

**REPORT FROM GENEVA: THE
BIOLOGICAL WEAPONS
CONVENTION MEETING OF
STATES PARTIES DECEMBER 2015**

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Report from Geneva: The Biological Weapons Convention Meeting of States Parties December 2015

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 2014, as reported in *Report 41* (March 2015), the arrangements for the Meeting of Experts and Meeting of States Parties in 2015 were considered. The Meeting decided that the Meeting of Experts would be held on 10 to 14 August 2015, and the Meeting of States Parties on 14 to 18 December 2015. The meeting approved the nomination by the NAM and Other States of Ambassador Mazlan Muhammad of Malaysia as the Chairman for 2015, the nomination as one of the Vice-chairs by the Western Group of Mr. Henk Cor van der Kwast, Ambassador and Permanent Representative of the Netherlands to the Conference on Disarmament, and the nomination on behalf of the East European Group of Mr. György Molnár, Ambassador

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and Special Representative of the Foreign Minister for Arms Control, Disarmament and Non-Proliferation of Hungary as the other Vice-chair.

The Meeting of Experts produced a report (BWC/MSP/2015/MX/3 dated 27 August 2015 – 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 2015 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 2015 to *'discuss, and promote common understandings and effective action'*.

Preparation for the Meeting of States Parties, 14 to 18 December 2015

The Chair, Ambassador Mazlan Muhammad of Malaysia wrote to the States Parties on **19 October 2015** to update them on preparations for the MSP/2015. He enclosed a copy of his synthesis paper. He said that, *as in previous years, I have tried to avoid repeating ideas and proposals on which we have already identified a common understanding.* He also said that:

Naturally, not every detail of every proposals has been included, but I have tried to cover the main themes and capture at least the essence of the various ideas put forward.

And added that

As in previous years, I have focussed on identifying new material contributed at this year's Meeting of Experts. I have tried to avoid repeating ideas and proposals on which we have already identified a common understanding. Please read the attached synthesis paper in conjunction with the reports of the previous Meetings of States Parties of the current intersessional programme, which should also be seen as an input into our preparations of the 2015 Meeting of States Parties

And also said that:

I am particularly interested in hearing specific feedback on the attached synthesis paper so that I can revise it in a timely manner.

The ideas put forward in the letter of 19 October 2015 regarding preparing for the MSP in December 2015 were followed up by the Chair when he met Regional Groups on **19 & 20 November 2015** when he made the following points:

- *Without straying from past precedent, I am keen that we explore every opportunity to facilitate our work at the Meeting of States Parties.*

- *The feedback I hope to hear today on the synthesis paper which was annexed to my letter of 19 October will be key in helping me to shape the substantive elements of the MSP report. The synthesis paper is also now available as document BWC/MSP/2015/L.1 on the BWC website. As its title makes clear, the paper is a “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.” It is not intended to be a basis for the negotiation of the report of the MSP. Like the compilation which was annexed to the report of the Meeting of Experts, the synthesis paper is intended to assist delegations in their preparations for the MSP. I encourage you to be as frank and comprehensive with your insights as possible.*

In addition, the Chair at his meeting with the Regional Groups, also made the following points in regard to the preparations for the Eighth Review Conference:

- *In contrast to the past three MSPs, the upcoming meeting is also mandated to approve arrangements for the Eighth Review Conference and its Preparatory Committee. These arrangements include the nomination of the President of the Review Conference, the dates for the Conference and the estimated costs of the Conference. An agenda item, number 13, has been included in the provisional agenda of the MSP for this purpose. Both MSPs which preceded the last two Review Conferences – the MSP in 2005 and the MSP in 2010 – also took similar decisions.*
- *In this regard, I have taken careful note of the views expressed by several States Parties on this matter during the First Committee and of the draft resolution on the BWC which was approved without a vote by the First Committee on 3 November. Operative paragraph 9 of the resolution stresses “the importance of transparent and inclusive preparation for the Eighth Review Conference, to be held in 2016, and encourages States parties to establish a preparatory process allowing for the due and balanced consideration of both substantial and procedural issues related to the review of the Convention and its implementation.”*
- *In recognition of the draft resolution and the views expressed by States Parties in New York, and following discussions with the Depositary Governments, it is my intention to propose that next year we meet for two Preparatory Committee meetings each of one week, and for a Review Conference of three weeks as is traditional. Such an approach will entail some modest costs, but it is designed to reflect the widespread calls for a strengthened preparatory process in advance of the Review Conference. While the final decision will obviously be taken by the MSP, I would appreciate hearing your views on this proposal as soon as possible.*

The Chair wrote again to States Parties on **8 December 2015** enclosing a copy of the Chairman’s non-paper on the possible elements for the substantive part of the Report of the Meeting of States Parties. He says that this non-paper was prepared under his own responsibility as an input for the preparation of the report and does not preclude perspectives, recommendations, conclusions and proposals presented by delegations during the upcoming MSP. The letter goes on to say that:

This non-paper is based on the breadth of ideas and proposals during the Meeting of Experts in August, from feedback regarding the synthesis paper, and from wide-spread consultations with States Parties. The non-paper also includes content reflective of our past agreements on the various agenda items, reflecting on one hand continuity within the Inter-Sessional Process, and on the other, to be forward looking in promoting effective action.

The enclosed Chairman's non-paper consists of some 11 pages comprising 36 paragraphs under the three Standing Agenda items, the Biennial item and a section entitled *Further Steps*.

The Chair's synthesis document – originally attached to his letter of 19 October 2015 – was issued as BWC/MSP/2015/L.1 dated 5 November 2015 and his draft elements for inclusion in the Report of MSP/2015 originally attached to his letter of 8 December 2015 were not issued, unlike in 2014 when the draft elements for inclusion in the Report of MSP/2014 were issued as BWC/MSP/2014/L.2 dated 26 November 2014, as there had been some debate in 2014 as to whether the draft elements should be circulated as an official document..

Meeting of States Parties, 14 to 18 December 2015:

Opening Plenary Session

The Meeting of States Parties began on Monday 14 December 2015 with Ambassador Mazlan Muhammad of Malaysia in the Chair in a plenary session when he welcomed all those present. He noted that this was the fourth and final meeting of the intersessional programme established by the Seventh Review Conference which was being held in a year in which we have marked the 40th anniversary of the entry into force of the Convention. He added that the task this week was to convert the wealth of material provided at the Meeting of Experts in August into common understandings and effective action in accordance with the mandate. In addition, the Meeting of States Parties will have to approve arrangements for the Eighth Review Conference which is due to take place no later than 2016.

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/2015/1) had been circulated in all languages. He said that the substantive elements formed the mandate for the work of the MSP and that an additional agenda item 13 on the Eighth Review Conference had been included. This was adopted.

Moving on to Agenda item 3 *Adoption of the provisional programme of work* (BWC/MSP/2015/2) which had likewise been circulated, he noted that this gave equal time to each of the three standing agenda items and the biennial item. In addition, time had also been included for the agenda item on consideration of the Eighth Review Conference. 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 Russian Federation asked to speak noting that it was important to achieve agreed results from the Meeting of States Parties and to propose that a drafting committee be established to prepare the Report of the Meeting, in accordance with rule 36 of the Rules of Procedure. The USA, Australia, UK and Germany all spoke about this proposal expressing concern about the shortage of time during MSP/2015 and suggesting that it would be better to stay with past practice. The Russian Federation said it would not insist on pursuing their proposal further at MSP/2015. However, they would return to this next year for the Eighth Review Conference.

The Chair proposed that the programme in BWC/MSP/2015/2 be adopted and this was agreed.

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

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 – Guinea and Israel – had requested observer status and this was so decided.

He then said that six international organisations:

- Association of Southeast Asian Nations,
- the European Union,
- the International Committee of the Red Cross,
- the League of Arab States,
- the Organization for the Prohibition of Chemical Weapons and
- the World Organization for Animal Health,

had indicated that they wished to participate and he proposed that they be granted observer status and this was so decided.

In regard to participation, he added that thanks to voluntary contributions from Finland and the Netherlands, experts from Afghanistan, Burkina Faso, Ghana, Sudan and Uganda had been able to attend. Further contributions from Canada, Germany and the United States had enabled the participation of experts from Cameroon, Cuba, Georgia, Guinea, Liberia, Uganda and Ukraine.

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 held in August 2015 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/2015/MX/3. He

noted that 100 States Parties had participated – the highest such number for any such meeting during the current intersessional process. He proposed that the Meeting of States Parties take note of the report of the Meeting of Experts. This was so decided.

The Chair then spoke about the substantive work and the outcome of the Meeting of States Parties saying that the principal task this week is to convert the many ideas and proposals discussed at the Meeting of Experts into a more concise focused product. He noted that the aim was to identify “common understandings” and in particular, as he had stressed throughout the year, greater focus should be given to “effective action” as this is particularly appropriate as we look towards the Eighth Review Conference in 2016. He said that there were a number of resources that could be drawn upon at this Meeting which included:

- The synthesis paper, BWC/MSP/2015/L.1 which consolidates the ideas and proposals put forward at the Meeting of Experts;
- The ideas and proposals in the Annex to BWC/MSP/2015/MX/3;
- Working Papers submitted by States Parties to the Meeting of Experts and to this Meeting of States Parties;
- Additional contributions made during the course of this Meeting of States Parties.

In addition, the Chair referred to his letter to States Parties of 8 December 2015 which enclosed a non-paper which contained possible elements for the substantive part of the report of the Meeting of States Parties.

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.

One hundred and eleven States Parties to the Convention participated in the Meeting of States Parties as follows: Afghanistan, Albania, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Bhutan, Bosnia-Herzegovina, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Libya, Lithuania, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, 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, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan, Venezuela (Bolivarian Republic of), Yemen and Zimbabwe.

This was eleven more than at the Meeting of Experts as eighteen–States Parties – Afghanistan, Antigua and Barbuda, Azerbaijan, Bhutan, Bosnia-Herzegovina, Costa Rica, Dominican Republic, Fiji, Kazakhstan, Latvia, Mali, Montenegro, Mozambique, Niger, Nigeria, The former Yugoslav Republic of Macedonia, Uganda, and Uzbekistan – participated at MSP/2015 in December but did not at MX/2015 in August whilst seven States Parties – Bahrain, Burundi, Cameroon, Nicaragua, Tajikistan, Uruguay, and Zambia – who had participated at MX/2015 in August did not at MSP/2015 in December.

In comparison to MSP/2014, one more State Party participated at MSP/2015 as thirteen States Parties – Afghanistan, Antigua and Barbuda, Bangladesh, Cyprus, Dominican Republic, Fiji, Montenegro, Mozambique, Senegal, The former Yugoslav Republic of Macedonia, Uganda, Uzbekistan and Zimbabwe – participated at MSP/2015 but not at MSP/2014 whilst twelve States Parties – Bahrain, Botswana, Ethiopia, Iceland, Liechtenstein, Malawi, Singapore, Swaziland, Turkmenistan, Uruguay, Viet Nam, and Zambia – who had participated at MSP/2014 did not at MSP/2015.

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, Liberia and the United Republic of Tanzania – this was the same number as at MX/2015 when Cote D'Ivoire, Syrian Arab Republic and the United Republic of Tanzania participated.

Two States, Guinea and Israel, 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 one more than at MX/2015 when Guinea participated as an observer.

The United Nations, including the United Nations Security Council Committee established pursuant to resolution 1540 (2004) and its Group of Experts, the United Nations Institute for Disarmament Research (UNIDIR), 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 two less than at MX/2015 when the United Nations Counter-Terrorism Implementation Task Force (CTITF) and the United Nations Office for Disaster Risk Reduction (UNISDR) had also attended.

The Association of Southeast Asian Nations (ASEAN), the European Union (EU), the International Committee of the Red Cross (ICRC), the League of Arab States (LAS), 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 one less than at MX/2015 when the International Criminal Police Organization (INTERPOL), the International Federation of Red Cross and Red Crescent Societies (IFRC), and the World Health Organization (WHO) participated and the Association of Southeast Asian Nations (ASEAN) and the League of Arab States did not.

Twenty seven Non-Governmental Organizations and research institutes attended the Meeting of States Parties under rule 44, paragraph 5 which is fourteen more than at MX/2015 when thirteen Non-Governmental Organizations and research institutes attended and twelve more than at MSP/2014 when fifteen Non-Governmental Organizations and research institutes were present.

The Convention at the time of MSP/2015 had 173 States Parties and 9 Signatory States. 14 States have neither signed nor ratified the Convention. Two States Parties had joined the Convention since MSP/2014 – Mauritania on 28 January 2015, and Andorra on 2 March 2015.

There were over 605 participants at the Meeting of States Parties of which 491 came from States Parties including some 232 participants from capitals. This was considerably better than the participation at the Meeting of Experts in August 2015 when there were some 470 participants at the Meeting of Experts of which over 390 came from States Parties including over 200 participants from capitals. It was also better than at the 2014 Meeting of States Parties when 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.

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 14 to 18 August 2014, a meeting which had been focused, positive and constructive. 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 agencies in both developed and developing countries, from international organisations, professional and scientific associations, from academia and NGOs and the private sector. He looked forward at the MSP/2015 to converting the many ideas and proposals put forward at the MX/2016 into a more concise focussed product of common understandings and effective action. However, he was keen, as he had been reiterating throughout the year, that there should be a greater focus on the effective action element of their mandate. This was particularly appropriate as we look forwards towards the Eighth Review Conference in 2016.

He recalled his letter of 8 December 2015 when he had circulated his non-paper of the same date which contained possible elements for the substantive part of the Report of the Meeting. As he had stated in his letter, this non-paper was not intended to preclude perspectives, recommendations, conclusions and proposals presented by States Parties and it does not prejudge the outcome of our deliberations at this Meeting. He said that to aid the collective work of producing the outcome report, an open informal consultation would be held on Monday evening at 6 pm for the purpose of introducing the non-paper.

He also said that at this Meeting, it was necessary to consider and approve arrangements for the Eighth Review Conference in 2016. The nomination of the President of the Review Conference and the dates for the Review Conference and the Preparatory Committee and the estimated costs for the meetings would need to be

approved. Time had been set aside to consider this on Tuesday morning, 15 December.

He concluded by saying that he would ask his Vice Chairmen to help in the chairing of the sessions with Ambassador Henk Cor van der Kwast, of the Netherlands chairing the session on the Standing Agenda Item on science and technology on Wednesday 16 December morning and Ambassador György Molnár of Hungary chairing the session on the Standing Agenda Items and biennial item on Thursday 17 December afternoon. [In the event, there was no formal session chaired by Ambassador Molnár on Thursday afternoon as there were informal discussions instead.]

General Debate, morning Monday 14 December 2015

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 Ministers of 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 Ministers of 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 then went on to say that the NAM Group attaches great importance to international cooperation as the first priority of the Group. The Group said they continue to believe that *there is a need for an effective mechanism to ensure the full effective and non-discriminatory implementation of Article X* and referred to their Working Paper submitted in 2013 saying *We are sure that this working paper contributes to the promotion of common understandings and effective action by the inter-sessional program in 2015 and beyond.*

The statement then said 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 the respective mandates of this Convention and other international organisations should be respected and 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 added that *It is imperative that any export control measures adopted by States Parties at a national level should be in full conformity with Convention obligations and create an environment conducive to the full effective and non-discriminatory implementation of all Convention provisions, and should not in any way adversely affect the rights and obligations of States Parties under 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 *We welcome [the] new agenda item on arrangements for the Eighth Review Conference consistent with past practice, with the proviso that such discussion should not overtake the required balance between various agenda items and biennial item on Article VII issues. NAM welcomes preparatory process for the coming Review Conference. NAM supports the Chair's proposal for traditional three weeks duration for the Review Conference, due to its detailed agenda on reviewing the Convention's operation.*

[The unog.ch/bwc website shows that Iran has not submitted a CBM in 2015]

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 thank the Chair for the development of the Meeting of Experts (MX) synthesis paper, as well as the Chair's non-paper on possible elements for the MSP report. These texts will certainly help guide our efforts towards a consensus final outcome document this week.

The JACKSNNZ share the Chair's goal to focus on establishing common understanding and effective action during this meeting. This MSP is our last chance for concrete, substantive discussions before beginning the Review Conference process. We must bring to the RevCon proposals built by substantively and concretely advancing discussions over the previous four years.

The statement went on to say that:

The JACKSNNZ firmly believe that national implementation remains a key cornerstone of the BWC. JACKSNNZ members have been actively engaged in efforts to improve transparency on implementation measures and to improve the effectiveness of those measures. The joint working paper produced by Malaysia and Australia on national implementation in both 2014 and 2015, with the support of 12 cross regional delegations in total, offers some useful ideas to promote reassurance on this issue. JACKSNNZ members believe that transparency in implementation is one way to improve confidence among States Parties. We support initiatives such as Compliance Assessment, Peer Review, and Implementation Review to advance this goal. As we have in the past, JACKSNNZ urge all States Parties to take all possible steps to ensure their domestic legislation comprehensively implements the BWC, and to share with other States Parties their best practices and lessons learned.

The statement then considered science and technology saying that:

As you are aware, the past decade has seen remarkable advances 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. To that end, we will be discussing later this week the proposal by Australia, Canada, Chile, Czech Republic, Finland, Germany, Japan, Lithuania, Netherlands, Norway, Republic of Korea, Slovakia, Sweden, Switzerland for addressing threats to the BWC, including from the rapid development of advanced technologies, which may unintentionally enable their misuse to produce biological weapons, but which must continue to allow for their use to advance global health and wellbeing.

The JACKSNNZ also renew our call for scientific experts leading BWC discussions to review and inform States Parties on the latest scientific developments and their associated risks. The two working papers submitted by Switzerland on the occasion of this year's MX and MSP respectively offer parameters and considerations for an informed debate, and elaborate on different S&T review models in operation elsewhere. It is our hope that we will be able to achieve substantial movement on this issue this week and in the preparation process to the Review Conference, so that a decision can be taken on this occasion.

In regard to international cooperation, the statement said that:

The JACKSNNZ also remain committed to international cooperation and collaboration in fields related to health and the life sciences. In this regard, Australia, Canada, and Japan have updated their papers on international activities in line with the implementation of Article X. Furthermore, JACKSNNZ members have made entries in the Assistance and Cooperation Database. We welcome in particular the offer made by the members of the Australia Group, which includes all seven JACKSNNZ members, to provide assistance towards the implementation of export controls for chemical and biological transfers, which will help prevent proliferation while avoiding undue restrictions to

peaceful trade. We encourage better use of the database and urge any States Party requiring assistance or seeking cooperation partners to put their needs on the Database, or to approach JACKSNNZ delegations this week. It is also our hope that the Implementation Support Unit could evaluate the database's functionality in the lead-up to the Review Conference.

