awareness and understanding, improve domestic cooperation and capacity, and utilization of best practices.

45. Recalling that the Seventh Review Conference called for appropriate measures, including effective national export controls, by all States Parties to implement Article III, States Parties discussed measures, including, *inter alia*:

(a) Neither favouring the commercial development of industries, nor hindering legitimate economic development of other countries;

(b) Affecting only a very few cases where there is an unacceptable risk of diversion for prohibited activities,

(c) Addressing transfers of tangible and intangible goods;

(d) Including laws and regulations that establish legal authorities and appropriate penalties, procedures and mechanisms for implementation and enforcement, a list of items subject to control, controls on technology directly associated with listed items, a catch-all provision, and regular outreach to life science researchers and the biotechnology industry; and

(e) Taking into account proliferation-related information, the significance of the transfer in terms of the appropriateness of the stated end-use, an assessment of the end-use, and the role of intermediaries.

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

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

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

(c) Continuing to strengthen the national institutions which play a role in national implementation;

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

(e) Continuing to work to increase participation in the CBMs, including through a voluntary step-by-step approach seeking to identify impediments and difficulties **to** ~~in~~ participation, as appropriate, as well as by identifying assistance opportunities and packages available to

help States Parties participate.

47. States Parties recognized the importance of regional and sub-regional cooperation in assisting national implementation by sharing experiences of, and by identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging **best good** practice with relevant regional and sub-regional organizations and using them, as appropriate and in accordance with their mandates, to promote networking, collaboration and coordination, and capacity-building as well as to support national and local training and human capacity-building. States Parties commended those States Parties which have engaged in such cooperation and noted the value of, where possible, supporting financially or otherwise promoting such cooperation.

48. In order to further efforts to mitigate biological risks, States Parties noted the value of, in accordance with national laws and regulations, raising awareness amongst all relevant personnel and organizations.

49. States Parties noted the value of continuing discussion on measures to strengthen national implementation of the Convention, including in light of various proposals made by States Parties.

D. How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties

50. States Parties reiterated that States Parties bear the responsibility for providing assistance and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons. States Parties reaffirmed the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any State Party which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention.

51. Having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, including that in view of the humanitarian imperative, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties, if requested, States Parties noted that State Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons.

52. States Parties recognised that, without preconditions to the use of Article VII, there are a number of challenges to strengthening its implementation. States Parties recognized the value of continuing to consider in 2015 these challenges and ways to address them.

53. Recognizing the possibility that, following danger to a State Party resulting from activities prohibited by the Convention, national means and resources could be overwhelmed and that assistance may be required, States Parties **noted** ~~agreed~~ the value of discussing **in 2015** what assistance might be needed ~~in 2015~~.

54. Recalling that a State **Party's Parties'** national preparedness contributes to international capabilities for response, investigations and mitigation of outbreaks of disease due to alleged use of biological or toxin weapons, States Parties noted the value, at the national level, of:

- (a) Considering what might be done to deal with a threat or actual use of biological or toxin weapons, determining the sorts of assistance that might be required from other States Parties and international organizations and identifying who could provide it, as well as identifying any challenges to its provision;
- (b) Ensuring effective national capabilities, including through the use, as appropriate, of gap analyses and national plans;
- (c) Strong detection capabilities, including for disease surveillance, primed health communities, cost-effective rapid diagnostic tests, and accurate disease mapping, as well as appropriate countermeasures and recovery and decontamination options;
- (d) Appropriate command, control and coordination of cross-governmental planning and response as well as multi-agency assets during the life cycle of response efforts; and
- (e) Regular training activities to strengthen national capacities.

55. Recalling the importance of enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties noted the value of collaborating to build relevant national capacity, including:

- (a) Facilitating, and having the right to participate in the fullest possible exchange of equipment, material and scientific and technological information to protect against, and respond to, the use of biological and toxin weapons;
- (b) Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures;
- (c) Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons and for purposes not prohibited under the Convention;
- (d) Working with relevant international organizations to build relevant national capacity; and
- (e) That national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons. States Parties noted that there are differences among States Parties in terms of their level of development, national capabilities and resources,

and that these differences affect national and international capacity to respond effectively to an alleged use of a biological or toxin weapon. States Parties encouraged States Parties, in a position to do so, to assist other States Parties, upon request, to build **relevant** capacity.

56. Recognizing that an event relevant to Article VII is more than an animal, plant or public health emergency, and in recognition that there is no institutional mechanism under the Convention to undertake relevant activities, States Parties **noted** ~~agreed on~~ the value of:

- (a) That in the event that this Article might be invoked, the United Nations could play a coordinating role in providing assistance, with the help of States Parties, as well as the appropriate intergovernmental organizations, in accordance with their **respective** mandates, such as the World Health Organization (WHO), the World Organisation for Animal Health (OIE), the Food and Agriculture Organization of the United Nations (FAO), and the International Plant Protection Convention (IPPC). States Parties noted the value of further dialogue regarding appropriate means of coordination between States Parties and relevant international organizations; and
- (b) Ensuring effective coordination and cooperation with and between relevant international organizations, in accordance with their mandates and upon request by a State Party.

57. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties recalled the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons. States Parties noted the value of considering in 2015, *inter alia*, what information might be provided.

58. States Parties also agreed on the value of continuing **in 2015** to explore strengthening the **procedures and mechanisms** ~~process~~ for the provision of assistance ~~in 2015~~, including, *inter alia*:

- (a) Information on, and the feasibility of an inventory of, the types of assistance that States Parties could provide;
- (b) A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;
- (c) Procedures, or codes of conduct, for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party;
- (d) A fund for assistance to affected States Parties; and
- (e) Capacity-building for international regional and sub-regional organizations that have relevant mandates, such as by joint exercises, workshops and training, including by the use of e-learning modules.

59. States Parties reiterated the value of continuing discussions on strengthening Article VII, and taking into consideration lessons learned from combatting infectious disease, such as Ebola.

E. Further steps

60. States Parties further considered that in pursuing the above understandings and actions, States Parties could, according to their respective circumstances and constitutional and legal processes, take into account the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions made by delegations on the topics under discussion at the Meeting of Experts, **as contained in annex I of the Report of the Meeting of Experts** (BWC/MSP/2014/MX/3), as well as the synthesis of these considerations, lessons, perspectives, recommendations, conclusions and proposals contained in BWC/MSP/2014/L.1, which is attached to this report as annex I. This annex was not proposed for adoption as an outcome of the Meeting, and therefore was not discussed with that aim. Thus, the annex was not agreed upon and consequently has no status.

61. States Parties are encouraged to continue sharing information at subsequent meetings of the intersessional programme on any actions, measures or other steps that they may have taken on issues under consideration in the intersessional programme. In order to further promote **common** further understanding and effective action and to facilitate the Eighth Review Conference's consideration of the work and outcome of these meetings and its decision on any further action, in accordance with the decision of the Seventh Review Conference (BWC/CONF.VII/7, Part III, paragraph 15).

~~59bis. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant to the standings agenda items and biennial agenda items of the current intersessional programme. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.~~

~~59ter. States Parties noted the value of an informal process, open to all States Parties, to prepare for the 2016 Review Conference by further developing issues of common interest. Such a practice shall not impede the current intersessional process.~~

It is noted that the final version of the substantive paragraphs in BWC/MSP/2014/5 now comprised 12 paragraphs with 14 subparagraphs (compared to 12 paragraphs and 20 subparagraphs in BWC/MSP/2014/L.2 provided on 19 November 2014) on the Standing Agenda Item on cooperation and assistance, 11 paragraphs with 6 subparagraphs (compared to 11 paragraphs with 18 subparagraphs in BWC/MSP/2014/L.2) on the Standing Agenda Item on science and technology, 9 paragraphs and 13 subparagraphs (compared to 9 paragraphs and 18 subparagraphs in BWC/MSP/2014/L.2) on the Standing Agenda Item on strengthening national

implementation and 10 paragraphs and 17 subparagraphs (compared to 9 paragraphs and 39 subparagraphs in BWC/MSP/2014/L.2) on the biennial topic on Article VII. It is also evident that the major reduction in text took place during the consideration of the fourth version (the revised draft report (Friday a.m.)) of the text as the next version (the re-revised draft report (Friday p.m.)) in this report is some six pages shorter.