The statement then addressed confidence-building measures saying that:

The JACKSNNZ also wish to stress once again the vital importance of Confidence-Building Measures (CBMs). The 2013 MSP report included agreement to consider a Step-by-Step approach in CBM participation, as proposed in a working paper by Australia, Canada, Japan, Malaysia, New Zealand, the Republic of Korea and Switzerland. We believe States Parties should seriously consider endorsing this idea at the RevCon as a means to enhance CBM participation. We also hope that the RevCon can agree on the electronic CBM submission platform that already exists thanks to the support of the European Union.

The statement then concluded by saying that:

This MSP offers an opportunity to identify specific areas where work is needed to strengthen this Convention, and determine the most pragmatic and effective means to address each of these issues, whether individually or collectively. Many of the areas that need strengthening can be addressed effectively via voluntary or politically binding mechanisms. The JACKSNNZ support a robust preparation process in advance of the Review Conference, which would facilitate our efforts to reach consensus and best strengthen the BWC.

[The unog.ch/bwc website shows that Japan, Australia, Canada, Republic of Korea, Switzerland, Norway, and New Zealand have all submitted a CBM in 2015 and that, as in 2014, all of these, apart from that for the Republic of Korea, are available on the public section of the website]

Ireland then spoke saying that Ireland fully aligns itself with the statement to be made by the European Union. It then said that *As we approach the Eighth Review Conference of the Biological and Toxin Weapons Convention in 2016, it is timely to reiterate that Ireland regards this as a critical instrument in the global community's efforts to achieve a world free from weapons of mass destruction.*

The statement then said in regard to advances in science and technology that:

Advances in biological sciences and biotechnology are occurring on a daily basis, and there are many opportunities for the exploitation of such advances for peaceful purposes. However, these advances also carry inherent risk, and require thoughtful and careful management. The BTWC reached 40 this year and has many successes to its credit. Nevertheless, it is clear that our Convention, like the science which it regulates, requires strengthened mechanisms to ensure that it can continue to be fit for purpose. Ireland is looking forward to discussing the various proposals which are being made in this regard at this Meeting of States Parties, and also to next year's preparatory

and review conferences.

In regard to national measures, the statement said that:

National Measures to implement the Treaty are also important. Ireland co-sponsored a paper presented by our colleagues from the United States last year. We will continue to support all good faith efforts to increase compliance, further strengthen and universalise the BTWC.

Ireland concluded by saying that:

The BTWC remains the sole internationally recognised legal instrument in the pursuit of disarmament and non-proliferation of biological and toxin weapons, and, as we look toward the 2016 Review conference, we, as states parties, should all make every effort to ensure its continuing relevance and effectiveness.

[The unog.ch/bwc website shows that Ireland has submitted a CBM in 2015 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 made by the European Union. It then said that:

This meeting of states parties takes place 40 years after the entry into force of the Biological Weapons Convention, and a year before the Eighth Review Conference. The recent Ebola outbreak in Guinea, Liberia and Sierra Leone reminded us in a tragically graphic manner about what is at stake here this week. It showed us how outbreaks of infectious disease, whether natural, accidental or deliberate, can threaten not only public health, but the entire infrastructure and economic development of a country, as well as our global security.

Against this background, Sweden notes with satisfaction that a number of proposals are already on the table for how we can endeavour to strengthen the review process, with a view to bolstering the relevance and implementation of the Biological Weapons Convention. Sweden is pleased to co-sponsor a working paper on “Addressing Modern Threats in the Biological Weapons Convention” together with a cross-regional group ...

The statement then went on to say that:

The current inter-sessional period has inspired some interesting exchanges, in particular on science and technology However, we must conclude that, so far, it has not led to the type of focused discussion on key aspects of the Convention that we had anticipated.

Sweden hopes that next year's Review Conference will agree on a more constructive and goal-oriented inter-sessional process, with a view to generating results that may strengthen the Convention. This will require that all

states parties are willing to show some flexibility. Like our EU partners, Sweden believes that the best way forward may be initial cross-regional discussions in separate working groups on issues where there seems to be a good chance of achieving consensus. This may include topics like Protection against Use; Monitoring of Science and Technology; Demonstration of National Implementation; and Confidence-Building Measures.

In the run-up to next year's Review Conference, Sweden would like to see a process characterized by effectiveness and inclusion. That is why we support the proposal to have two Preparatory Committee meetings in 2016, allowing a thorough preparatory work process and enhancing the chances of a successful Review Conference.

The statement went on to add that:

Biological weapons stand out among weapons of mass destruction as the type where interconnections with peaceful activities are the most conspicuous. New methods and equipment are developed at breakneck speed for use in research and life sciences to develop medicines and other tools to fight diseases. Yet oftentimes the very same methods and equipment have the potential for misuse, by States or Non-State Actors alike, to develop biological weapons that threaten humans, animals and plants. And with the rapid technological development occurring, these advanced capacities will spread, both globally and within states.

and concluded by adding:

Sweden was a major partner in the response to the Ebola crisis. We also remain a leader in the international efforts to combat antibiotic resistance, and an important contributor to the World Health Organization, the Food and Agriculture Organization of the UN and the World Organisation for Animal Health. Our joint efforts in the context of the Secretary General's Mechanism, the Global Partnership, the Global Health Security Agenda, and the WHO International Health Regulations help strengthen bio-defence and preparedness globally. However, while these are important complements to the work of the Biological Weapons Convention they can never be substitutes for a strong and effective Treaty.

[The unog.ch/bwc website shows that Sweden has submitted a CBM in 2015 and that this is available on the public section of the website]

The Russian Federation then spoke saying that:

The Convention is unique in many ways. However, apart from having a number of positive aspects, it has a peculiar feature that can hardly be deemed positive. I mean the fact that the Convention's regime has not changed for 40 years already. The implementation of other international agreements is being constantly improved based on the experience gained. In that regard special mechanisms have been developed and collective decisions have been made.

However, it is only the BWC's regime that stopped improving, as if it is completely adequate to changing circumstances. For forty years only few minor decisions on confidence-building measures have been adopted and the Implementation Support Unit with three employees has been established. Is that enough, given the increasing biological threats that are being constantly discussed by the States Parties at the BWC meetings with great concern? I guess, the answer is obvious. It is far from being enough.

The statement went on to say that:

Another peculiar feature of the BWC is that even in theory it allows to strengthen its regime only once per five years. Exclusively the Review Conferences have power for that. Another Review Conference will take place in less than a year. If its results will turn out to be similar to the previous ones, another chance to strengthen the BWC will appear only in the end of 2021. Can we risk postponing the development of the overdue measures for so long? Probably, you all will agree that it definitely would be unwanted, to say the least.

That is why the Russian delegation has circulated the draft decision on strengthening the BWC at the August Meeting of Experts and facilitated its discussion while preparing for the 8th Review Conference. At the current Meeting we will distribute the updated version of this initiative that was improved taking into account the comments received.

It then added that:

Let us remind you that the Russian suggestion provides for adoption of the decision on establishing an Open-Ended Working Group at the 8th Review Conference in order to elaborate on a basis of consensus concrete proposals on strengthening the Convention to be included in a legally binding instrument that will be submitted for the consideration of the States Parties. While selecting certain directions for negotiating this issue we focused on creating a kind of a package, so that all States Parties would find in it important and attractive for them aspects. However, we decided not to include in this package the aspects (even of high importance) we have profound disagreements on, that so far do not allow us reaching an agreement. We deem it useful to postpone these challenging issues for some time, in order to try to come to an agreement on the aspects that, in our view, could be harmonized in foreseeable future. The idea is to focus on the adoption of the legally binding instrument at the 9th Review Conference or, in case of successful negotiations, even earlier, at the Special Conference.

We will have another opportunity to dwell on this issue later at the discussions on agenda item related to national implementation. We are now glad to inform all our colleagues that the co-sponsors of the updated Russian document are Armenia, Belarus and the People's Republic of China. We hope that it is not a final list of co-sponsors and other States committed to strengthening the BWC will join it.

The statement then concluded by saying that:

Apart from the abovementioned instrument, a number of other documents are being considered by the States Parties. They reveal that the increasing number of States seek to strengthen the BWC. It gives a reason to expect that the Review Conference 2016 may prove to be really fruitful. We are willing to cooperate closely with all our partners committed to achieving this goal.

[The unog.ch/bwc website shows that the Russian Federation has submitted a CBM in 2015 but this is not available on the public section of the website]

Malaysia then spoke saying that Malaysia associated itself with the statement made by Iran on behalf of the NAM. It is the view of Malaysia that progress is being made towards common understandings and effective action. As the intersessional period from 2012 to 2015 nears completion, Malaysia looks forward to progress this week as we move towards translating common understandings into effective action. In reflecting on preparations for the Review Conference next year, it is important to recognize that no one size fits all but rather requirements tailored for individual States Parties. Implementation needs to be non-discriminatory and applied to all elements of the Convention in a balanced and comprehensive manner. Indonesia supports the cross-regional Working Paper on reassurance and encourages other States parties to be associated with this Working Paper.

[The unog.ch/bwc website shows that Malaysia has submitted a CBM in 2015 but this is not available on the public section of the website]

Germany then spoke saying that Germany fully aligns itself with the statement to be made later by the European Union. Germany then said that:

First: In our view, the Biological and Toxin Weapons Convention (BTWC) remains an indispensable cornerstone of the international disarmament and non-proliferation system.

Second: In order to preserve and expand the importance of the BTWC, State Parties must make every effort to use the upcoming Review Conference (RevCon) in 2016 to the utmost.

The statement went on to add that:

Biological weapons are amongst the most dangerous, inhumane and despicable weapons in existence. The threat resulting from the misuse of biological materials as weapons continues to pose substantial challenges to international peace and security. Any intention to misuse biological materials, be it by a state or a non-state actor, must be countered effectively and prevented from the outset.

We therefore need to intensify our discussions on preparedness, transparency and cooperation. We need to look for flexible and effective mechanisms for

dealing with these challenges. Given developments in the life sciences and the possible dangers resulting from the misuse of pathogens and toxins as weapons, we have to ensure that the BTWC is an effective instrument for preventing the use of biological weapons.

The statement then made two key points. First, that:

Germany attaches particular importance to confidence-building measures (CBMs) as an instrument for enhancing transparency and demonstrating compliance with the Convention, thus increasing trust among BTWC member states. We therefore support measures aimed at increasing the quantity, quality and relevance of all CBMs. We have a vested interest in making the CBM process as effective as possible, and we hope that progress can be achieved at next year's RevCon.

Second, that:

Second: In order to strengthen confidence in the implementation of the BTWC, Germany intends to offer a compliance visit in 2016 for BTWC member states. A defence research facility in Munich, dealing with pathogens, will serve as the first model facility to be visited.

The statement went on to say that:

The coming year leading up to the Eighth BTWC RevCon provides an important opportunity to achieve significant improvements. This, however, will only be possible if this conference is prepared well, and if we use the time between the Meeting of States Parties (MSP) and the RevCon wisely.

Germany supports a broad and inclusive cross-regional RevCon preparation process involving all interested States Parties. We favour the proposal to split up the Preparatory Committee (PrepCom) meeting in 2016 into two one-week sessions in order to achieve significant progress on content. If delegations so wish, we could also go along with additional meetings in the margins.

We would like to discuss areas that are crucial to strengthening the BTWC and ideally to identify areas of consensus. These could be: confidence-building and transparency measures; national implementation and compliance; the strengthening of investigation capacities and assistance; science and technology; Articles VII and X; as well as efforts to promote the universality of the BTWC as already proposed by several States Parties.

The statement then added that:

We thus regard the idea of restarting negotiations on a legally binding instrument as problematic, as it is unlikely to reach consensus in all areas. We suggest not aiming at package deals, but rather advance where ever progress can be achieved.

It then concluded by saying that:

Furthermore, we support structural change, in particular providing the annual MSP with competences to take decisions, and strengthening the Implementation Support Unit (ISU), but possibly also other ideas to achieve a more focused and result-oriented discussion.

I would like to stress once more the importance Germany attaches to this particular MSP, which will set the course for an active year 2016. I firmly believe that close cooperation, a frank and constructive exchange of views and a spirit of compromise will enable us to take this very important Convention a huge step forward at this meeting.

[The unog.ch/bwc website shows that Germany has submitted a CBM in 2015 and that this is available on the public section of the website]

The United States of America then spoke saying that:

Every December, we discuss the threat of biological weapons and ways to address it. Every December, we recall the task entrusted to us: to develop common understandings and promote effective action under the Biological Weapons Convention. And every December, we adopt a report that consists mostly of recycled material and broad generalities. Have we advanced understanding of the threats and how to address them? Have our reports led to effective action? Certainly not enough.

The statement went on to consider international cooperation and assistance saying that:

International cooperation is an important element of the BWC. We know there are disagreements about how to advance the goals of Article X of the Convention; but we should not allow those disagreements to prevent us from agreeing where we can and identifying specific steps we can take.

We have agreed on the importance of States Parties submitting reports on their experiences in implementing Article X. But very few States Parties have submitted such reports. We should call on all States Parties to submit reports before the 8th Review Conference.

On advances in science and technology, the statement said that:

we have had constructive discussions about advances in science and technology. Here, too, there is room for specific, useful language. A list of developments with "potential for uses contrary to the convention" and another of developments with "potential benefits," in our view, gloss over the fact that nearly all of these technologies have the potential to be used in both harmful and beneficial ways. We should recognize this, seek to articulate those risks and benefits, and indicate whether there are steps States Parties should take to mitigate the risks while preserving the benefits. I would hope that we could

also further develop our understandings on dual-use and gain-of-function research.

Then on strengthening national implementation the statement said that:

We were given a mandate to strengthen national implementation. It is essential that our report recognize that better information about what countries are doing to implement the Convention is a critical requirement and must be addressed. Without such information, how can we understand what needs to be strengthened, or how best to go about it?

We should also further develop our shared understanding of what measures will help to achieve the goal of effective national implementation. As long ago as the 6th Review Conference, States Parties agreed on the importance of effective national export controls. Last year, we discussed specific elements widely recognized as key to such systems. This year, 37 States Parties proposed that we recognize the value of these elements in our report. This would be a valuable contribution – a common understanding that would, indeed, promote effective action. For this meeting, India and the United States have jointly submitted a working paper outlining further steps that could be taken in this area by the 8th RevCon. This working paper is an important cross-regional initiative that will be a significant contribution to our future work, and we welcome the support of other States Parties in this effort.

After considering Article VII, the statement looked forward to the Eighth Review Conference saying that:

We have another task this week: to take decisions on arrangements for next year's Review Conference. My delegation strongly supports the proposal that we should prepare for our three-week RevCon with two separate, week-long preparatory meetings that will focus on substance as well as procedure. Such preparatory work is critical if we are to arrive at a strong, substantive outcome at the RevCon. It will ensure that our work is transparent, inclusive, and thoughtful. And, according to the estimates, it is affordable. The majority of States Parties will be asked to pay less than 100 dollars more than they were assessed for the 2011 Review Conference.

A good preparatory process and a strong outcome are essential, because the threat is real. Technological advances and the diffusion of knowledge, for all their positive effects, also place biological weapon capabilities within reach of more nations and terrorist groups than ever before. The world is currently witnessing renewed use of chemical weapons; there is no reason to think those who use these weapons will draw a moral line at the use of biological weapons. We must take stronger international action to confront this threat.

The statement then noted that:

Some have called for a new round of negotiations on a supplementary treaty to the BWC. But we've been down that road. There continue to be deep

divisions among delegations on critical issues. This is the path to deadlock and delay—it is a road that goes nowhere.

We see a better option: BWC States Parties already have the necessary authority to take practical steps that command wide support; we should marshal the political will to make use of that authority and take such steps. Instead of attempting to negotiate a new treaty, we should make better use of the powers we have under the treaty we've got.

The statement then concluded by saying that:

Mr. Chairman, the Review Conference should take action to address the key challenges we confront. And to ensure that we can carry these agreements forward, and build on them in the future, the Conference should also take steps to strengthen our ability to take collective action between RevCons.

My delegation is pleased to present a working paper on this topic, entitled "Strengthening the Ability to Take Action: A Realistic Agenda for the 8th Review Conference," which sets out our ideas on reinforcing our working processes and structures, including the authority of annual meetings such as this one.

[The unog.ch/bwc website shows that the USA has submitted a CBM in 2015 and that this is available on the public section of the website]

China then spoke about the Biological Weapons Convention saying that:

It is an important component part of the process of international arms control and non-proliferation as well as the global bio-safety and security governance. On the other hand, the situation of international bio-safety and security is faced with many challenges, with the growing risk of misuse of bio-science and technology, the yawning gap in bio-technology between the North and the South, the grave situation in the prevention and control of epidemics, the existing threat of biological weapons, which increases necessity and urgency for strengthening the BWC.

The 8th Review Conference to be held next year offers an important opportunity for earnestly enhancing the universality, effectiveness and authority of the Convention in real terms. It is our view that all parties should adhere to the bio-security concept featuring balance, cooperation, mutual assistance and equity and bring new political impetus for strengthening the Convention in order to build a community of common destiny for bio-safety and security.

The statement went on to add that:

The improvement of supervision over dual-use bio-research and the prevention of the misuse of bio-science and technology are important aspects of strengthening the Convention. Raising the bio-security awareness of bio-

research personnel and strengthening ethical self-regulation in science are effective measures for the prevention of the risk of misuse of bio-science and technology and for peaceful use of bio-technology. In recent years, various parties have emphasized the importance and necessity of formulating a code of conduct for biological scientist. It is our view that the States Parties can consider the discussion and formulation of a template of code of conduct under the framework of the BWC to guide all countries in the development of their own code of conduct in light of their specific situation. China has already submitted its working paper on relevant proposals to this Meeting and is willing to continue exchanging views with others.

The proper resolving of the non-proliferation concerns and the promotion of international cooperation in bio-science and technology should be the inherent aim for strengthening the Convention. With accelerating pace of globalization, the risk of bio-proliferation is increasingly prominent. Rapid progress in bio-science and technology has led to growing needs of States Parties for international cooperation in bio-science and technology. China believes that the establishment of an equitable and effective export control mechanism under the framework of the Convention will contribute both to the objective of non-proliferation and at the same time to the transfer and exchange of biological items and technology among States Parties, so that all States Parties especially the developing ones can benefit. We have submitted a working paper on relevant proposals to this Meeting and are willing to maintain communication with other delegations.