Analysis of the development of the substantive paragraphs

Standing Agenda item I: Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

In L.2 this occupies paragraphs 2-13. Paragraph 13 concerns preparations for 2016 along the lines of proposals in the statements made by Germany and the Netherlands.

In CRP.1 they become paragraphs 19-30 (and remain 19-30 through successive iterations). New paragraph 30 is much diluted from L.2's paragraph 13.

In Draft Report (Thursday afternoon) paragraphs 19-30 are unchanged.

In Revised Draft Report (Friday morning) paragraph 21 has lost the words "noted that, to date, a very small number of States Parties have submitted these [Article X] reports"; paragraph 23(b) has lost "including North-South, South-South and North-North cooperation"; much else has been deleted from paragraphs 23-29.

In Re-Revised Draft Report (Friday afternoon) paragraph 22 has lost the earlier "roster of experts" addition to the assistance database, and there are a few other minor changes.

In the Final Report, paragraph 24(b) has new language to restore the point about helping countries requesting assistance to explain their particular needs so as to clarify what assistance would be particularly beneficial. There are no other significant changes.

Standing Agenda item II: Review of developments in the field of science and technology related to the Convention

In L.2 this occupies paragraphs 14-24. Much is shown as new text. Paragraph 22 concerns convergence of biology and chemistry with mention of the OPCW and its Scientific Advisory Board. Paragraph 23 concerns "further strengthening scientific review" but makes no mention of the Open-Ended Working Group (OEWG) proposal. Paragraph 24 concerns preparations for 2016 along the lines of proposals in the statements made by Germany and the Netherlands.

In CRP.1 they become paragraphs 31-41. Paragraphs 31 to 36 have undergone minor changes with no particular strengthening or weakening evident. Paragraph 37 on codes of conduct has been strengthened from L.2's paragraph 20. Paragraph 39 carries forward L.2's paragraph 22 but with "and other relevant scientific entities and advisory boards" added to mention of the OPCW Scientific Advisory Board. Paragraph

40 is unchanged from L.2's paragraph 23. Paragraph 41 (L.2's paragraph 24) on looking forward to the Eighth Review Conference is deleted in its entirety.

In Draft Report (Thursday afternoon) the surviving paragraphs remain 31-40. The only change is in paragraph 36 where "including specific approaches" is added to "identifying relevant activities" in oversight of dual use research of concern (DURC).

In Revised Draft Report (Friday morning) they remain paragraphs 31-40. Paragraph 32 has lost much of its language on enabling technologies and synthetic biology; likewise paragraph 35 on the definition and relevance of gain-of-function research. Paragraph 36 on oversight of DURC is shortened but still quite strong. Paragraph 37 on codes of conduct loses "for scientists". Paragraph 38(b) on "ensuring coverage of all relevant work" is deleted. Paragraph 39 on convergence is much weakened. Paragraph 40 on "further strengthening scientific review" remains, but with added language on the value of the sponsorship programme to encourage participation in the Meeting of Experts.

In Re-Revised Draft Report (Friday afternoon) they remain paragraphs 31-40. Paragraphs 31, 34 and 36 are slightly changed. Paragraph 35 on gain-of-function research acquires new language: "and consider possible implications for the Convention". Paragraph 37 adds the word "voluntary" before "codes of conduct". Paragraphs 38, 39 and 40 are unchanged.

In the Final Report they remain paragraphs 31-40. The words "and technologies to investigate" are added to paragraph 31. Oversight of DURC is now prefaced by "national" in paragraph 36. "Biosecurity" replaces "security" in paragraph 38(a) which now reads: "a culture of responsibility and biosecurity among life scientists".