After some remarks on Article VII, the statement went on to say that:

The establishment of an equitable, reasonable, effective and feasible mechanism for implementation is the fundamental way to strengthen the BWC. China supports strengthening national implementation on a progressive and voluntary basis in light of each country's national condition. We always maintain that the conclusion through negotiations of a protocol which includes verification mechanism and comprehensively increases the effectiveness of the BWC is the best compliance mechanism for the implementation of the Convention. We support Russia's proposal to restart negotiations on the protocol and join as a co-sponsor. We welcome new measures proposed by all sides to strengthen the Convention, but hope that attention will be given to their legal and technical feasibility.

[The unog.ch/bwc website shows that China has submitted a CBM in 2015 but this is not available on the public section of the website]

Spain then spoke saying that they endorsed the statement of the European Union. The statement went on to say that the priority of Spain is to work to strengthen the Convention and eradicate the possible use of biological agents as weapons of mass destruction. This need was reinforced by the impact of the recent outbreak of the Ebola virus, which has unfortunately caused devastating effects in countries that have suffered and still suffer.

The statement went on to say that Spain believes that the best way to fight unusual outbreaks of disease, whether natural, accidental or deliberate, is by establishing a national system of prevention, and considers that an adequate system of biosecurity at the national level is the cornerstone of efficient prevention. In this regard, Spain has provided some recommendations to improve biosecurity measures, including risk and threat assessments regarding a possible biological attack as well as preventive measures to counter any attack. Spain would facilitate the elimination of gaps in biosecurity through the exchange of information through voluntary visits, bilateral or multilateral regional in character, as it has done with some States Parties throughout this intersessional period. In addition, an effective system of prevention should not only contain safety standards for facilities, but also for the domestic transport of biological agents and materials. At the same time, international transfers of these agents and relevant materials, equipment and information, should be carried out through an effective system of export licenses, thereby strengthening the application of Article III of the Convention.

The statement then added that confidence-building measures are the only element for strengthening the implementation of the Convention at the national level and these also facilitate the exchange of relevant information among States Parties. Spain considers that this instrument can be improved, and advocates that the next Review Conference should address such improvement as an integral part of its business

It then noted that Spain is aware of the great speed of advances in science and technology, and considers that the Convention needs to pay attention to these developments, especially to those that offer the potential risk of dual use. The statement concluded by saying that the Eighth Review Conference in 2016 should address the priorities mentioned and other measures to strengthen the Convention.

[The unog.ch/bwc website shows that Spain has submitted a CBM in 2015 but this is not available on the public section of the website]

The Republic of Korea then spoke saying that the Republic of Korea aligns itself with the Joint Statement of the JACKSNNZ group, which was delivered by Canada.

The statement went on to say that:

First, the Republic of Korea attaches great importance to effective national implementation. It is crucial that, through enhanced transparency and cooperation, all states parties have confidence in one another to faithfully implement their obligations.

This is why we joined the working paper on BWC implementation prepared by Australia and Malaysia once again this year. Having reassurance that all BWC provisions are implemented faithfully by all States Parties is indeed as important as putting in place proper legislation at the national level.

It then added that:

Second, possible measures for strengthening national bio risk management

also need to be further strengthened. We note that biological science and technology is advancing rapidly and that the dual-use nature of biotechnology presents potential risks. Even non-state actors can easily access technologies that could project harm. In light of the new trend, we are of the view that the BWC needs to be reinforced to adequately address the new challenges while appreciating the benefits of biotechnology for peaceful purposes.

Korea has enacted robust laws and regulations on biosafety and biosecurity. We also encourage scientific communities to develop and promulgate a code of conduct and guidelines to counter the misuse of the life sciences. In this regard, I would like to underscore that the Republic of Korea is willing to share our experience and best practices in the field of building biosafety and biosecurity capabilities.

The statement then said that:

Third, we see the topic of assistance and coordination in the event of an alleged use of biological or toxic weapons as an issue of great importance. Since it is not always immediately clear whether an attack is deliberate or not, the national and international capacities for disease surveillance, detection and diagnosis are crucial in determining how to respond. We thus need to focus our attention on a coordinated government approach as well as greater regional and international cooperation to strengthen these relevant capacities.

The Republic of Korea then concluded by saying:

Last but not least, the Republic of Korea supports thorough preparation for the 8th Review Conference next year. I would like to reiterate our support to the Chair's suggestion on the arrangement for the Review conference and preparatory committees, which will be discussed in further detail tomorrow.

The Republic of Korea is fully committed to strengthening the Convention and remains ready to work together to develop practical proposals for the 2016 Review Conference.

[The unog.ch/bwc website shows that the Republic of Korea has submitted a CBM in 2015 but this is not available on the public section of the website]

India then spoke saying that India associates itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement went on to say that:

Next year, the Eighth Review Conference will provide an important opportunity to review its functioning, taking into account not just compliance of States Parties with their obligations under the Convention but also help address emerging challenges to international peace and security emanating from proliferation trends, including the threats posed by terrorists or other non-State actors seeking access to biological agents or toxins for terrorist purposes. India supports a robust consultation process amongst all States Parties leading to the Eighth review conference so as to contribute to its success

through adequate preparations on substance and procedural issues as envisaged by UNGA Resolution 70/74 adopted by consensus

The statement then said that:

India shares the widespread interest among States Parties to strengthen the effectiveness and improve the implementation of the Convention through the negotiation and conclusion of a Protocol for that purpose covering all the provisions of the Convention. A multilaterally agreed mechanism for verification of compliance can provide the assurance of compliance by States Parties of obligations under the Convention and serve as a deterrent against non-compliance.

and noted that *Consideration needs to be given to measures to encourage States Parties to submit CBMs on a more regular basis.*

In regard to the Standing Agenda item on science and technology, the statement said that:

In our view, measures to mitigate biological risk should be proportional to the assessed risk and not hamper legitimate peaceful activities including international cooperation. Various proposals on conducting S & T review under the Convention, including the proposal made by India in the working paper submitted to the last Review Conference should be given consideration. [BWC/CONF.VII/WP.3 Proposal for structured and systematic review of science and technology developments under the Convention, submitted by India]

On the full and effective implementation of Article X the statement said that:

India submitted a Working Paper in December 2014 containing its national report on Article X. We would encourage others to also come forward with Article X implementation reports. ... we believe that strengthened implementation of article III would ensure that the cooperation envisaged under Article X is taken forward in mutual confidence.

The statement went on to say that:

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. In this regard, India was happy to join the United States in submitting a Working Paper [BWC/MSP/2015/WP.1] entitled "Strengthening implementation of Article III of the BTWC" containing suggested measures for consideration and approval at the next Review Conference. We feel it is important to build broad based support in the BWC, cutting across political groups, on national export controls as part of efforts to strengthen Article III of the Convention.

After some remarks about Article VII the statement went on to conclude by saying that:

This is the last intersessional meeting before the Review Conference next year. When first established a decade ago, the inter-sessional process was intended to be an interim phase to help get the BWC through a difficult period. It has achieved better than expected success However, for this interim phase to become permanent may entail long term risks. The BWC regime cannot be strengthened without strengthening the Convention and its universalization, through full and effective implementation of all its provisions. Thus the goal of a legally binding comprehensive protocol should remain on the table with a view to restoring consensus on the way forward – balancing ambition with the realism that the long term sustainability of the Convention as a multilateral instrument should be rooted in legally binding measures with all States Parties endowing collective confidence in the Convention rather than pursuing measures to protect their specific national interests.

[The unog.ch/bwc website shows that India has submitted a CBM in 2015 but this is not available on the public section of the website]

France then spoke saying that then spoke saying that France associates itself with the statement made on behalf of the EU. The statement then said that the BWC was a key instrument to counter the proliferation of weapons of mass destruction - which is one of the most serious threats - and that strengthening and universalization were critical. The future of the Convention requires the adoption of tangible measures for building transparency to build confidence in compliance. This was the last MSP before the Eighth Review Conference. It was necessary to have in-depth discussions to find structured, robust, substantive and specific actions to be incorporated and taken by the 2016 Review Conference. Article VII was an essential element and the French working paper at MX on a database had been well received. France invited other States parties to cooperate in developing these ideas. The statement then touched on the peer review mechanisms to demonstrate confidence in national implementation and welcomed the interest being shown by other states parties. It was now necessary to look ahead and plan how to take this concept further in the framework of the Convention and address this at the Review Conference.

[The unog.ch/bwc website shows that France has submitted a CBM in 2015 but this is not available on the public section of the website]

Libya then spoke saying that Libya was fully compliant with the obligations of the BTWC. The annual CBM submission had not been submitted because of difficulties in Libya and did not indicate non-compliance. It was important to defeat threats of WMD. International cooperation was important to remove any obstacles to scientific exchange about biotechnology between States Parties. Measures for biological safety were also important. Universality was highly important. The Eighth Review Conference in 2016 is important and States parties need to demonstrate their political will.

[The unog.ch/bwc website shows that Libya has not submitted a CBM in 2015]

Denmark then spoke saying that Denmark fully aligned itself with the statement to be made by the European Union. The statement went on to say that:

The BTWC has made strong contributions to eliminating biological weapons. Nevertheless, maybe more than ever, events around the world show the importance of such work. Although most states have long since abandoned the idea of utilizing biological weapons, the dual-use nature of biological materials requires us to be ever vigilant in our efforts.

Denmark has accumulated substantial knowledge about biosecurity over the past years. In 2008, specific legislation addressing biosecurity was introduced by the Danish Parliament. This legislation is administered by the Danish Centre for Biosecurity and Biopreparedness, and has led to a coherent and lean approach to biosecurity across both the private and the public sectors.

Besides biological agents and production equipment, know-how and skills are essential for biological weapons development, and therefore dual-use knowledge is also critical in relation to biosecurity measures. In 2014, the Danish Centre for Biosecurity and Biopreparedness introduced additional requirements to regulate dual-use immaterial technology. In introducing this, Denmark has had to balance the necessary requirements of biosecurity against the need for free research and information sharing across borders. Denmark's experience is that such a balance can be found without hampering growth and economic development.

The statement went on to outline the international actions being taken by Denmark in regard to biosecurity:

*Denmark is actively participating in the Global Health Security Agenda and is co-leading Action Package Prevent 3 on **Biosafety and Biosecurity**. In 2016, Denmark will take over the secretariat function of Action Package 3 after Canada. ...*

*In terms of international biosecurity, Denmark and Kenya have established a close cooperation through **the partnership programme on biosecurity in East Africa**, a pilot intervention funded through the Danish Peace and Stabilisation Fund as an interagency effort involving the Danish ministries for Defence, Foreign Affairs and Health. The partnership was launched in 2014 and the aim is to support the implementation of biosecurity in Kenya, and in the longer perspective, the East African Region.*

At the European level my country is also engaged in improving regional biosecurity. In 2015, Denmark, together with other European countries, has actively participated in the efforts to create a European forum for government agencies involved in biosecurity. The forum is now officially known as the European Biosecurity Regulators Forum (EBRF). One aim of EBRF is to put focus on issues related to regulation of intangible technology in a safe manner that does not inhibit free research.

[The unog.ch/bwc website shows that Denmark has submitted a CBM in 2015 and that this is 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 then said that they looked for an effective outcome of the Eighth Review Conference and for progress in universality. There was an increasing threat of terrorist activity using biological weapons and international cooperation was needed to counter this. The statement added that Iraq gave high importance to Article X and its full implementation. Iraq were concerned about obstacles in science and biotechnology. Universality needed to be promoted through the efforts of States Parties and through further cooperation in capacity building. Iraq welcomed the decision at the Seventh Review Conference for a data base on Article X. Iraq supported the French/Indian working paper submitted at MX (BWC/MSP/2015/MX/WP.7) proposing a data base for implementation of Article VII. Iraq thanked Canada, IAEA, OPCW, INTERPOL and the EU (Centres of Excellence) for all the help and support that they had provided to Iraq.

[The unog.ch/bwc website shows that Iraq has submitted a CBM in 2015 but this is not available on the public section of the website]

Bangladesh then spoke saying that Bangladesh associated itself with the statement made by Iran on behalf of the NAM. The statement went on to say that:

We underscore that a concerted campaign specially before and during the 8th Review Conference next year as well as necessary enhanced assistance to several LDCs [Least Developed Countries] for acceding to the Convention would be necessary in this regard.

The statement then went on to outline the steps that Bangladesh was taking to enact legislation for the BWC and to implement the Convention in their country. On international cooperation and assistance, the statement said that:

We believe that the enhancement of international cooperation for the use of biological agents for peaceful purposes is an essential part of compliance with the Convention and is crucial for the realization of the purpose and objective of the Convention. We also believe that there is need for an effective mechanism to ensure the full, effective and non-discriminatory implementation of Article X.

The statement then concluded by saying that:

We have to underscore today that despite the BWC having 173 State Parties, the threat of biological and toxin weapons is no less, especially because of rapid advances in the field of life sciences in the utilization of microbes and toxins as well as due to the emergence of non-state actors. This warrants redoubling our efforts in many areas of work in order to ensure effective implementation of the Convention. I would conclude by saying that the multilateral negotiations aimed at concluding a non-discriminatory,

comprehensive and balanced legally binding agreement on appropriate multilateral verification arrangements is the call of the day as this would further strengthen the Convention.

[The unog.ch/bwc website shows that Bangladesh has not submitted a CBM in 2015] **The Chair** said that this concluded the morning session and that the General Debate would resume at 3 pm. He then invited the Secretary of the Meeting, Mr. Daniel Feakes, to say a few words. Daniel Feakes welcomed all participants and encouraged anyone who had spoken to send copies of their statements to bwc@unog.ch. In regard to the 15 participants who had been sponsored, he urged them to contact his colleagues regarding reimbursement of their costs. He then announced that there would be a side event in Salle XXIV organised by the Royal Netherlands Academy of Arts and Sciences and the US National Academies of Sciences entitled *Implementation in Action: Contributions of ASEAN Scientists and Scientific Organizations to the BWC*.

Side Events

During the Meeting of States Parties there were side events at lunchtime each day from Monday to Thursday as well as breakfast events at 09.00 am on Tuesday 15 to Friday 18 December.

There was **one lunchtime event on Monday 14 December** organised by the Royal Netherlands Academy of Arts and Sciences and the US National Academies of Sciences entitled *Implementation in Action: Contributions of ASEAN Scientists and Scientific Organizations to the BWC*. This was chaired by Ambassador Henk Cor van der Kwast of The Netherlands. The following presentations were given:

- Opening remarks *Jo Husbands* (USA)
- Comments by invited representatives *Herawati Sudoyo* (Indonesia), *Zalini binti Yunnus* (Malaysia), *Meg Flanagan* (USA) and *Ayşe Aydın* (The Netherlands)
- Developments in ASEAN life sciences and relevance of biosecurity awareness *Mohd Jamil Bin Maah* (Malaysia)
- Presentation of the main results of the discussion at the preconference workshop in reference to possible contribution of ASEAN scientists to and participation at the Eighth Review Conference *Abhimanyu Veerakumarasivam* (Malaysia) and *Edith Salagang* (Phillippines)
- Closing remarks *Koos van der Bruggen* (The Netherlands)

Copies of the following two presentations are available on the unog.ch/bwc website:

- *Overview of the development of Life Sciences in ASEAN and relevance of biosecurity awareness*
- *Implementation in Action: Contributions of ASEAN Scientists and Scientific organizations to the BWC* by Abhi Veerakumarasivam and Edith Sangalang Tria

There were **two morning events on Tuesday 15 December 2016**. One was

organized by the Hamburg Research Group and the Harvard Sussex Program entitled *Let's talk about compliance: measures, methods, and modalities*. This was chaired by Ian McConville of Australia and the following presentations were made:

- *Technical means with relevance for compliance - the role of Open Source Information. Part 1* by Mirko Himmel, Hamburg Research Group
- *Technical means with relevance for compliance - the role of Open Source Information. Part 2* by Gunnar Jeremias, Hamburg Research Group
- *Biological and Toxin Weapons Convention: Who Complies with What?* By Jean-Pascal Zanders
- *BWC Compliance Options and financial costs* by James Revill, Harvard Sussex Program, University of Sussex

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

The second Tuesday morning event was organized by the University of Bradford entitled *Steps Toward Effective Biological Security Education*. This was chaired by Ambassador Matthew Rowland of the United Kingdom and the following presentations were made:

- *Opening remarks* by Ambassador Matthew Rowland of the United Kingdom
- *Preventing Biological Threats: What You Can Do* by Simon Whitby, University of Bradford
- *Biological Security Education Handbook: The Power of Team-Based Learning* by Tatyana Novosiolova, University of Bradford
- *International Federation of Biosafety Associations Certification Programme* Maureen Ellis, IFBA.

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

There were two **lunchtime events on Tuesday 15 December 2016**. One event was organized by Canada entitled *National implementation of the BWC: development of a culture of compliance among scientists*.

No information about this event is available on the unog.ch/bwc website.

The second event was organized by UNIDIR and France *1925–2015: The Geneva Protocol at 90*. The following presentations were made:

- Opening Remarks by Ambassador Alice Guitton of France and Jarmo Sareva, Director UNIDIR.
- *The Geneva Protocol and the BWC: Some Notes from History* by Caitriona McLeish, University of Sussex.
- *The Geneva Protocol at 90: A Biological Cornerstone of the Rules of War* by Filippa Lentzos, King's College, London.

The two presentations in *italics* are available on the unog.ch/bwc website.

There were **two morning events on Wednesday 16 December 2016**. One was

organized by Switzerland entitled *Strengthening the UNSGM: an update*. A copy of the presentation *UNSGM Designated Laboratories, Workshop in Spiez, Switzerland* made by Cedric Invernizzi is available on the unog.ch/bwc website.

The second was organized by the UPMC Center for Health Security, Baltimore, Maryland entitled *The Emerging Leaders in Biosecurity Initiative - Assessing the Biothreat, Proceeding Safely*. The following presentations were made:

- *Assessing the Biological Threat: A Delphi Study* by Crystal Boddie
- *Pursuing biological advances, safely* by Gigi Kwik Gronvall
- *Wilton Park Report: Compliance with the BTWC: strategies towards the 2016 Review Conference* by Amanda Moodie – a summary of the report is available at <https://www.wiltonpark.org.uk/conference/wp1416>

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

There were **two lunchtime events on Wednesday 16 December 2016**. One was organized by the Royal Society and International Academy Panel entitled *Trends in science and technology that impact the BWC*. The following presentations were made:

- *Trends in Science and Technology relevant to the Biological and Toxin Weapons Convention* by Professor Rod Flower, The Royal Society.
- *Implications for the BWC from Microbial Forensics* by Alemka Markotic, University Hospital for Infectious Diseases, Zagreb
- *Synthetic Biology: Trends and Updates* by Paul Fremont, EPSRC Centre for Synthetic Biology and Innovation.