Standing Agenda Item III. Strengthening National Implementation

In L.2 this occupies paragraphs 25-33. Paragraph 32 concerns withdrawal of Geneva Protocol 1925 reservations. Paragraph 33 concerns preparations for 2016 along the lines of proposals in the statements made by Germany and the Netherlands.

In CRP.1 these become paragraphs 42-49. L.2's paragraph 33 on looking ahead to the Eighth Review Conference is deleted in its entirety. Paragraph 44c(v) adds "establishing or strengthening national authorities" which was not in L.2's paragraph 27. Paragraph 46(e) adds a task for ISU – surveying States Parties in order to identify impediments to CBM participation and identify assistance opportunities and packages – which was not in L.2's paragraph 29.

In Draft Report (Thursday afternoon), these become paragraphs 41-48 and a new paragraph 49 is added. The new paragraph 49 reads: "States Parties agreed on the value of continuing discussions on measures to strengthen national implementation of the Convention, including in light of various proposals made by States Parties." This reverts to the language in the second paragraph of Section III, E of the Chair's Synthesis Paper BWC/MSP/2014/L. 1, following the loss of L.2's paragraph 33 in CRP.1. It represents a strengthening of the forward-looking element compared with

CRP.1 but is weaker than the Germany/Netherlands proposal reflected in L.2 because it makes no reference to preparations for 2016.

In Revised Draft Report (Friday morning) they remain paragraphs 41-49. The CRP.1 addition of “establishing or strengthening national authorities” to paragraph 44c(v) is deleted, along with much else in other paragraphs. Paragraph 48 is reduced to one short sentence – “States Parties recalled the agreements on the 1925 Geneva Protocol contained in the Final Document of the Seventh Review Conference” – with no mention of calling for the withdrawal of pertinent reservations. However, the new paragraph 49 remains unchanged at this stage.

In Re-Revised Draft Report (Friday afternoon) they remain paragraphs 41-49. A new paragraph 42bis introduces the subject of international cooperation for capacity-building under Article X, which might be seen as a partial restoration of a capacity-building reference which had earlier been deleted. Paragraph 43(b) now loses all its “whole government approach” detail on national institutions, although some of it is retrieved at new subparagraphs 45(c) and 45(d). Paragraph 45(e) which would have tasked the ISU with surveying impediments to CBM participation is deleted. Paragraph 47 loses its detailed subparagraphs a-c which are replaced by “raising awareness amongst all relevant personnel and organisations”. Paragraph 48 (Geneva Protocol) is deleted in its entirety.

In Final Report, paragraph 42bis becomes 43, paragraph 43 becomes 44, and so on up to 48. Because the Geneva Protocol paragraph had been deleted at the previous stage, paragraph 49 retains its numbering.

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 L.2 this occupies paragraphs 34-42. Paragraph 42 reads: “States Parties reiterated the value of continuing discussions on strengthening Article VII including in light of various proposals made by States Parties.”

In CRP.2 paragraph 34 retains its numbering but the others are renumbered 52-58, with few changes at this stage. “Further development of international mechanisms for the forensic investigation of the cause of an event” previously at paragraph 39(f) is deleted from paragraph 52(g). A new paragraph 59 is added, to take account of the Ebola outbreak in West Africa and its implications for public health policy and emergency response capacities set out as subparagraphs 59 (a-c).

In Draft Report (Thursday afternoon) paragraph 34 is renumbered 49(sic) despite the introduction of a new paragraph 49 in the preceding section as noted above. Paragraphs 52-58 are renumbered 50-57. The “forensic” reference to attribution analysis is restored to what is now paragraph 54(g). The Ebola paragraph is unchanged as what is now paragraph 57.