In addition, the IAP provided a non-technical conference report, an executive summary and a longer technical report on *"The BTWC: Implications of advances in science and technology"*.

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

The second event was organized by UNICRI and the Philippines entitled *Putting Biosafety and Biosecurity under the Microscope: Elements for an International Approach to Reinforce Capabilities and Address Future Risks*. Opening remarks were made by the Philippines, the European Union and UNICRI and then the following presentations were made under a heading of *Elements for an International Approach: National Action Plans in Action*:

- *Identification of national needs through a CBRN National Action Plan: the experience of the Philippines*, Colonel Jose Embang Jr., EU CBRN CoE National Focal Point, the Philippines
- Security implications of advances in biology, Dr. R. Alexander Hamilton, UNICRI
- *Enhancing biosafety and biosecurity standards in laboratories*, Dr. Mark van Passel, National Institute for Public Health and the Environment, Centre for Infectious Disease Control, the Netherlands

- Controlling the movement of biological materials by applying technology – future *perspectives*, Mr. Pierre Viaud, Executive Director, SICPA Security Solutions SA, Switzerland
- *Shaping the minds of future scientists*, Professor Dr. Irma Makalinao, College of Medicine, University of the Philippines, Manila
- *The importance of international scientific cooperation - building an International Network of Public and Private Institutes*, Professor Maurizio Martellini, Landau Network Fondazione Volta

None of these presentations are available on the unog.ch/bwc website.

There were **two morning events on Thursday 17 December 2016**. One was organized by the United States of America entitled *Lessons Learned and Implications of the Ebola Virus Disease Outbreak for the BWC: Update on Research Project to Inform Recommendations for the 8th Review Conference*. Opening remarks were made by Ambassador Robert Wood, USA, and then a presentation was made:

- *Implications and Lessons Learned from Response to the Ebola Virus Disease Outbreak for the BWC: Research Project to Inform Recommendations for the Eighth Review Conference* by Dr. Rebecca Katz and Dr. Matthew Lim.

This presentation is available on the unog.ch/bwc website.

The second morning event was organized by France and India entitled Proposal for establishment of a database for assistance in the framework of Article VII of the BWC.

No further information on this event is available on the unog.ch/bwc website.

There were **two lunchtime events on Thursday 17 December 2016**. One was organized by Green Cross International entitled *Biosafety and Security: Laboratory Procedures and Personnel Ethics in Developing Countries*. Paul Walker of Green Cross was the Moderator and the programme was as follows:

- Opening remarks: Ambassador Bonnie Jenkins, U.S. Department of State
- *Challenges in Latin America for Implementing Bio-risk Management*: Dr. Leila Macedo, President, Brazilian Biosafety Association
- *Regulating Infectious Medical Waste Management to Enhance Biosafety in Kazakhstan and Kyrgyzstan*: Ms. Marina Abrams, Senior Research Fellow, Green Cross International and Mr. Reinhard Gasser, Project Manager, Green Cross Switzerland
- *Closing the Gap between Biosafety Policy and Implementation: Perspectives from the African Continent*: Dr. Louise Bezuidenhout, University of Witwatersrand, South Africa

The three presentations shown in *italics* are available on the unog.ch/bwc website.

The second event was organized by Belgium, Canada, Germany, France,

Luxembourg, the Netherlands and the United States of America entitled *BTWC BENELUX Peer Review: Lessons learned & presentation of new initiatives by Germany and the US/Canada*. The programme was as follows:

- Opening Remarks by Ambassador Henk-Cor van der Kwast of the Netherlands and. Karl Dhaene of Belgium
- Presentation on Lessons Learned Benelux Peer Review by Robert Steinmetz of Luxembourg, Ayse Aydin of The Netherlands and Frank Meeussen of Belgium.
- Presentation: New initiatives including
 - Germany: Project of a Compliance Visit by Ambassador Michael Biontino of Germany
 - US/Canada: Plans for an Implementation Review Exercise by Mr. C. Andrew Halliday of Canada
- Closing remarks by Ambassador Alice Guitton of France

None of this material is available on the unog.ch/bwc website.

There was **one morning event on Friday 18 December 2016** organised by the Principal Investigator Global Emerging Pathogens Treatment Consortium (GET) entitled *The West African Ebola story from an African academic response perspective. Biosecurity concerns, lessons learned relevant to the BWC and capacity building initiatives*. Scott Spence of VERTIC was in the Chair and the presentation entitled *The Ebola Experience, Biosecurity and Capacity* was made by Prof. Akin Abayomi of Stellenbosch University, South Africa.

This presentation is available on the unog.ch/bwc website.

In addition, there were two exhibitions during the Meeting of States Parties. One was an exhibition on chemical weapons use on the Eastern Front in World War I organized by Poland in conjunction with the Russian Federation and Latvia to mark the 100th anniversary of large scale use of chemical weapons. The other was an exhibition organized by China on Japanese biological weapons activities in China before and during World War II.

Resumption of the General Debate, Monday afternoon, 14 December 2016

The Chair resumed the General Debate.

Thailand then spoke saying that Thailand associates itself with the statement made by Iran on behalf of the Non-Aligned Movement. The statement then said that:

On the fortieth anniversary of the Convention's entry into force, our key task going forward is to continue to strike the appropriate balance between securing the world from biological threats and benefiting equitably from unhindered peaceful uses of biotechnology.

The statement then added that:

We support measures to build confidence and improve national implementation, and will be submitting our CBM report very soon.

In the same vein, we are also pleased to lend our support once again to the “Working Paper on Providing Reassurance on BWC Implementation”, building on the Working Paper on National implementation presented in the previous Session.

The statement then outlined the actions that Thailand had taken since MSP/2014 to enact new legislation. The statement then said that:

On cooperation and assistance, we attach importance to creating national and regional networks, especially on capacity-building for safety and security in biological sciences research. ... It is also important to ensure awareness and compliance with biosafety and security regulations and policy in their research and educational activities. As part of these efforts, we reiterate our call for the creation, within the ISU, of a list of experts accessible to States Parties, to advise on biosafety and biosecurity.

Furthermore, institutions conducting research involving dual-use biological agents or modern biotechnology are now required to establish Institutional Biosafety Committees (IBCs) to ensure research and development activities are for peaceful purposes, and in accordance with the Convention and biosafety principles.

The statement went on to say that:

On the review of science and technology, Thailand appreciates the fast pace of advancement, particularly in life sciences and biotechnology. We urge all States Parties, especially those with the capabilities, to monitor these developments closely, and together discuss ways to regulate and ensure that exchange, knowledge transfers and uses are for peaceful purposes. It is here that oversight mechanisms on ethics and standards can play a significant role.

[The unog.ch/bwc website shows that Thailand has not submitted a CBM in 2015]

Brazil then spoke saying that Brazil associates itself with the statement made by Iran on behalf of the Non-Aligned Movement and Other States Parties. The statement went on to say:

Universal adherence to the Convention is essential in order to strengthen the non-proliferation of weapons of mass destruction. In this context, we welcome the fact that the BWC has reached a total number of 173 States Parties ... We need to now intensify our efforts in order to expand the membership of the Convention.

The statement then said that:

States Parties to the BWC will soon start the preparation of the Eighth Review

Conference to take place in 2016. The RevCon will provide us with an opportunity to reach significant agreements on the future of the Convention. Brazil believes that a successful outcome can only be achieved if States Parties are willing and capable to confront key issues, such as the lack of a verification mechanism, the need for increased transparency and cooperation for the peaceful uses of biotechnology. Notably there is a clear need for a coherent regime to enhance compliance with the Convention. We acknowledge that the elaboration of such a regime is a complex task, in particular with respect to the need to ensure a balance between access to technology for peaceful purposes and non-proliferation measures. However, it is the responsibility of States Parties to fulfill all their commitments and obligations under the BWC regime and to work to uphold and strengthen that regime. In that context, the issue of verification cannot be circumvented.

The statement then went on to make a number of comments on the synthesis paper. BWC/MSP/2015/L.1 provided by the Chairman. One of these comments related to the language in paragraph 12 (a) of the synthesis paper:

12. States Parties, noting that the developments reviewed above could also have the potential for uses contrary to the provisions of the Convention, agreed to:

(a) Consider the establishment of a working group of scientific experts, including experts from academia and industry, to analyze and review the latest scientific advances with potential implications for the Convention;

The Brazil statement said that:

With reference to the proposal to establish a working group of scientific experts to review advances in science and technology, contained in paragraph 12 (a) of the synthesis paper, my delegation is still not convinced of the need to establish such a working group. Not all States Parties have sufficient financial and human resources to nominate scientific experts and follow these initiatives adequately, on particular during the intersessional period. Besides it is not clear why the review of science and technology developments should be undertaken by a specific group of scientific experts. We would prefer, therefore, to maintain the current practice of reviewing science and technology advances in the context of regular Meeting of Experts, in a process led and driven by States Parties to the Convention.

[The unog.ch/bwc website shows that Brazil has submitted a CBM in 2015 but this is not available on the public section of the website]

Pakistan then spoke saying that Pakistan associates itself with the statement made by Iran on behalf of the NAM. The statement went on to say that:

Pakistan welcomes the decision of the 7th Review Conference to include the biennial agenda item for discussion during the current Intersessional Programme on "How to strengthen implementation of Article VII, including consideration of

detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties.” The consideration of this agenda item last year and this year has helped in developing better collective understanding of this important issue.

The provision of assistance should not be conditional on action or findings by the UN Security Council with respect to the investigation of alleged use. Assistance should be provided promptly on the basis of the request by the affected state. This requires a detailed procedure and mechanism for a timely, effective and adequate response in order to be prepared to cater to such requests.

The statement then said that:

Pakistan values the importance of holding regular reviews of developments in science and technology related to the Convention. These reviews should provide impetus not only to enhanced awareness regarding new technologies related to the Convention but also towards enhanced cooperation and sharing of such technologies. We believe that the potential dual-use nature of emerging technologies should not be used as a pretext for proscribing or restricting their availability to developing countries for peaceful purposes.

The statement went on to say 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 Protocol, including on verification provisions, dealing with all the Articles of the Convention in a balanced and comprehensive manner. Pakistan, however, does not want to use the difference of opinion among States Parties over the need for a legally binding Protocol as a pretext for stalling progress on other issues in the BWC. My delegation will continue to participate actively and constructively in the discussions on the various agenda items to explore progress where consensus is possible.

The statement then said that:

Pakistan recalls with satisfaction the successful conclusion of the 7th BWC Review Conference in December 2011, and believes that its Final Document embodies a delicate balance that should be preserved during the current inter-sessional period and beyond.

and concluded by saying that:

As we embark on the preparatory process of the next Review Conference in 2016, we look forward to a transparent and inclusive process leading to a substantive outcome that preserves the balance of the Convention and facilitates its full and effective implementation.

[The unog.ch/bwc website shows that Pakistan has not submitted a CBM in 2015]

Morocco then spoke saying that the Biological Weapons Convention was an important contribution to the universal goal of peace and security. The Convention actively combats proliferation. Morocco has implemented the Convention and annually submits its CBM. The statement went on to say that Morocco had concerns about the possibility of the life sciences being misused for evil purposes. It was also important to strengthen universality. Morocco recalled the Seventh Review Conference decision on international cooperation and Article X and supported the multilateral implementation of Article X for peaceful purposes. It was also important to contribute to biological safety and biological security. Morocco said that they had worked with Germany on biosecurity and biosafety and the promotion of the responsible management of the life sciences.

[The unog.ch/bwc website shows that Morocco has submitted a CBM in 2015 but this is not available on the public section of the website]

South Africa then spoke saying that South Africa associated itself with the statement made by Iran on behalf of the NAM and Other States Parties. The statement went on to say that one of its key priorities is *achieving the universality and full and non-discriminatory implementation of all the provisions of the ... Biological and Toxin Weapons Convention (BWC)*

The statement went on to say that:

South Africa remains committed to strengthening the Biological and Toxin Weapons Convention (BWC) to ensure that our common goal of preventing the threat posed by biological weapons is achieved. My delegation remains concerned by the threat posed by naturally occurring organisms, as well as by those that could be deliberately manufactured and manipulated for use as weapons of mass destruction. It is critical that our common goal of eliminating the threat posed by biological weapons is achieved.

After making some remarks about cooperation and assistance and the biennial item on Article VII, the statement concluded by saying:

... South Africa welcomes the forthcoming Review Conference and the need for States Parties to effectively use the remainder of this intersessional process to develop the necessary common understandings and effective action in order to strengthen the implementation of the Convention. We further support all efforts that will effectively contribute in promoting the mandate of the Convention. In this regard, South Africa supports the idea of establishing a substantive preparatory process for the 2016 Review Conference as reflected in the operative paragraph 8 of the BWC resolution which was adopted by consensus at the First Committee this year. However, in terms of the duration of the PrepCom we are open to suggestions as long as they will contribute in facilitating the process of reaching decisions on important issues at the Review Conference.

[The unog.ch/bwc website shows that South Africa has submitted a CBM in 2015 but

this is not available on the public section of the website]

Finland then spoke saying that Finland fully aligns itself with the statement to be made by the European Union. The statement went on to say that:

Finland would like to lend support to all those efforts that aim at establishing such structures that would enable a better functioning of the Convention. This includes the ability of States Parties to formally take collective action between the Review Conferences.

We also support a more focused role for the highly-valued work of experts. These specialists are at the cutting edge of technological developments and this expertise should further contribute to the work of States Party Meetings and effective decision making. Dedicated meetings of experts to address specific topics in order to develop recommendations for States parties would be a step to a right direction.

The statement then said that:

It's not only the methods of work and decision making but also the focus of the work that needs to be enforced. Even if there is no consensus regarding verification at this stage it is vital to build confidence in compliance in other ways. States Parties would need to be able to demonstrate compliance through regular exchanges of information by declarations and other means.

National implementation is a key element of the Convention and efforts to strengthen administrative and judicial means are welcome. Developing codes of conduct and conducting intensive training are some of the key measures to mitigate the risk of non-state actors accessing the materials, equipment and knowledge that could be misused to develop biological or toxin weapons.

We truly see benefit on enhancing measures for monitoring developments in areas of science and technology suggesting that this could be looked together with the enhances focus for the work of experts.

After making some remarks about the Global Health Security Agenda (GHSA), the statement concluded by saying that:

Finland believes that a robust and inclusive preparatory process is necessary in the run-up for a review conference and stands ready to contribute together with other States Parties and civil society to a successful preparation and outcome of the conference.

[The unog.ch/bwc website shows that Finland has submitted a CBM in 2015 and that this is available on the public section of the website]

Jordan then spoke saying that Jordan looked forward to an outcome from this Meeting that would help prepare for a successful Review Conference. It was important to strengthen the Convention effectively and to assist in capacity building

so as to build confidence between States Parties. Jordan thanked Canada and USA for assistance in capacity building and in implementing provisions of the Convention. Jordan was keen to see the promotion of the implementation of the Convention in the Middle East Region as biological outbreaks know no borders. Jordan looked forward to a final report of this meeting that reflected the will of all of us to implement the Convention and retain the balance between its elements.

[The unog.ch/bwc website shows that Jordan has submitted a CBM in 2015 but this is not available on the public section of the website]

Mexico then spoke saying that the use of chemical weapons in Syria underlined the importance of providing this Convention an effective compliance and oversight mechanism. Mexico looked forward to the Review Conference endowing the Convention with a legally binding mechanism to ensure implementation of the Convention. CBMs were of particular importance as there was a lack of verification. Consequently the quantity and quality of the CBMs needed to be promoted. The statement went on to add that Mexico reiterates the importance of addressing the security of the XXI century from a multidimensional perspective that includes international public health; that is, the safety of humans in any place and circumstance. Mexico considers it crucial to address comprehensively issues such as biotechnology, epidemiology, monitoring and early warning and control of dual-use materials to build an effective and robust international security system with a focus on prevention of outbreaks of disease, possible health crises or emergencies anywhere in the world, with support from relevant international organizations. To counteract and minimize the risk of bacteriological crises, it is essential to have international cooperation schemes and multidimensional protection strategies against health risks and adequate and timely response to public health emergencies. Such schemes should create synergies with other instruments, coalitions, initiatives and mechanisms and involve regional and international actors, including other governments and international organizations, private sector, civil society and academia.

[The unog.ch/bwc website shows that Mexico has submitted a CBM in 2015 and that this is available on the public section of the website]

Italy then spoke saying that Italy aligns itself with the statement that the European Union will deliver later. The statement went on to say:

Universality of the BTWC remains one of our key priorities, and we urge the States that have not yet acceded to or ratified it to do so without delay.

Second, we believe that Confidence-Building Measures remain an essential instrument to promote the purposes of the BTWC. They help demonstrating compliance with its commitments, and are key to increasing mutual trust and transparency. Italy, therefore, supports renewed efforts to increase the participation in the CBMs process. We also support further consideration of innovative approaches to enhance national implementation and build mutual trust, including through increased exchanges of information and best practices.

Third, Italy strongly supports discussions on ways to strengthen implementation of Art. VII and Art. X of the Convention. In cases contemplated by Art. VII, we agree that national preparedness in response, investigation, and mitigation of disease outbreaks is fundamental. International assistance, if requested, provides an additional and often essential means to contrast such outbreaks. Like others, we highly value effective coordination and cooperation with relevant international organizations – such as the WHO and the ICRC.

The statement then concluded by saying that:

The upcoming Review Conference will be a key opportunity to take stock of the work we have conducted in the 2012-2015 intersessional cycle, and to build the bases of our collective engagement in the years to come. We should aim for a strong Review Conference outcome that will outline very clearly our goals for the next review cycle and identify the most effective way to concretely strengthen implementation of the Convention.

For this to happen, we will need a robust, substantive, and focused preparatory process that will allow the Conference to arrive at effective decisions. In this regard, Italy is paying utmost attention to the various proposals that have been put forward to contribute to our deliberations at this Meeting. We remain open to further discuss these and any other proposals that will help us to advance implementation of the BTWC.