In Revised Draft Report (Friday morning) paragraph 49(sic) has become 49bis and the others remain numbered 50-57. Much detail is removed from paragraphs 50 and 51 but the caveat “without adding preconditions to the use of Article VII” is added to paragraph 50. A reference to the United Nations Secretary-General’s investigative mechanism is deleted from paragraph 54(f). The “forensic” reference at paragraph 54(g) is once again deleted. The detailed check-list of information to be provided when Article VII is invoked is deleted from paragraph 55, to be replaced by “States Parties noted the value of considering in 2015, inter alia, what information might be provided, to whom and how.” Paragraph 56(a) likewise sees much detail deleted, and “the feasibility of an inventory of the types of assistance that States Parties could provide” added to “information on an inventory”. The Ebola paragraph 57 loses all three sub-paragraphs and is reduced to “States Parties reiterated the value of continuing discussions on strengthening Article VII, and taking into consideration lessons learned from combating infectious disease, such as Ebola.”

In Re-Revised Draft Report (Friday afternoon) paragraphs 49bis-57 retain their numbering. A new paragraph 49ter is introduced to cover the possibility of humanitarian assistance being requested before the Security Council has made its finding under Article VII. “Capacity-building” is added to paragraph 53(e). “Relevant international organisations” replaces specific references to OCHA, ICRC and OPCW at paragraph 54. The words “to whom and how” are removed from the already truncated paragraph 55, which now concerns merely “what information might be provided” when invoking Article VII.

In Final Report paragraph 49bis becomes paragraph 50, paragraph 49ter becomes paragraph 51, and paragraphs 50-57 are renumbered 52-59.

V. Further Steps

In L.2 there was no separate section entitled ‘Further Steps’. However, each section on the Standing Agenda items concluded with a final paragraph starting with the words ‘Looking forward to the Eighth Review Conference ...’ (paragraphs 13, 24, 33) and the section on the biennial item had a paragraph 42 recognising the value of continuing discussions on this topic.

In CRP.2 these paragraphs 13, 24 and 33 are all deleted and the biennial item paragraph is developed. A separate section entitled ‘Further Steps’ comprising paragraphs 60 – 61, 61bis and 61ter has been added. The language in paragraphs 60 and 61 are identical to the corresponding paragraphs 47 and 48 of the previous year’s report of MSP/2013 (BWC/MSP/2013/5). Paragraphs 61bis and 61ter both look forward to the Eighth Review Conference in 2016.

In Draft Report (Thursday afternoon), these are unchanged and remain as paragraphs 60-61, 61bis and 61ter.

In Revised Draft Report (Friday morning) they continue unchanged but are renumbered as paragraphs 58-59, 59bis and 59ter.

In Re-Revised Draft Report (Friday afternoon) no text was included for the section V. Further Steps.

In Final Report, paragraph 58-59 were renumbered 60-61 with paragraph 58 being amended to include the words “as contained in annex I of the Report of the Meeting of Experts”. The previous paragraphs 59bis and 59ter were deleted removing any language looking forward to the Eighth Review Conference in 2016.

Reflections

Availability of statements and documents

In contrast to previous years and even to the Meeting of Experts in August 2014, it is greatly regretted that no transcripts have been provided on the unog.ch/bwc website for seven of the forty-three statements made in the General Debate that were delivered or provided in languages other than English. Again in contrast to previous years, it is equally regretted that there are no transcripts for the statements made in the General Debate by Kuwait, France, Morocco and Iraq – which are not even included on unog.ch/bwc website although the statement for one of these countries (France) is available on its national website.

It is likewise to be regretted that only five States Parties – Pakistan, Switzerland, Republic of Korea, Netherlands and Ukraine – made their interventions on the Standing Agenda Items, the Biennial Item and the other agenda items available on the unog.ch/bwc website although some States Parties have put such interventions on their national websites.

The above situation is made even worse when it is recognised that very few States Parties made copies of their statements in the General Debate available to those present. Whilst the initiative of the United Nations to reduce the use of paper copies is welcomed, it should be coupled with a requirement that States Parties and other participants should provide electronic copies of their statements and interventions to the ISU for posting on the unog.ch/bwc website. After all, it is presumed that when a State Party has decided to contribute by making a statement in the General Debate or an intervention later in the Meeting, then that State Party would wish all other participants to know what they have contributed to the intersessional process. In this context, it is noted that BWC/MSP/2014/INF.1 – an information document which was novel for MSP/2014 and had not appeared in any previous year – contained in its first of two paragraphs 36 a form of words that was needlessly discouraging and contrary to the spirit of the United Nations initiative to move towards electronic copies of documents where possible that:

*36. As it is the prerogative of States to decide whether or not they would like to have their statements posted on the website, **statements made during public plenary meetings will be posted on the website of the Convention, only if a hard copy and/or an electronic version has been provided to the Secretariat.*** [Emphasis in original].

It would surely have been far better for all concerned if this had been phrased positively along the lines of:

In line with the initiative of the United Nations to move to making documents available electronically, States Parties are requested to provide copies of their statements made in the General Debate and in subsequent sessions of the Meeting of States Parties in electronic format to the Secretariat so that these can be posted on the website of the Convention.

A further point in regard to providing copies of statements and interventions in electronic format is that virtually all of the statements made to the General Debate at MSP/2014 on the unog.ch/bwc website are in such a format that the text cannot be copied and pasted. Consequently, anyone such as ourselves seeking to prepare a report on the Meeting of States Parties has to retype the statement. A notable – and welcome – contrast are the eight statements made by NGOs in informal session during MSP/2014 which are all in an electronic format in which text can be copied and pasted.

It is also regretted that copies of the presentations made or a summary of the side event are available on the unog.ch/bwc side event page for only four of the ten side events at which presentations were made. This represents a missed opportunity to share information that is especially unfortunate as there were three occasions when two side events were held at the same time. Surely the whole point of presenting at the side events is to make all participants at the Meeting of States Parties aware of the developments being reported at the side event – and providing copies of the individual presentations made at each side event for posting on the unog.ch/bwc website would be beneficial for all.

In respect of the Working Papers there was an apparent inconsistency as to whether the reports by States Parties should be Working Papers or Information Documents – at MSP/2014, WP.10, WP. 11 and WP. 12 and INF. 5 were all reports by States Parties on Article X. It would generally be clear if such reports by States Parties on their implementation of Article X were INF. Documents unless they are specifically written to contribute to consideration of the Standing Agenda Item on Cooperation and Assistance.

The substance of the Meeting

The encouragement by the Chair in his letters to States Parties to focus on effective action is greatly welcomed as it is important to maximise the benefits to the BWC regime from the activities carried out in the intersessional process. Likewise, the initiative shown by the Chair in providing draft elements for the substantive section of the report of MSP/2014 in his letter to States Parties of 19 November was a welcome step forward. It was disappointing that some States Parties did not accept this and sought to negate this forward step.

Although it is clear that most if not all States Parties are looking forward to and preparing for the Eighth Review Conference, it is unfortunate that some States Parties were reluctant to adopt language looking ahead and initiating early preparations for the

Review Conference in 2016. Some States Parties have clearly failed to recognise that the three weeks of the Review Conference is a very short time and there is much to be said for exploring and developing consensus ideas in advance for decision at the Review Conference in order to strengthen the effectiveness of the Convention. References in the draft substantive paragraphs for the report of the Meeting of States Parties to further discussions in preparation for the Eighth Review Conference in 2016 are deleted, in favour of an insistence on the Intersessional Process with its limited agenda being the only framework permitted. These difficulties with **Part V: Further Steps** were indicative of a reluctance even to mention possible developments for the Convention outside the restrictive framework of the Intersessional Process.

In a similar vein it is disappointing that two Working Papers – one mentioned at the Meeting of Experts as being prepared by the Russian Federation for the Meeting of States Parties and the other mentioned by Netherlands and Germany and also by EU in their statements at the Meeting of States Parties – did not materialise. Both could have helped move things forward.

On the positive side, the increased number – four out of the twelve – of Working Papers submitted by multiple States Parties and especially those with States Parties across regional boundaries are greatly welcomed. After all, it is to be expected that the experiences of States Parties in implementing the Convention would be productive of usefully shared findings and thus fruitful ground for common understandings and effective action. The Convention is strengthened when States Parties from different Groups join in sponsoring Working Papers or other initiatives.