[The unog.ch/bwc website shows that Italy has submitted a CBM in 2015 but this is not available on the public section of the website]

Cameroon then spoke saying that Cameroon associated itself with the statement made by Iran on behalf of the NAM. Cameroon remained committed to other ways to strengthen the Convention even if the Ad Hoc Group on a legally binding instrument had not achieved the desired outcome. CBMs are important to demonstrate compliance and build confidence. Transparency is a prerequisite for building trust. It was necessary to spare no effort in enhancing transparency. Cameroon welcomed the Working Paper on reassurance (BWC/MSP/2015/WP.11/Rev.1) being produced by Malaysia and Australia. All States Parties needed to work together in a state of cooperation to facilitate the transfer of know-how. International cooperation is also important for capacity building in biosafety and biosecurity to help create a better and safer world. It is important to review the way in which Article X is being implemented. Cameroon also encourages the promotion of the universality of the Convention.

[The unog.ch/bwc website shows that Cameroon has not submitted a CBM in 2015]

Bulgaria then spoke saying that Bulgaria aligns itself with the statement of the European Union. The statement then said that:

As the potential risk stemming from the biological agents and toxins continues to pose significant challenges to our security, the BTWC is more relevant than ever and we are fully committed to its universalization.

Full compliance with the provisions of the Convention and strengthened national implementation are needed in order to increase the effectiveness of the BTWC. A key element in enhancing transparency and mutual trust are the confidence-building measures. Therefore, regular submission of CBMs reports is of great significance in this regard. Exchange of information, experience and best practices are valuable ways to enhance confidence and compliance. An effective national export control system is also an important requirement when we aim at strengthening the national implementation.

The statement went on to say that:

With the Eighth Review Conference in 2016 approaching, we would like to have a substantial preparatory process that would allow for a fruitful and result-oriented review conference. Therefore, we support the proposal to have 2 preparatory meetings in 2016.

We need to adopt a realistic approach and aim at doable agenda for the RevCon. Different proposals aimed at strengthening the Convention are already on the table. Of importance to us would be proposals that address the strengthening of national implementation and compliance, enhanced implementation of Art. VII, promoting the universalization of the Convention.

[The unog.ch/bwc website shows that Bulgaria has submitted a CBM in 2015 and that this is available on the public section of the website]

Japan then spoke saying that Japan fully associates itself with the JACKSNNZ statement delivered by Canada. The statement then said that:

We need to make maximum use of this MSP and preparatory process for review conference and advance discussion constructively by looking upon the outcome of the Eighth Review Conference and further direction of the BWC.

First, we think it is necessary to make scientific and technological development review more structured in order for the BWC to respond to modern biological threats. Although rapid advancement in the field of life science has benefited mankind, it also increases the potential biological threats caused by their misuse or illicit use. In this regard, States Parties, along with an involvement of industries and academic societies, should continuously follow scientific and technological development in life science and make an effort to keep BWC implementation relevant to changes in the real world. It is, therefore, important to advance discussions at this MSP about a framework of review after the Eighth Review Conference. 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 then went on to address assistance and cooperation noting that Japan had submitted a Working Paper on this to MSP/2015. The statement went on to say that:

We would like to reemphasize the importance of strengthening national implementation. In order to reflect the recent development of life science and maintain its effectiveness, relevant domestic legislation, biosafety and biosecurity measures, and export control need to be regularly reviewed. Enhancing transparency of BWC implementation and increasing mutual confidence are also important to reinforce the BWC. Japan expects action to take place along with an ongoing discussion about further CBM participation and voluntary measures for strengthening confidence between States Parties on BWC implementation.

The statement concluded by saying that:

We all share a goal to further reinforce the Convention. Japan believes that we manage to reinforce the BWC effectively through practical and pragmatic approaches, by building on common understanding and effective action, rather than the legally binding approach.

[The unog.ch/bwc website shows that Japan has submitted a CBM in 2015 and that this is available on the public section of the website]

Indonesia then spoke saying that Indonesia associates itself with the statement delivered by Iran, on behalf of the Non-Aligned Movement (NAM) and Other State Parties. The statement went on to say that:

First, in terms of international cooperation and assistance, there is a need to enhance collaborations among regions, countries, and regional groupings. As stipulated in Article X of the BWC, State party has the right to participate in the fullest possible exchange of equipment, materials and scientific technology relating to the peaceful use of biological agents and toxins. Further scientific development in biological agents and pathogens would significantly contribute to the prevention and cure of existing and emerging diseases.

Second, intentional and unintentional releases of dangerous biological materials or pathogens presents a serious risk not only to the public and the environment but also to the scientists and practitioners working with these dangerous materials. Furthermore, the risk of illegal possession by irresponsible parties constitutes a growing threat to global peace and security ... Greater cooperation both in regional and international scope is needed to create a more effective surveillance and detection system, as well as to promote better understanding between the relevant stakeholders dealing with this issue in our respective countries.

Third, by closely following the growing security trend, Indonesia views that most possible scenario involving the intentional use of biological agents and pathogens in the future would most likely be taking place in an asymmetrical context, through various non-military means, targeting non-military aspects of society. Under such worst scenario environment, a significant need to create a closer partnership between experts and first-responders in biosecurity/non-

proliferation and public health is therefore a critical must. In this regard we see the importance of WHO and BWC to work closer to produce a more integrated approach on biosecurity and biosafety.

After describing recent legislation adopted by Indonesia, the statement concluded by saying:

To conclude, allow me to resonate once again Indonesia's calls for strengthening capacity to respond to any alleged use and/or accidental dispersal of biological agents and pathogens, pandemic diseases surveillance, detection, diagnosis, and emergency preparedness, not only in national, but also in regional and international level. Such attainment would in turn call for strengthening the existing cooperation under the principles embodied in Article X of the Convention, including in science and technology transfer to narrow the capability gap between us. We need to bear in mind that any discrepancy in terms of biological emergency prevention/mitigation/response capabilities is actually nothing less than a hole in our fence, which threatens not only us, but also our future generations.

[The unog.ch/bwc website shows that Indonesia has submitted a CBM in 2015 but 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 Non-Aligned Movement and Other States Parties. They then went on to say that Cuba, as well as the other members of NAM, considers it necessary to have a multilateral legally binding Protocol to strengthen the Convention in a comprehensive and balanced way include its basic pillars, including the assistance and cooperation. They welcomed the initiatives that have arisen in this regard. The Meeting of States Parties held in December 2014 also demonstrated the need to improve the working methods of this forum. Cuba expects that the Eighth Review Conference will take decisions regarding these and other topics.

The statement then said that Cuba considers that much remains to advance towards full, effective and non-discriminatory implementation of Article X. It went on to say that Cuba attaches great importance to the implementation of the Biological Weapons Convention as it is essential to ensure the protection of human beings and the environment. As part of Cuba's commitment to the full, effective and non-discriminatory application of the Convention, it is providing, upon request from the States Parties concerned, courses, seminars, conferences and other workshops, on subjects including training, biosafety and other issues related to the implementation of the Convention.

[The unog.ch/bwc website shows that Cuba has submitted a CBM in 2015 but this is not available on the public section of the website]

Algeria then spoke saying that Algeria aligns itself with the statement made by Iran on behalf of the NAM. The statement then said that biological weapons were a threat to all of us whether arising from use of biological weapons by a terrorist group or a misuse of the advances in science and technology as disease know no borders. It

was particularly important to lay the basis for the Eighth Review Conference. Algeria supported moves towards a legally binding instrument in a balanced way to strengthen the Convention. It was important to establish clear rules for the exchange of information, materials and equipment for peaceful purposes. It was important to remove obstacles and to contribute to biosafety, biosecurity and public health. Algeria sought assistance to counter outbreaks of disease whether natural or otherwise.

[The unog.ch/bwc website shows that Algeria has submitted a CBM in 2015 but this is not available on the public section of the website]

Turkey then spoke saying that:

Turkey is fully aware of the positive developments in science and technology which have brought many benefits to areas such as health, environment and agriculture. However, we are also very conscious of the adverse effects that come with this progress.

Science and technology is also highly pertinent to Article X of the Convention. Turkey believes that the language and spirit of Article X provide a solid foundation for international cooperation. We believe that improved implementation of this article would be essential in building confidence between the international society, and in developing the capacities that work to prevent and contain epidemics. Turkey attaches great importance to international cooperation during outbreaks of diseases that originate naturally, accidentally or deliberately. International cooperation is equally central in achieving the goals of universalization.

The statement then 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 reached a desirable level yet. 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 five year's data can be found online for public use. We advise all States Parties to do the same.

The statement concluded by adding that:

This is the last inter-sessional meeting before the Review Conference next year. We will take important decisions including arrangements for the 8th Review Conference. In this regard, we look forward to a successful outcome of this meeting. Hence, we support having two Preparatory Committee meetings with a view to have a substantive process.

[The unog.ch/bwc website shows that Turkey has submitted a CBM in 2015 and that this is available on the public section of the website]

Burkina Faso then spoke saying that States Parties should act to put in place an effective and efficient framework able to ensure better implementation of the Convention on Biological Weapons. The statement then said that 2015 was the 40th anniversary of the entry into force of the BWC and was a pivotal year for the Convention. At the same time as celebrating 40 years, it is important to look forward to the future. The immediate future is tomorrow as the Eighth Review Conference is in 2016. The statement added that States Parties must work towards the maturity of this Convention. It is time concrete proposals are put on the table in order to give a practical dimension. Dare to think outside the box, put forward the best interests of humanity and face new challenges. The statement concluded by saying that there is a need to establish an investigative mechanism on biological weapons, to counter the emergence of non-state actors capable of using bacteriological agents for terrorist purposes, and the need to deal with large scale epidemics as had happened with the Ebola virus in some countries in West Africa.

[The unog.ch/bwc website shows that Burkina Faso has not submitted a CBM in 2015]

The Netherlands then spoke saying that:

We look forward to next year's RevCon. In our view we should use this opportunity to further strengthen this important Convention. We have an obligation to our citizens to act in a responsible and pro-active manner, given current developments in the life sciences, the possible dangers emanating from the misuse of pathogens and the possible use of toxins as weapons. We have to ensure that the BTWC remains an effective instrument to prevent the use of biological weapons.

This week we will need to take some important decisions on the planning for the RevCon. We believe that the RevCon would strongly benefit from a substantial preparatory process to be able to reach a positive and substantial outcome. The Netherlands therefore supports the idea to divide the PrepCom in two times one week, to allow for informal consultations between delegations and give capitals sufficient time to react to proposals.

On the length of the RevCon, the Netherlands can be flexible on two or three weeks.

The statement went on to say:

On content we attach great importance to the full implementation of all commitments of States Parties. Building confidence in compliance with the BTWC, supporting its national implementation, and promoting its universality all remain top priorities for us.

In the run up to the RevCon, we believe we should concentrate on those areas where we can build a common understanding and consensus. All stakeholders should be involved in the discussions on the best way forward.

In our view, it is currently neither possible nor politically feasible to return to negotiations on a legally binding additional protocol to the BTWC. There is no consensus on how to take this forward.

We are willing to work towards identifying options that could achieve similar goals. In the current intersessional process new approaches were identified, to enhance national implementation through voluntary exchanges of information, such as the peer review mechanism. These are currently being implemented.

Together with Belgium and Luxembourg, the Netherlands has recently concluded a peer review exercise in follow up to the French peer review. The review was successful as it improved national implementation, increased international cooperation and raised awareness of the BTWC amongst national stakeholders. An important conclusion was that where on biosafety the three countries were at the same level, on biosecurity the Netherlands made progress as a result of national developments. The results of this exercise will be presented in more detail this week via both a working paper and in a side event.

The statement concluded by making some remarks on the biennial item, Article VII, and then on some recent developments on raising biosecurity awareness and education to be addressed in two side events.

[The unog.ch/bwc website shows that the Netherlands has submitted a CBM in 2015 and that this is available on the public section of the website]

The Islamic Republic of Iran then spoke saying that:

... this Meeting of States Parties is the last of inter-sessional program before the Eighth Review Conference that will consider the work and outcome of the meetings between 2012 -2015 and decide on any further action.

The 7th Rev Conference mandate was designed to establish a framework to promote understanding and effective action on issues identified by it, hence it should not in any way be considered as an alternate to multilateral negotiations aiming at non-discriminatory legally binding instrument, strengthening the Convention in its entirety. We have all along maintained that to preserve the non-discriminatory nature of the Convention and to further its objective and purposes, the presumption of the inter-sessional deliberations has been to address the 4 agenda items in a holistic manner.

Furthermore, reductionist approaches towards implementation of certain provisions of the Convention to promote common understanding and effective actions without paying due attention to the legal framework of this instrument and outcome of the Review Conferences, would not contribute to the consensual needed balance in this Meeting of State parties.

The statement then went on to say that:

On national implementation, we are of the firm view that evaluation of

compliance of the States Parties requires that such assessment to be concentrated on complying with all obligations undertaken under the Convention without differentiation between all of its provisions. In principle, the issue of compliance is a distinct matter that should be discussed and deliberated in terms of a devised comprehensive legal regime.

National implementation is an important subject that all it's undertaking related measures under Article IV, should necessarily comprise the confluence of all obligations under the Convention. In this context, the obligations under certain instrument are not separable as such that compliance be construed narrowly in terms of distinct angles of certain articles.

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The statement then added that:

On S&T, much has been overemphasized on the explicable risk factors of dual use nature of elements, which are consistent with the reductionist approach that ultimately oversimplifies the creative interplay between Article X's regulatory aspects and Article III, concerning legitimate transfers. While there is no doubt that advances in biological science and related technology have potential benefits as well as risks, but this paradox should be dealt with in proper, fair and unbiased approach and not politically labelled based on pessimism.

[The unog.ch/bwc website shows that Iran has not submitted a CBM in 2015]

Australia then spoke saying that Australia strongly supports the JACSKNNZ statement presented earlier by Canada. The statement then said that:

The outcome of this MSP and our ability to build upon what was agreed last year, will concretely shape next year's RevCon discussions.

In this respect, the Australian delegation would like to underline the importance of a robust preparatory process for next year's Review Conference. This will give us the best means to work to realise the efforts that have been made in the current ISP to advance the standing agenda items, and the two biennial items. We strongly support the emerging consensus around a two weeks of

preparatory meetings for next year, to then build into a 3 week Review Conference.

The statement then added that:

Australia is determined to work with all States parties to create a more robust and effective intersessional process for the post 2016 period. A number of delegations have put concrete proposals on the table, and we should not be afraid to debate these robustly. Preventing the acquisition and use of biological weapons requires a range of practical measures, and cooperative efforts of the international community. Let us be frank: the current ISP process, although containing positive elements, has not proven sufficient to respond to this challenge. Some ideas include:

- *Enhancing the authority of the Annual Meeting of States Parties*
- *The development of a dedicated process to review developments in science and technology, and I particularly welcome the Swiss Working Paper [BWC/MSP/2015/WP.10] on this issue*
- *Strengthening the ISU*
- *Find ways for better coordination and planning in the ISP process, including through developing a form of a steering group to assist the Chairman and the ISU.*

We look forward to working with the BWC states parties, yourself, and the President of the RevCon process next year to achieve this end. Australia is particularly cognisant of the need for us to work at developing cross regional approaches. There remain deep schisms among Parties to the Convention on important issues, which we need to manage.

[The unog.ch/bwc website shows that Australia has submitted a CBM in 2015 and that this is available on the public section of the website]

Ukraine then spoke saying that Ukraine aligned itself with the statement made on behalf of the European Union. The statement then said that *it is of utmost importance that the international community continues taking every effort to improve the effectiveness and universality of the Convention through promoting cooperation, exchange of good practices and relevant information in the spheres of biotechnology and biomedicine, as well as educational programs on biosafety and bioethics.* The statement then said that:

We believe that Confidence Building Measures (CBM) help increase mutual trust, generate transparency and thus help demonstrate compliance with the Convention. In this vein we underscore the importance of maintaining and strengthening compliance with the Convention as we move towards the Eighth Review Conference next year.

And went on to add that:

Strengthening regional and international cooperation is of particular importance in terms of preventing bio-risks and providing effective responses with timely

assistance to the affected countries. Specific spheres of interaction should cover pertinent aspects of protection against biological threats, such as the determination of possible future hazards and timely notification, decontamination, development of efficient vaccines, providing proper medical assistance and other work directions.

... I would also like to emphasize on the relevance of international cooperation to improve monitoring, prediction and assessment of cross-border biological risks with regard to communicable diseases. Therefore, Ukraine supports the US initiative expressed in the working paper "Strengthening national implementation elements of an effective national export control system."

The statement then said that:

We support the cooperation between governmental and non-governmental organisations in the field of biosafety. Our country has founded the Ukrainian Biosafety Association which unites three Ukrainian National Academies with the purpose to strengthen knowledge about the BWC and biosafety issues. We consider education and awareness-raising in this field as a crucially important component of our national biosafety system and we are grateful for the aid and support we received from the abovementioned donor-states.

The Ukrainian side is making every effort to improve its national legislation in the areas of biosafety and biosecurity, as well as attaches particular importance to international assistance and support provided for strengthening capabilities to resist today's threats and challenges in the areas of non-proliferation of biological weapons.

It then went on to conclude by saying that:

In regard to advances in science and technology, it is evident that the Standing Agenda Item mechanism is ineffective – and we note that the Working Paper prepared by Switzerland for this MSP shows that the present mechanism gives 4-5 hours consideration only each year to Science and Technology. Given the rapid advances in Science and Technology we need to give more consideration to their implications for the Convention, and we strongly support the idea of an Open Ended Working Group on Science and Technology that reports to an annual Meeting of States Parties that has the authority to make decisions.

Ukraine is ready to work with other States Parties to develop ideas for such an Open Ended Working Group on advances in Science and Technology.

[The unog.ch/bwc website shows that Ukraine has submitted a CBM in 2015 and that this is available on the public section of the website]

Argentina then spoke saying that this Meeting was an important opportunity for strategic thinking with a view to the Review Conference in 2016. The statement said that Argentina encouraged the moves being taken toward universality. In regard to cooperation and assistance, Argentina had responded under SCR 1540 to requests

for assistance from States in our region. On advances in science and technology, Argentina noted that there was accelerating progress which emphasized the need for education and better practices. On strengthening national implementation, there was need for a common approach for implementation which needed to be accompanied by education for the full achievement of the Convention. The CBMs were a useful tool for enhancing transparency and building confidence and Argentina encouraged all States Parties which had not yet submitted CBMs to do so. In regard to the biennial item on Article VII, Argentina looked forward to developing detailed procedures and mechanisms.

[The unog.ch/bwc website shows that Argentina has submitted a CBM in 2015 but this is not available on the public section of the website]

Ecuador then spoke saying that Ecuador fully associates itself with the statement made by the Iran on behalf of the Non-Aligned Movement. The statement went on to say that Ecuador considers that Articles VII and X are essential for the successful implementation of the Convention. The statement urged the strengthening of international cooperation and assistance required by States Parties in a full, effective and non-discriminatory manner, and with full participation and free and unconditional access to the developments and progress in the field of science and technology related to the Convention, to scientific publications, and exchange of information, equipment and expertise. For these reasons, Ecuador welcomes the initiatives to maintain a data bank in the ISU on cooperation and assistance; the Codes of Conduct for Scientists; strengthening biosecurity and biosecurity at the national level; and reassurance on the national implementation of the Convention.

[The unog.ch/bwc website shows that Ecuador has submitted a CBM in 2015 but this is not available on the public section of the website]

The Chair then said that this concluded the statements by States Parties and he would now move to four statements by observers, starting with that from the European Union.

The **European Union** then spoke saying that the following countries align themselves with their statement: Turkey, the Former Yugoslav Republic of Macedonia, Serbia, Albania, Bosnia and Herzegovina, Ukraine, the Republic of Moldova and Georgia. The statement went on to say that:

The European Union and its Member States continue to attach high priority to further strengthening the BTWC. We have funded numerous projects in support of the Convention and will continue to do so by supporting efforts aimed at promoting universalization, developing national capacities for effective implementation, enhancing interaction between the scientific community and the BTWC process, supporting the inter-sessional programme and the preparations for the Eighth Review Conference, strengthening the United Nations Secretary-General's Mechanism for investigation of alleged use of chemical and biological weapons and producing enabling tools for awareness-raising, education and engagement.

The statement then added that:

Confidence-Building Measures (CBMs) should contribute to the development of mutual trust and generation of transparency thereby helping to demonstrate compliance with the Convention. States Parties are obliged to submit their annual returns. The EU and its Member States continue to promote measures aimed at increasing the quantity, quality and relevance of all CBMs. With the financial support of the EU, the Implementation Support Unit (ISU) has developed a guide on how to compile CBM's and an electronic facility to submit CBMs, which we need to see in operation as soon as possible. We must continue to work to make the CBM process as effective as possible and we look forward to consideration at next year's Review Conference of how we might achieve this.

Effective national implementation is fundamental for the integrity of the Convention. Also with the financial support of the EU, the ISU is developing a guide on national implementation. The inter-sessional process offered a good opportunity to identify the measures required to ensure national implementation through exchanges of information, such as the peer-review mechanism in which experiences and practices can be shared, evaluated and improved. The cross-regional interest in the biennial item on how to strengthen the implementation of Article VII earlier this year demonstrated that there is room for further substantive discussion and for effective action to make this article more operational.

In looking ahead to the Eighth Review Conference, the statement said that:

Looking forward to the Eighth Review Conference in 2016, the EU's objective is to review the operation of the BTWC and the 2012-2015 Intersessional Process, promote effective actions and explore other options to further strengthen the Convention. On 16 November, 2015, the EU adopted a Council Decision on the position of the European Union relating to the Eighth Review Conference of the BTWC. The EU will put forward specific proposals to the Review Conference with a view to their discussion and adoption by that Conference. The EU and its member States will propose, in particular, that States Parties should address the following priorities: building and sustaining confidence in compliance by a range of specific measures described in the Council Decision; supporting national implementation; a more effective process for the review and assessment of developments in science and technology; supporting the building of an operational capability for the UN Secretary-General's Mechanism and efforts to strengthen the implementation of Article VII; promoting the universality of the BTWC.

The statement concluded by saying that:

Since the current MSP is the last one before 2016, substantive preparations for the Review Conference are of key importance. In this context, we recall UN General Assembly Resolution 70/74 on the BTWC adopted on 7 December without a vote, stressing the "importance of transparent preparation for the Eighth Review Conference" and encouraging States Parties "to establish a

preparatory process allowing for the due and balanced consideration of both substantial and procedural issues related to the review of the Conventions and its implementation".

The EU and its Member States wish to see a well-prepared and successful Eighth Review Conference. Therefore, we support the proposal to hold two Preparatory Committee meetings in 2016 that will discuss substance and not just confine itself to administrative matters: we think that these meetings will help us develop new ideas, build a broad cross-regional consensus for them and thus help secure consensus at the Review Conference for a new and more substantive intersessional work programme.

[The unog.ch/bwc website shows that **all** the 28 EU countries have submitted their CBMs in 2015 and that almost two-thirds are available on the public section of the website, whilst those for Croatia, Cyprus, France, Greece, Hungary, Italy, 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, Serbia, Albania, Bosnia and Herzegovina, Ukraine and the Republic of Moldova are concerned, CBMs have been submitted by Turkey, Serbia, Albania, Ukraine, the Republic of Moldova and Georgia of which those of Turkey, Serbia, Ukraine and the Republic of Moldova are available on the public section of the website whilst those of Albania and Georgia are not. The Former Yugoslav Republic of Macedonia, and Bosnia and Herzegovina have not submitted CBMs.]

The **Chair** then closed the afternoon session asking all those making statements to send electronic copies to the Secretary, Daniel Feakes. He then said that on Tuesday morning the meeting would start with two further statements by States Parties – Sudan and Chile – and then the three remaining statements by observers – the International Committee of the Red Cross (ICRC), the 1540 Committee and a statement by Germany on behalf of the Global Partnership. The NGO statements would then follow.

Resumption of the General Debate, Tuesday morning, 15 December 2016

The Chair resumed the General Debate saying that there would be statements by Sudan and Chile followed by the ICRC, the 1540 Committee and the Global Partnership and then the NGO statements. In the event, the two States Parties made their statements after the three observer statements.

The **International Committee of the Red Cross (ICRC)** spoke saying that:

*In light of its assessment that there is a lack of international capacity specifically to assist the victims of any use of biological weapons, the ICRC welcomes the recent attention given by States Parties **to strengthening the implementation of Article VII on measures for the provision of assistance.** From the ICRC's perspective, the focus of such efforts must be on enhancing the capability to assist any victims, with improved mechanisms to help States achieve this goal.*
[Emphasis in original]

The response to any suspected or confirmed use of biological weapons must place humanitarian needs first, including by ensuring rapid and unimpeded access for humanitarian workers to affected regions and populations. Addressing these needs must take priority over investigating alleged weapon use, and any parallel investigations should be kept separate so as not to hamper the humanitarian response.

The statement went on to look ahead to the Review Conference in 2016 saying that there were two issues the ICRC wished to bring to the attention of States Parties:

*First, the question of how to effectively **monitor and assess compliance with the Convention** remains central to strengthening the prohibition. In the view of the ICRC, the longstanding divergence of views on the merits of a legally binding verification mechanism should not prevent States Parties from considering proposals of other ways to improve confidence in compliance. As a first step, the Review Conference next year should initiate a process or working group to consider ways to improve monitoring and assessment of compliance, and thereby strengthen the Convention.*

*Second, as many States have emphasized during recent inter-sessional meetings, there is a need for more **systematic assessment of the implications of developments in science and technology** for the Convention. An opportunity to set up a specific body for this purpose was missed in 2011, and meanwhile developments in the life sciences and related enabling technologies have continued apace. The ICRC urges States Parties to come to next year's Review Conference with the intention of establishing an effective mechanism to prioritize topics of interest and carry out the required scientific assessments. [Emphasis in original]*

Mr. Alexander Volgarev, a member of the **1540 Committee** then made a statement saying that:

United Nations Security Council resolution 1540 (2004) and the BWC complement and reinforce each other. Through resolution 1540 (2004), States have been called upon to renew and fulfil their commitment to multilateral cooperation within the BWC framework as an important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes. States have also been called upon to promote the universal adoption and full implementation of BWC, and, where necessary, its strengthening.

The statement then went on to outline some recent progress that had been made by the 1540 Committee noting that:

The Security Council, in its resolution 1977 (2011), encouraged States to provide on a voluntary basis additional information on their implementation of resolution 1540 (2004), including on their effective national practices in implementing resolution 1540 (2004). In the course of the current year 30 States, from all

regions of the world, provided additional information, conveyed effective practices or provided comments and updates on the Committee's record of their implementation measures - held in the form of matrix for each State.

The Security Council also expressed its intention to monitor closely the implementation of resolution 1540 (2004) and, at the appropriate level, to take further decisions which may be required to this end. In 2015, steady progress continued in terms of the number of recorded legally binding measures taken by States. This advance is revealed from the revision of the matrices of all 193 Member States. The continuing special efforts to encourage the submission of national reports by those States yet to make them yielded three more such reports so far in 2015. To date there remain 17 States that have yet to report.

The submission and development of voluntary national implementation action plans (NAP) has been increasing. In 2015, the number of NAPs increased to 21 from 14 in 2014. The number of assistance requests increased slightly in comparison to 2014. Most of the new requests came from States in Africa; two of them were included in reports of States that had not previously reported to the 1540 Committee. The Committee also received more responses from registered providers to these and previous requests than in 2014. Important progress has been made in taking a regional approach to enhancing the operation of the 1540 assistance system, particularly through collaboration with the African Union.

The statement concluded by saying that:

The rapidly changing global, political, scientific and technological environment requires the use of all available opportunities for international cooperation. The BWC States Parties are a significant partner in these efforts. The positive dialogue initiated with the 1540 Committee will only serve to strengthen the international non-proliferation regime and address future challenges in a cooperative manner based on our shared goals and commitment toward a world without biological weapons.

Germany as Chair of the **G7 Global Partnership** then made a statement on behalf of the 29 currently active members of the GP (Australia, Belgium, Canada, Chile, the Czech Republic, Denmark, the EU, Finland, France, Germany, Hungary, Ireland, Italy, Japan, Kazakhstan, the Republic of Korea, Mexico, the Netherlands, New Zealand, Norway, the Philippines, Poland, Portugal, Spain, Sweden, Switzerland, Ukraine, the UK and the US) saying that in 2012 the Global Partnership (GP) established a Biological Security Sub-Working Group (BSWG) comprised of all GP members. The statement said that:

The BSWG promotes efforts to reduce risks associated with biological threats, regardless of cause, through collaboration with other members, international organisations, and partners in the health and science sectors. GP members place great importance on cooperation and assistance under Article X of the Biological and Toxin Weapons Convention (BTWC) and remain committed to supporting international cooperation and collaboration in fields related to health

and life sciences.

The statement then added that:

In order to strengthen the general goals of the BTW Convention, the GP members are willing to engage in a preparation process in the run-up to the upcoming Review Conference at the end of 2016 to help generate positive momentum towards making the BTWC a more efficient and operational instrument. Therefore the Global Partnership community supports a cross-regional process to identify ways and means to strengthen the BTWC and at the same time to work on issues which all states have an interest in advancing. The GP is committed to identifying areas of consensus to strengthen the BTWC.

Representing different regional groups, the GP strongly underlines the necessity of a cross-regional approach in the interests of reaching a positive outcome at the RevCon in 2016. The GP members also recognize the importance of an inclusive discussion offering all BTWC members the opportunity to contribute to a consensus.

[The unog.ch/bwc website shows that **all apart from the Philippines** of the 29 active members have submitted a CBM in 2015 and all are publicly available apart from those for Chile, France, Hungary, Italy, Kazakhstan, Poland, the Republic of Korea and Spain which are not.]

The Chair then said that two further States Parties, Sudan and Chile, had asked to make statements as part of the General Debate.

Sudan then spoke saying that Sudan associated itself with the statement made by Iran on behalf of the NAM. Sudan said they had enacted all relevant legislation to meet the obligations of the Convention. It had in association with Germany taken steps to improve biosecurity. The benefits of the modern advances in science and technology needed to be shared between States Parties in their commitment to peaceful uses and especially to vaccine and medical countermeasures.

[The unog.ch/bwc website shows that Sudan has not submitted a CBM in 2015]

Chile then spoke saying that the Review Conference in 2016 was an opportunity to take stock of the Convention as it needs to be strengthened. They supported efforts on universalization as this would lead towards global biosecurity. The statement went on to add that CBMs were a most relevant contribution as they helped to ensure compliance. In addition in cooperation with Canada and the USA, Chile was involved in a project to examine peer review which was an important step although it was not an alternative to verification. In regard to Articles X and Article III it was important to resolve the balance as cooperation was especially valuable in countering epidemics. Looking to the future, Chile supported the idea of establishing Working Groups with flexible terms of reference that would hold meetings between the Review Conferences.

[The unog.ch/bwc website shows that Chile has submitted a CBM in 2015 but this is

not available on the public section of the website]

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 fifteen NGOs spoke:

- a. **University of Bradford.** Graham S Pearson.
- b. **Federation of American Scientists.** Christopher Bidwell.
- c. **UPMC Center for Health Security.** Crystal Boddie
- d. **VERTIC.** Scott Spence.
- e. **International Federation of Biosafety Associations (IFBA) and Bradford Disarmament Research Centre.** Tatyana Novossiolova.
- f. **University of London.** Nicholas A. Sims.
- g. **University of Pittsburgh (Graduate School of Public Health).** Gigi Kwik Gronvall.
- h. **Research Group for Biological Arms Control, Hamburg University.** Gunnar Jeremias.
- i. **BioSecure Ltd.** Kathryn McLaughlin.
- j. **Pax Christi International.** Trevor Griffiths
- k. **Biosecurity Working Group of the InterAcademy Panel on International Issues.** Jo Husbands.
- l. **Center for Nonproliferation Studies.** Tiara Shaya.
- m. **Parliamentarians for Global Action.** Romina Morello.
- n. **Global Emerging Pathogens Treatment Consortium (GET).** Akin Abayomi
- o. **Green Cross International.** Paul Walker.

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.

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, 2014 and 2015 and the Meeting of States Parties 2007, 2008, 2009, 2010, and in 2012, 2013 and 2014, 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).

Agenda Item 13. Arrangements for the Eighth Review Conference and its Preparatory Committee in 2016

The Chair then resumed the formal session saying that the meeting would now go on to consider the Agenda item relating to the arrangements for the Eighth Review Conference in 2016 when it was necessary to consider the nomination of the President, the dates for the Review Conference and the Preparatory Committee and the costs.

In regard to the nomination of the President, it was the turn of the Eastern European Group to do this and the floor was given to the Eastern Group Coordinator, Kazakhstan.

Kazakhstan then spoke nominating **Ambassador Molnár of Hungary** as the President of the Eighth Review Conference. This was so decided.

Ambassador Molnár then spoke expressing his sincere gratitude for the nomination and its acceptance by the Meeting of States Parties. He said it was a great honour to be appointed and he hoped that the Review Conference would be a success. He said that he would like to say a few words at the end of the Meeting of States Parties on Friday about how he wished to proceed. [In the event, nothing was said on the Friday afternoon.]

The Chair then moved on to the dates for the Review Conference and invited the United Kingdom to speak on behalf of the three co-Depositaries. Dr. John Walker of the **United Kingdom** spoke saying that he wished to congratulate Ambassador Molnár on his appointment as President. The co-Depositaries had noted the General Assembly Resolution 70/74 which had been adopted unanimously on 7 December 2015 and proposed that there should be two one-week Meetings of the Preparatory Committee on 18 to 22 April 2016 and 8 to 12 August 2016 followed by a three week Review Conference on 7 to 25 November 2016.

The Chair said that the financial implications were addressed in BWC/MSP/2015/CRP.1 and invited the Secretary, Mr. Daniel Feakes, to introduce this. Mr. **Daniel Feakes** then spoke saying that the estimated costs in CRP.1 were based on past workloads and the actual costs would only become available after the event. He said that the estimated costs had been prepared following the Chair's

briefings to the Regional groups on 19 and 20 November 2015 when the Chair had advised States Parties of the intention to have two one week meetings of the Preparatory Committee followed by a three week Review Conference and that a draft estimate had been provided two weeks ago on 1 December 2015. The estimated total cost in CRP.1 is US \$2,105,300 for the Preparatory Committee and the Review Conference and also includes the costs of the ISU in 2016. Comparing these estimated costs with those estimated in 2010 [BWC/MSP/2010/5/Rev.1] for the Seventh Review Conference shows an increased cost for 2016, with its additional 8 working days, of \$95,000. He said he had investigated why this increase was smaller than might have been expected. He had learned that it was attributable to reduced charges for printing of documents from the UN Department of Conference Services, which largely offset the additional eight working days in the cost estimates.

Iran then spoke **on behalf of the NAM** saying that they supported the proposal to have a three-week Review Conference meeting in 2016 but reserved the right to come back to the idea of two PrepCom meetings. **Indonesia** asked for the reason behind the proposed two PrepCom meetings. **Cuba** expressed some concern about a two week PrepCom meeting because of the need to ensure full participation by experts from developing countries.

Australia welcomed the ongoing steady hand of Ambassador Molnár and congratulated him on his appointment as President. The Australian intervention went on to say that Australia looked forward to a transparent, collaborative and inclusive Review Conference process that led to a credible and substantive outcome. There was a need to crystallize for effective action the outcome of the past four years of the present Intersessional Process and to develop ideas for a new Intersessional Process after 2016. Times was needed to consider whether to replace Meetings of Experts and to create a Steering Committee as well as to build up the resources of the Implementation Support Unit – and to reach such decisions was unlikely if not impossible if considered solely in a three week Review Conference. Australia also expressed a willingness to look at helping with the costs of travel for the smaller delegations.

Brazil congratulated Ambassador Molnár on his appointment as President and expressed thanks for the cost estimates. Concern was expressed about the additional costs that would be incurred by delegations who needed experts from capitals and more information was needed. If there was to be a two week PrepCom it would be important to strengthen all aspects of the Convention including cooperation.

The USA congratulated Ambassador Molnár on his appointment as President and strongly supported the proposal for a two week PrepCom and a three week Review Conference. There were a number of very difficult issues to address and the opposition even to language such as “agreed on the value” was ample proof of this. Considerable preparatory work needed to be done considering the Convention Article by Article as well as being forward looking about what should be done next. Two separate weeks for the PrepCom was a practical approach – to meet and consider issues, then to meet again and consider the issues further and then to meet to take decisions at the Review Conference. The issues need to be explored and concerns

addressed – it was not an option to defer everything to the Review Conference itself. The PrepCom needed to explore the issues and make recommendations to the Review Conference as such recommendations would help to focus the work of the Review Conference.