A further disappointment is that ideas put forward at the Meeting of Experts regarding how consideration of advances in science and technology could be better addressed also did not move forward. It is evident from this Intersessional Programme that the consideration of relevant advances in science and technology is not effective – and that a new and different approach needs to be taken, such as an open-ended working group of experts. However, such ideas need to be developed in working papers which ideally should be submitted by a number of States Parties from across the regional groups.

In regard to the substantive paragraphs in the report of MSP/2014, the overall outcome was disappointing on a number of counts. There was a notable tendency to replace “agreed on” by “noted” in the later iterations. This reflects a pervasive reluctance, seen in earlier Meetings of States Parties, to allow any “agreements” to be reached during the intersessional process.

Likewise the process reveals a truncation of detail, as the text retreats to the bare minimum of general propositions, for preference falling back on language taken from the Final Document of the Seventh Review Conference. Much of the useful material accumulated in the Intersessional Process is deleted as the text develops towards the final report. Dual use research of concern and gain-of-function experiments provide examples of where much relevant material developed in (and before) the Meeting of

Experts is discarded. The same can be said of synthetic biology, and of the biology-chemistry convergence agenda with its implications for closer cooperation with OPCW.

There is also a failure in the substantive paragraphs to record realities such as the very low take-up of the database for Article X assistance requests and offers, and the weaknesses in public health emergency responses revealed by the Ebola outbreak in West Africa. In both cases useful language was introduced in the early drafts but does not survive into the final Report of the Meeting of States Parties.

As the text for the substantive paragraphs evolves through successive versions, references to Article X increase, references to the UN Secretary-General mechanism and to the importance of removal of reservations to the 1925 Geneva Protocol are both removed, and codes of conduct are unnecessarily labelled voluntary. Not only are references to national authorities removed from the text, there is a marked resistance to any recommendations for national institutions and how they should coordinate national implementation.

A reasonable proposal to task the ISU to survey impediments to CBM participation, and identify opportunities for assistance, is deleted.

It is unfortunately evident that our recommendation in our report¹ on the Meeting of Experts in August 2014 in which we said:

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.

in which an inclusive approach could have included mention of States Parties' initiatives such as peer review and compliance assessment and transparency measures, is entirely absent. And even points, such as the importance of the removal of reservations to the 1925 Geneva Protocol, on which all States Parties should be agreed, are deleted.

The greatest reason for disappointment with the Report of the 2014 Meeting of States Parties is that, as noted above, references to further discussions in preparation for the Eighth Review Conference in 2016 are deleted, in favour of an insistence on the Intersessional Process with its limited agenda being the only framework permitted. The difficulty with language for **Part V: Further Steps** is indicative of a reluctance even to

¹ Graham S. Pearson in association with Nicholas A. Sims, Report from Geneva, *The Biological Weapons Convention Meeting of Experts August 2014*, Review no. 40. Available at: <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva.html>

mention possible developments for the Convention outside the restrictive framework of the Intersessional Process.

Looking forward

Overall, the States Parties at the Meeting of States Parties in December 2014 demonstrated convincingly that the present intersessional process as some States Parties wish to interpret it is becoming ineffective and is holding back attempts to move forward and initiate effective action to strengthen the implementation of the Convention.

As the Chairman noted on 5 December 2014 in closing the Meeting of States Parties *As stressed by many delegations during our work, the Convention is faced with many challenges. To meet them, **a robust intersessional process is more than ever required.*** [Emphasis added] It is therefore evident in looking forward to the Eighth Review Conference in 2016, consideration needs to be given by States Parties to the changes that are urgently required to ensure that the subsequent intersessional process is both effective and able to adapt to address developments in the coming years.

The logo for the Harvard Sussex Program Occasional Paper (HSPPOP) features the acronym 'HSPPOP' in a bold, sans-serif font. The letters 'HSP' are white, and 'POP' is blue. The logo is set against a solid tan background.

HSPPOP

HARVARD SUSSEX
PROGRAM
OCCASIONAL
PAPER

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

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