The UK supported the idea of a two part PrepCom. There were many ideas on the table – such as those of the Russian Federation, the European Union, the USA paper and Article X issues. Although some were mutually exclusive there was a lot of common ground. There was a need to explore the issues and prepare the ground for the Review Conference. It was necessary to find where the difficulties were and then focus on how best to move forward. The Article by Article consideration was quite intense. Two weeks of PrepCom would enable the States Parties to hit the ground running for the Review Conference – the first week could be more of an initial discussion with the second week being more substantive with the involvement of those from capitals. The UK echoed the willingness expressed already by Australia of having a look at providing support for the participation of experts at the PrepCom.

Iran said that lessons have been learnt from past experience and said that Chair, Vice-Chairs and Friends of the Chair might be another useful tool. The costs of delegations coming to Geneva had not been considered. A PrepCom of 2 or 3 days was acceptable to Iran in order not to overburden delegations. Iran did not see the Review Conference in isolation from the Intersessional Process.

Switzerland paid tribute to the Chair in steering the work of this Meeting. It was timely to address the Eighth Review Conference and Switzerland congratulated Ambassador Molnár. The BWC faced many challenges – the accelerated progress of biotechnology and the danger of non-State actors acquiring WMDs. The Review Conference needed to agree on strong measures to address these challenges. Preparation was vital for the Review Conference. Two separate weeks of PrepCom addressing both procedural and substantive issues held early in the year with time in between the PrepComs to facilitate an iterative process would allow consolidation of the main proposals. The General Assembly Resolution 70/74 with its emphasis on transparent and inclusive preparation was an important tool for meeting objectives. Switzerland would be happy to contribute to sponsoring participants. .

The Russian Federation welcomed Ambassador Molnár. The success of the Review Conference depends on the quality of the preparatory work and two weeks of PrepCom that is inclusive was in the interests of all.

The Netherlands congratulated Ambassador Molnár on his appointment. The Review Conference should lead to a strengthened and more effective Convention. A substantial PrepCom was needed. Like Australia, the Netherlands were ready to help sponsor participants. .

Indonesia said that two weeks of PrepCom could present possible difficulties to smaller States Parties in regard to the availability of the time of delegates.

Germany congratulated Ambassador Molnár on his appointment and said that an effective PrepCom was needed and they supported a second PrepCom as being key

for an effective Review Conference. Germany was ready to contribute resources to assist participation.

India congratulated Ambassador Molnár on his appointment. India wished to consult with the NAM how best to distribute the necessary time. From their experience of the Seventh Review Conference, India was convinced that it was in their interest and that of smaller NAM delegations to have adequate and prior preparation to improve the chances of success of the Review Conference. An inclusive, transparent PrepCom that engages on substance by providing a platform for putting forward proposals and to study other proposals would help to achieve a successful Review Conference outcome.

The Chair then said that it was evident that a Review Conference of three weeks in November was agreed but two PrepComs each of one week were not yet agreed. The NAM should meet as soon as possible to reach agreement on whether they can support this proposal.

The UK said the proposal was for two PrepComs of one week and then a three week Review Conference. In the absence of agreement on two PrepComs agreement could not be assumed on a three week Review Conference. **Iran** said that the quality of meetings was more important than the quantity of meetings. **The USA** said it was necessary to convince capitals that a three week Review Conference was necessary. If States Parties did not give themselves the time needed to prepare, then the question would be asked: Why are three weeks needed for the Review Conference? It would have to be a package of the PrepComs and the Review Conference.

The Chair closed consideration of this Agenda item saying that it was not possible today to agree on dates, structure or the budget for the Eighth Review Conference. He asked Ambassador Molnár, in his capacity as Vice-Chair of the MSP, to conduct consultations with the aim of reaching agreement by Friday, 18 December 2015.

The Secretary said that the NAM were having a meeting in Salle XXVI whilst there would be side events: one hosted by Canada entitled *Culture of Compliance* in Salle XXIV and one hosted by France and UNIDIR entitled *Geneva Protocol at 90* in Salle XXV. Two exhibitions were also available outside the Conference Room.

Tuesday afternoon 16 December 2015. Agenda item 7. Standing agenda item: Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

Ambassador Mazlan Muhammad of Malaysia was in the Chair and said that this afternoon consideration would be given to all aspects of this agenda item on cooperation and assistance. He reminded delegations of the Annex to the Report of the Meeting of Experts (BWC/MSP/2015/MX.3) and of his synthesis document (BWC/MSP/2015/L.1) as well as of Working Papers submitted by delegations. He said that the aim this afternoon was to convert the many ideas into a more concise focused product in accordance with the mandate of Seventh Review Conference to agree common understandings and effective action.

Statements were made by *Iran (on behalf of the NAM)*, Thailand, *Republic of Korea*, Netherlands, *Russian Federation*, UK, *Germany*, Canada, Japan, *Iraq*, *Ecuador*, Argentina, China, Mali, *France*, Germany (on behalf of Germany and Morocco), *Australia*, USA, India, Germany (as Chair of the G7 Global Partnership) and *Cuba*.

[The statements made by the States Parties shown in *italics* are available on the unog.ch/bwc website.]

**Wednesday morning 16 December 2015. Agenda item 8. Standing agenda item:
Review of developments in the field of science and technology related to the
Convention**

Ambassador Henk Cor van der Kwast of the Netherlands, one of the Vice-Chairs of MSP/2015 was in the Chair for the morning session considering developments in the field of science and technology related to the Convention.

Statements were made by *Iran (on behalf of the NAM)*, China, Canada, *Australia*, *Switzerland*, UK, Netherlands, *Russian Federation*, *Cuba*, India, *France*, USA, Japan and *Finland*. Presentations were then made by *Switzerland*, *OPCW* and Georgia (on behalf of Georgia and Germany).

[The statements made by the States Parties and the presentations shown in *italics* are available on the unog.ch/bwc website.]

**Wednesday afternoon 16 December 2015. Agenda item 9. Standing agenda item:
Strengthening national implementation**

Ambassador Mazlan Muhammad of Malaysia was in the Chair and said that this afternoon consideration would be given to all aspects of this agenda item on national implementation. He reminded delegations of the Annex to the Report of the Meeting of Experts (BWC/MSP/2015/MX.3) and of his synthesis document (BWC/MSP/2015/L.1) as well as of Working Papers submitted by delegations. He said that the aim this afternoon was to convert the many ideas into a more concise focused product in accordance with the mandate of Seventh Review Conference to agree common understandings and effective action.

Statements were made by *Iran (on behalf of the NAM)*, Colombia, *Russian Federation*, Thailand, *Burkina Faso*, Uganda, Antigua and Barbuda, *Spain*, Germany, Austria, China, Canada, *Australia*, Netherlands, *Cuba*, USA, *France*, *Ghana*, UK, Republic of Korea, Argentina, India, Algeria, Myanmar, *Switzerland*, *Romania*, Japan, *Iraq*, Kenya and Georgia.

[The statements made by the States Parties shown in *italics* are available on the unog.ch/bwc website.]

**Thursday morning 17 December 2015. Agenda item 10. 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

Ambassador Mazlan Muhammad of Malaysia was in the Chair. He started by thanking delegations for their participation in the informal discussions held on Wednesday evening on the substantive paragraphs of the report of this Meeting and said that a compilation of the outcome of those informal discussions was now being circulated to States Parties. He recognized that States Parties would need some time to consider these proposals and proposed that informal consultations should resume at 2 pm in Room XXI.

He then said that this morning consideration would be given to all aspects of the final agenda item on how to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties. He again reminded delegations of the Annex to the Report of the Meeting of Experts (BWC/MSP/2015/MX/3) and of his synthesis document (BWC/MSP/2015/L.1) as well as of Working Papers submitted by delegations. He said that the aim this morning was to convert the many ideas into a more concise focused product in accordance with the mandate of Seventh Review Conference to agree common understandings and effective action.

Statements were made by *Iran (on behalf of the NAM), Switzerland, Canada, USA, Japan, UK, France, India, Cuba, Australia, Argentina, Netherlands, Russian Federation, South Africa and China.*

[The statements made by the States Parties shown in *italics* are available on the unog.ch/bwc website.]

Friday morning 18 December 2015.

Agenda item 11. Progress with universalization of the Convention.

Agenda item 12. Annual report of the Implementation Support Unit. Agenda

item 13. Arrangements for the Eighth Review Conference and its Preparatory Committee in 2016.

Ambassador Mazlan Muhammad of Malaysia was in the Chair and welcomed delegations to the last day of this Meeting of States Parties and to the last day of the 2012-15 intersessional process. He referred to the informal consultation that took place the previous day and said that he was now circulating a revised version of his non-paper in which he had sought to take on the broad comments made yesterday. He encouraged States Parties to review this non-paper with a view to making compromises so that a consensus report of this Meeting could be agreed today.

In the morning session consideration was given to Agenda item 11 addressing universalization, (BWC/MSP/2015/4 and BWC/MSP/2015/4 /Add.1) and then on Agenda item 12 the annual report of the Implementation Support Unit (BWC/MSP/2015/3 and BWC/MSP/2015/3 /Add.1). After doing this, the Meeting would return to Agenda item 13 on the arrangements for the Eighth Review Conference to hear a report from Ambassador Molnár.

The Chair then introduced his report on universalization (BWC/MSP/2015/4 and BWC/MSP/2015/4 /Add.1).

Statements and interventions were made in regard to universalization by *Liberia, Côte d'Ivoire* who spoke as non-States Parties, Argentina, the USA and Russian Federation. The Côte d'Ivoire said that it was close to ratifying the BWC.

[The statements made by the States shown in *italics* are available on the unog.ch/bwc website.]

In moving on to Agenda item 12, the **Secretary, Daniel Feakes**, then introduced the report of the Implementation Support Unit (BWC/MSP/2015/3 and BWC/MSP/2015/3 /Add.1).

Statements and interventions were made by the Russian Federation, Cuba, United States, China, Australia on behalf of the Western Group, United Kingdom, Georgia and India.

[No mention is made of this Agenda item 12 and none of the States Parties mentioned above are listed on the unog.ch/bwc website.]

In regard to Agenda item 13, **Ambassador Molnár** then reported on his extensive informal consultations regarding the PrepCom and the Review Conference in 2016 saying that despite all his efforts there were still diverging views with the Depositaries seeking 1 + 1 weeks for the PrepCom and three weeks for the Review Conference and others seeking a one week PrepCom. He was, however, available to work with all delegations to find a consensus outcome.

An intervention was made by the United States.

[No mention is made of this resumption of Agenda item 13 and the State Party mentioned above is not listed on the unog.ch/bwc website.]

Friday afternoon 18 December 2015. Agenda item 14. Adoption of the report of the meeting.

The afternoon was spent in numerous informal consultations in various rooms. These led eventually to the circulation at 6.30 pm of a further draft of the Chairman's non-paper on the substantive paragraphs of the report of the Meeting. This was then agreed shortly after 7.00 pm. A further version of the estimated costs for the PrepComs and Eighth Review Conference was also made available as BWC/MSP/2015/5. The arrangements for the PrepComs and the Review Conference were also agreed with acceptance of the following paragraph, for which the Chair expressed thanks to India and the UK for assistance in drafting, for inclusion in the report of MSP/2015:

56. The Meeting of States Parties considered the arrangements for the Eighth Review Conference in 2016. The Meeting decided that the Review Conference would be held in Geneva from 7 to 25 November 2016. The Meeting also decided that the Preparatory Committee would be held in Geneva as per the following: up to two days (26 to 27 April 2016) and would resume its work during 8 to 12 August

2016. It was agreed that the Preparatory meeting in April would consider the Agenda items on General Exchange of Views and the Organizational aspects of the Review Conference. It was further agreed that the meeting in August would provide an opportunity for States Parties to consider comprehensively all provisions of the Convention. At the conclusion of the meeting in August, the President would present under his own responsibility, for consideration of delegations ahead of the Review Conference, a summary report without prejudice to perspectives, recommendations, conclusions and proposals presented by delegations or that prejudices the final outcome of the Review Conference. The Meeting approved the nomination of the Eastern European Group of Ambassador György Molnár of Hungary as President of the Review Conference and Chairman of the Preparatory Committee. The Meeting also approved the estimated costs for the Review Conference and the Preparatory Committee as set out in document [...]

The report of the Meeting BWC/MSP/2015/6 was adopted and the closing formalities completed by 7.30 pm on Friday evening.

Working Papers

Fourteen working papers, two more than the 12 submitted at MSP/2014, were submitted by States Parties: two each by China and Iran, one by each of the following: Austria, Japan, Switzerland and the USA, and then Working Papers submitted jointly: one by India and the USA; one by Armenia, Belarus, China and the Russian Federation, one jointly by Belgium, Luxembourg and the Netherlands; one by Australia, Canada, Chile, Colombia, Czech Republic, Finland, Germany, Hungary, Japan, Lithuania, Netherlands, Nigeria, Norway, Philippines, Republic of Korea, Slovakia, Sweden and Switzerland; one by Australia, Canada, Chile, Colombia, Costa Rica, Ecuador, Ghana, Japan, Malaysia, Norway, Philippines, Republic of Korea, Switzerland and Thailand; and one by Canada, Denmark, the European Union, Finland, France, Germany, Japan, Netherlands, Norway, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and the United States of America.

Two INF. Documents were submitted by States Parties. INF document (BWC/MSP/2015/INF.1) entitled *Report on Implementation of Article X of the Biological and Toxin Weapons Convention*. was submitted by the United Kingdom – this is a 7 page report outlining an **illustrative** range of UK activities and programmes undertaken (or funded) by government departments, industry, research councils and academia that give effect to the UK’s commitments under Article X. INF document (BWC/MSP/2015/INF.2) entitled *International Activities of the Government of Canada related to Article X of the Biological and Toxin Weapons Convention: Update 2015* was submitted by Canada – a 23 page update containing information only on projects relating to the implementation of Article X that were active during calendar year 2015.

The working papers covered a range of topics:

- BWC/MSP/2015/WP.1 entitled *Strengthening Implementation of Article III of the BTWC* - submitted by India and the United States of America which says *The Eighth Review Conference should adopt further specific decisions and*

recommendations on measures to promote and strengthen the implementation of Article III. Some suggested measures are elaborated in this Working Paper for consideration and approval at the next Review Conference.

- BWC/MSP/2015/WP.2 entitled *Biosafety and biosecurity: today's challenges for politics and science. Report from a seminar held on 25 June 2015 in Vienna* – submitted by Austria. The summary says that discussions at the seminar focussed on *five core issues: recent developments in the life sciences; challenges posed by transnational epidemics; bioterrorism; bioethics; and the contribution of the Biological and Toxin Weapons Convention to biosecurity and biosafety.* The Working Paper goes on to say that *The seminar was successful in launching a dialogue on Austrian national level about the above mentioned issues pertaining to biosafety and biosecurity, involving representatives of various government authorities, academia, industry, media, and society at large. The event revealed considerable public interest in the problems discussed, pointing to a scope for a sustained and still broader dialogue in the future, solidifying the basis for national implementation of the Convention.* It concluded by saying that *Austria encourages States Parties which have not yet done so to launch public awareness initiatives about biosafety and biosecurity on their national levels, and offers its national experience for consideration, if States Parties so wish.*

- BWC/MSP/2015/WP.3 entitled *Strengthening the ability to take action: A realistic agenda for the Eighth Review Conference* - submitted by the USA. This Working Paper says that *The current BWC "intersessional work programme," although useful, has proven insufficient to respond to this challenge* and points out that the Eighth Review Conference has the necessary authority to strengthen the Convention but *what is needed is the political will to make use of it.* It then sets out four key steps:
 - Improve capacity for in-depth substantive and technical discussions,
 - Enhance the authority of the annual Meeting of the States Parties,
 - Strengthen the Implementation Support Unit, and
 - Provide greater oversight and steering.

- BWC/MSP/2015/WP.4/Rev.1 entitled *Proposal for inclusion in the final document of the Eighth Review Conference of the Biological Weapons Convention* - submitted by Armenia, Belarus, China and the Russian Federation. This Working Paper proposes language for the Decisions and Recommendations section of the Final Document of the Eighth Review Conference that would establish *an Open-ended working group open to all States Parties sharing its objective. The objective of this Open-ended working group shall be to elaborate on a basis of consensus appropriate measures and draft proposals to strengthen the Convention to be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States Parties.*

- BWC/MSP/2015/WP.5 entitled *International activities of the Global Partnership against the spread of weapons and materials of mass destruction*

related to Article X of the Biological and Toxin Weapons Convention - submitted by Canada, Denmark, the European Union, Finland, France, Germany, Japan, Netherlands, Norway, Spain, Sweden, UK and USA. This is a 56 page Working Paper that sets out a compendium of Article X-relevant projects implemented and/or funded by Global Partnership members in 2015.

- BWC/MSP/2015/WP.6/Rev. 1 entitled *Addressing modern threats in the Biological Weapons Convention: Follow-up and recommendations* - submitted by Australia, Canada, Chile, Colombia, Czech Republic, Finland, Germany, Hungary, Japan, Lithuania, Netherlands, Nigeria, Norway, Philippines, Republic of Korea, Slovakia, Sweden and Switzerland. This paper aims to integrate available inputs to date and make recommendations to address these modern threats, which should be considered at the Eighth Review Conference. These are considered under two headings:
 - Spread of technology
 - Emerging infectious diseases

The Working Paper concludes by agreeing that *States Parties must continue to engage in constructive discussions with a goal of promoting effective actions on the implementation and enforcement of all aspects of the BWC. Discussions and actions towards addressing these threats should build towards positive and constructive outcomes at the Eighth Review Conference, with the aim of having a stronger BWC capable of addressing these recent developments and emerging threats.*

- BWC/MSP/2015/WP.7 and WP.7/Corr.1 entitled *International cooperation and assistance of Japan related to Article X of the Biological and Toxin Weapons Convention (2015)* - submitted by Japan. This is a 16 page Working Paper that provides information on international cooperation and assistance of Japan from November 2013 to October 2015 as an update report of implementation of Article X of the BWC.
- BWC/MSP/2015/WP.8 entitled *Establishing a Non-Proliferation Export Control Regime Under the Framework of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction* - submitted by China. This says that Under the background of fast development of globalization and increasing threat by terrorism, the risk of proliferation of pathogen, toxin and biological dual-use item and technology is becoming more and more acute with each passing day, which poses grave challenges to the global bio-safety and security. Meanwhile, the rapid progress of bio-technology generates growing demands for international cooperation on bio-technologies among State Parties, especially developing countries. It goes on to urge that States Parties should seize the opportunity of the Eighth Review Conference to establish a non-proliferation export control regime with universality, fairness and effectiveness under the framework of the Convention in a gradual and orderly manner, enhancing the global non-proliferation on biological field, and facilitating international bio-technology cooperation.

- BWC/MSP/2015/WP.9 entitled *Proposal for the development of the template of biological scientist code of conduct under the Biological Weapons Convention* - submitted by China. This says that those engaged in biological research are not only the front line of bio-science and technology development, but also the primary defence to prevent misuse of biotechnology misuse. The key aspect is to prevent misuse by raising bio-safety and security awareness and enhancing moral self-regulation among those engaged in biological research. The Working Paper recommends that the issue “*the development of the template of biological scientist code of conduct under the framework of the BWC*” should be included in the Eighth Review Conference and the following inter-sessional process.
- BWC/MSP/2015/WP.10 entitled *Reviewing developments in science and technology: Examples of dedicated processes* - submitted by Switzerland. This Working Paper reviews a range of different approaches already employed at the international level for expert-led processes. It highlights where practices currently employed by the BWC in its ISP SAI are similar to, or differ from, those used in other fora. Switzerland hopes that a better understanding of how these considerations and parameters are being addressed in other fora might assist in reaching a shared view on how best to develop arrangements under the BWC. The Working Paper notes that During the current intersessional work programme, States Parties have devoted 1.5 days per year to issues around science and technology. Under half of the allotted time has been used to review relevant developments (an average of almost 4.5 hours per year) ... The Working Paper concludes by saying that Switzerland believes that an agenda item on a dedicated process to review developments in science and technology should be included in the work of the Preparatory Committee of the Eighth Review Conference. Switzerland encourages other States Parties to identify the approaches and structures that offer the most appropriate solutions for the BWC in advance of such discussions. Switzerland stands ready to work together with interested States Parties to develop a model for an effective and dedicated science and technology review process that could be adopted at the Eighth Review Conference.
- BWC/MSP/2015/WP.11/Rev. 1 entitled *Providing reassurance on Biological Weapons Convention (BWC) implementation* - submitted by Australia, Canada, Chile, Colombia, Costa Rica, Ecuador, Ghana, Japan, Malaysia, Norway, Philippines, Republic of Korea, Switzerland and Thailand. This Working Paper is *to facilitate the formulation of recommendations for the 2016 Biological Weapons Convention (BWC) Review Conference (RevCon) on ways of providing reassurance that States Parties are fully implementing all provisions of the BWC effectively. This builds on a paper submitted at the Meeting of Experts in August 2015 by Malaysia, Australia, Brunei Darussalam, Chile, Costa Rica, Ecuador, Ghana, Japan, Norway, Republic of Korea, and Thailand on the issue of national implementation (BWC/MSP/2015/MX/WP.16).* It goes on to say that *This working paper highlights several options for effective action on reassurance for consideration at the 2016 BWC RevCon ...*

- BWC/MSP/2015/WP.12 entitled *BENELUX BTWC Peer Review: Initial observations* - submitted by Belgium, Luxembourg and the Netherlands. This Working Paper presents some initial observations by the BENELUX countries on the peer review exercise carried out in 2015. It is noted that *The BENELUX Peer Review format will clearly contribute to the following objectives: **improving national implementation, increasing international cooperation and raising awareness of the BTWC among national stakeholders.*** [Emphasis in original] The Working Paper concluded by saying that *the Peer review exercise has the ambition to contribute to the debate in the **run up to the 2016 BTWC Review Conference** by testing the concept of a peer review, involving declarations, consultations and on-site visits and by consolidating the role of the BTWC CBMs as a declaration tool. The BENELUX-countries sincerely believe that a peer review can increase States Parties' ability to demonstrate compliance through enhanced transparency about capabilities, intentions and actions, by means of declarations, consultations and on-site visits. A more thorough analysis of the effectiveness of the chosen format of the Peer Review and elements for discussion at the Review Conference will be presented later in the process.*
- BWC/MSP/2015/WP.13 entitled International/national implementation of Article X through transparent and reassurance mechanism - submitted by Iran. This Working Paper says that A reassurance mechanism — instead of a denial approach — requires institutionalization of a procedure to monitor transfers for the sake of increasing transparency on trade activities, including through a reporting procedure, intended end-use and end-use assurance, consistency of each State Party's national regulations, national licensing, penal codes and the like. Accordingly, a mechanism should be agreed upon and created through a comprehensive, non-discriminatory and multilaterally negotiation procedure, by establishing an open-ended working group, for the facilitation of the exchange of equipment, materials and scientific and technological information for the use of biological agents and toxins for peaceful purposes in accordance with the obligation undertaken under Article X.
- BWC/MSP/2015/WP.14 and WP.14/Corr. 1 entitled Science and technology advances and the application of “dual use” - submitted by Iran. The Working Paper says that Dual use itself should not provide any justification for prescribing restrictions or denials. However, concern about the dual use nature of some biological advances is an issue that should be dealt with in a proper approach, without over-estimation and exaggeration. It concludes by saying that International monitoring of the advances in science and technology related to the Convention should be accomplished by an authorized body, which has not been created under this Convention. Such a body could be considered to be established in a multilaterally negotiated and legally binding instrument, with specific mandate and modalities, taking into account lessons learned from the establishment of such body under other relevant international instruments.

These are generally useful Working Papers which help to take forward the work of the Intersessional Process and in particular look forward to the Eighth Review Conference in

2016. 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/2015/WP.6/Rev.1 by Australia, Canada, Chile, Colombia, Czech Republic, Finland, Germany, Hungary, Japan, Lithuania, Netherlands, Nigeria, Norway, Philippines, Republic of Korea, Slovakia, Sweden and Switzerland, and BWC/MSP/2015/WP.11/Rev.1 by Australia, Canada, Chile, Colombia, Costa Rica, Ecuador, Ghana, Japan, Malaysia, Norway, Philippines, Republic of Korea, Switzerland and Thailand. These two Working Papers [WP.6 and WP.11] and WP. 1 from India and the USA, are also noteworthy for crossing Group boundaries.

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/2015/L.1) and the draft elements submitted by the Chairman 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/2015 merit further consideration and discussion during the PrepCom and preparations for the Eighth Review Conference in 2016. Even when care is taken to ensure that proposals **are** explicit and **do** survive the transit from Meeting of Experts to Meeting of States Parties, there is no guarantee that they will then make it into the MSP's Report. The familiar practice of consensus by deletion prevailed in 2015 once again, and this Meeting of States Parties like its predecessors saw many significant deletions as the substantive paragraphs of its draft Report went through successive iterations. This makes it all the more important for States Parties **now** to rescue the best proposals from the Intersessional Process and to elaborate them, if possible with wider support, through the preparatory phase in 2016. Only in this way will they reach the Eighth Review Conference with a chance of being seriously considered for inclusion in the Decisions and Recommendations section of its outcome document.

Outcome of the Meeting of States Parties

The Final Report of the Meeting of States Parties (BWC/2015/6) was issued dated 27 January 2016.

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 of the Chairman's non-paper issued with his letter to States Parties on 8 December 2015 through the Chairman's non-paper dated 18 December 2015 (Friday am), and the revised Chairman's non-paper dated 18 December 2015 (Friday p.m.) which was adopted unchanged in the report BWC/MSP/2015/6. There were consequently **three** versions of the substantive text. In addition, at MSP/2015 the Chair distributed on

16 December 2015 (Wednesday) a non-paper entitled *COMPILATION – 16 DECEMBER 2015* which was a compilation of proposals submitted by States Parties.

In this Outcome section we address the first version starting on page 59, the second version starting on page 86, the third and final version (MSP/2015/6) starting on page 97 in each case showing additions in **bold** and deletions showing what has been omitted. The compilation of proposals that was distributed on Wednesday 16 December 2015 has been included chronologically and starts on page 68.

As already noted, the Chair in 2015 in his letter to States Parties on 19 October 2015 in which he provided a copy of his synthesis paper made the point that said that *as in previous years, I have tried to avoid repeating ideas and proposals on which we have already identified a common understanding*. He added that *Naturally, not every detail of every proposals has been included, but I have tried to cover the main themes and capture at least the essence of the various ideas put forward*. And went on to say that *As in previous years, I have focussed on identifying new material contributed at this year's Meeting of Experts. I have tried to avoid repeating ideas and proposals on which we have already identified a common understanding. Please read the attached synthesis paper in conjunction with the reports of the previous Meetings of States Parties of the current intersessional programme, which should also be seen as an input into our preparations of the 2015 Meeting of States Parties*. He also said that: *I am particularly interested in hearing specific feedback on the attached synthesis paper so that I can revise it in a timely manner*. Then when he met with the Regional Groups on 19 and 20 November 2015 he said that *The feedback I hope to hear today on the synthesis paper which was annexed to my letter of 19 October will be key in helping me to shape the substantive elements of the MSP report*.

This led to the enclosure with his letter to States Parties of 8 December 2015 of the *Chairman's non-paper on the possible elements for the substantive part of the Report of the 2015 Meeting of States Parties* on which he said *This non-paper is based on the breadth of ideas and proposals during the Meeting of Experts in August, from feedback regarding the synthesis paper, and from wide-spread consultations with States Parties. The non-paper also includes content reflective of our past agreements on the various agenda items, reflecting on one hand continuity within the Inter-Sessional Process, and on the other, to be forward looking in promoting effective action*.

First version of the substantive paragraphs (Chairman's non-paper attached to letter of 8 December 2015)

The draft elements available in the Chairman's non-paper attached to his letter to States Parties dated 8 December 2015 consequently formed the initial text for the substantive paragraphs of the report of the meeting of States Parties. The starting point thus consisted of 36 paragraphs, of which 10 paragraphs and 14 subparagraphs were on the Standing Agenda Item on cooperation and assistance, 10 paragraphs and 7 subparagraphs were on the Standing Agenda Item on science and technology, 6 paragraphs and 7 subparagraphs on the Standing Agenda Item on national implementation and 9 paragraphs, 23 subparagraphs on the biennial item on Article VII, and 1 paragraph and 8 subparagraphs on Further Steps.

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

1. 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.

2. 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.

3. 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.

4. 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.

5. To further efforts to address the 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. enhancing international efforts to bridge the gaps between developed and developing countries, and strengthen international cooperation to ensure all States Parties have access to the benefits of biotechnology, genetic engineering, microbiology and other related areas, in light of new science and technology developments;

b. make efforts to identify and overcome obstacles in the implementation of Article X to generate benefits for States Parties;

c. ensure timely access to affordable drugs and vaccines and related diagnostic, preventive and therapeutic equipment to affected people, especially in developing countries, as highlighted by the outbreak of Ebola in West Africa in 2014; and

d. continuing national, regional and international efforts to support access and exchange between developed and developing countries of equipment, materials, scientific and technological information, experiences, lessons- learned, best practices, education, technical knowledge, as well as financial resources in the field of life sciences and related areas intended for peaceful purposes.

6. 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 noted the value of:

- a. avoiding imposing restrictions and/or limitations on transfers of scientific knowledge, technology, equipment and materials for purposes consistent with the objectives and provisions of the Convention;
- b. assisting States Parties in the development of appropriate national systems of health care that can respond effectively to infectious disease outbreaks, including through contributing to the training of human resources, transfer of technologies to help improve national capacities for diagnosis, research and response including means of protection, and promote academic and scientific exchange between national experts related to biosafety and biosecurity
- c. encouraging long-term, sustainable cooperation that meets the needs of the receiving countries;
- d. the growing number of free access scientific publications help reduce possible barriers imposed by the high costs of subscriptions;
- e. sharing relevant information about the opportunities and challenges resulting from scientific advances in the life sciences and in biotechnology, infectious disease outbreaks, and healthcare;
- f. ensuring that States Parties have access to the benefits of advances in life sciences, including recent advances such as new technologies, the production or development of vaccines, biological production technologies, and equipment and training for appropriate level containment laboratories;
- g. facilitating the availability of cost-effective, affordable and quality-assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes; and
- h. assisting States Parties in the event of a biological incident whether a natural outbreak, or an accidental release of biological agents.

7. To further address ways and means to target and mobilize resources, including financial resources, to address gaps and needs for assistance and cooperation, in particular from developed to developing States Parties, and from international and regional organizations and other relevant stakeholders, States Parties noted the value of:

- a. promoting the relevance of the Convention to both signatories and non-State Parties that rarely participate in the meetings of the BWC. States Parties in a position to do so should consider contributing to the ISU Sponsorship programme to increase the level of participation in meetings of the BWC; and
- b. further utilizing and expanding the cooperation and assistance database

established in pursuance of the decision of the 7th review Conference for targeting resources by States Parties offering assistance and cooperation by making concrete offers in areas directly relevant to the Convention.

8. To further address education, training, exchange and twinning programmes and other means of developing human resources in the biological sciences and technology relevant to the implementation of the Convention, particularly in developing countries, States Parties acknowledged that exchanges in education and training are of fundamental importance for the development of relevant human resources in the field of biological sciences, and that international cooperation in education and training will help bridge the gap between the capabilities of developing and developed countries.

9. To further address capacity-building, through international cooperation, in biosafety and biosecurity, and for detecting, reporting, and responding to outbreaks of infectious disease or biological weapons attacks, including in the areas of preparedness, response, and crisis management and mitigation, States Parties noted that recent infectious disease outbreaks reinforce the need for a continued and concerted international effort to build countries' capacities, at the request of the recipient State and in accordance with their needs, to effectively mitigate the risk posed to world health by pathogenic microorganisms.

10. To further address coordination of cooperation with other relevant international and regional organizations, and other relevant stakeholders, States Parties recognized that relevant international and regional organizations such as the WHO and the OIE play an important role in disease surveillance, prevention, detection and response and there is therefore merit in coordination and cooperation between States Parties and relevant international organizations in accordance with their respective mandates.

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

11. States Parties noted certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information on these developments, such as:

a. advances of relevance to agriculture, such as improved biological control methods to combat plant pests and diseases, and approaches to improve production of food components;

b. advances and research in biology, biotechnology, bioengineering and biomedical engineering, in particular, developments in enabling technologies including high-throughput systems for sequencing, synthesizing and analyzing DNA, bioinformatics and computational tools and systems biology, host-pathogen interactions for enhanced cooperation and making vaccines, medicines and diagnostics production simpler, faster, cheaper and more efficient in developing countries; and

c. advances in immunology, such as the CRISPR/Cas system to edit,

silence and activate genes at any given site in virtually any kind of genome, including human cells.

12. States Parties noted that advances in science and technology can have potential for uses contrary to the provisions benefits for the Convention and agreed on the need to share information on these developments:

a. developments in production technologies which improve yield, speed, flexibility, cost-effectiveness, portability, availability and safety that could also be applicable for the production of biological or toxin weapons agents;

b. improved dispersal and delivery methods which have the potential to be misused for hostile purposes;

c. increasing sophistication and worldwide spread of synthetic biology, together with other enabling technologies, such as gene editing; and

d. lack of criteria for identifying research as being in contravention of the BWC.

13. States Parties noted the importance of facilitating the fullest possible exchange of relevant technologies where their use is fully consistent with the peaceful objects and purposes of the Convention.

14. To further address strengthening national biological risk management, as appropriate, in research and development involving new science and technology developments of relevance to the Convention, States Parties noted that a possible measure may include a comprehensive examination of appropriate oversight criteria, inter alia, reaching common understandings on criteria for assessing risks of relevance to the Convention, optimal methods for assessing risks and benefits, and optimal approaches to mitigating risks identified at BWC. States Parties further noted that measures taken to mitigate biological risk should be proportional to assessed risk and not hamper peaceful activities, including international cooperation.

15. To further address voluntary codes of conduct and other measures to encourage responsible conduct by scientists, academia and industry, States Parties noted the value of formulating of guidelines for voluntary codes of conduct for scientists in the fields relevant to the Convention, and that such codes could help States Parties to guide/regulate individual bio-researchers and institutions in their assessment of risks and benefits. States Parties also noted the need to bring in a diverse range of expertise from all relevant fields and noted the need to avoid codes of conduct imposing restrictions on exchange of scientific discoveries in the field of biology for peaceful purposes.

16. To further address education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties recognized that the continuous and accelerating rate of progress in scientific knowledge requires the necessity of deepening a culture of responsible use of this knowledge, which takes into account biological disarmament without undermining peaceful uses. In order to further efforts on education and awareness-raising about risks and benefits of life

sciences and biotechnology, States Parties agreed on the need to share information on these developments, including dual-use research of concern.

17. To further address science- and technology-related developments relevant to the activities of multilateral organizations such as the WHO, OIE, FAO, IPPC and OPCW, States Parties noted that the increasing convergence of chemistry and biology underlines the importance of continuing to build and sustain coordination between the Convention and the Chemical Weapons Convention to assist analysis of the potential benefits and risks resulting from advances in scientific and technological areas of mutual interest.

18. Recalling the decision of the Seventh Review Conference for the 2015 Meetings to address the topical scientific subject of any advances in production, dispersal and delivery technologies of biological agents and toxins, States Parties noted that advances in such technologies and its implications require further analysis and review.

19. Recognising other science and technology developments relevant to the Convention, States Parties emphasized the need for a dedicated, structured, systematic ongoing and flexible process for the review, to provide a more robust and comprehensive foundation on which to base decisions to ensure effective implementation of the Convention. Amongst ideas discussed were an expert working group to review the relevant scientific literature and, through reports and presentations, keep States Parties up-to-date on the latest scientific advances with potential implications for the Convention; a technical body under the BWC dedicated to reviewing scientific and technological developments; and a panel composed of experts nominated by States Parties.

20. States Parties noted that among the lessons identified by assessments of the international response to the Ebola Virus Disease (EVD) outbreak in West Africa was the need to expand investment in research and development on diagnostics, drugs and vaccines.

C. Standing agenda item: Strengthening national implementation

21. 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.

22. 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 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.

23. 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, depending on national needs and circumstances and in accordance with national laws and regulations, continuing to enact, enforce and review of national implementation measures, and to provide appropriate updates on such activities. 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.

24. To further address ways and means to enhance national implementation, taking into account differences in national circumstances and legal and constitutional processes, sharing best practices and experiences, including the voluntary exchange of information among States Parties on their national implementation, enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions, States Parties noted the value of:

- a. effective national legislation;
- b. managing the risks of the misuse of research;
- c. continuous capacity-building;
- d. strengthening domestic biosecurity regulations and capabilities;
- e. export controls on sensitive materials;
- f. providing reassurance through increased transparency and practical demonstrations of continued commitment to the Convention and participation in the system of Confidence-Building Measures; and
- g. cross-regional cooperation, through partnership programmes, or by providing the necessary financial resources to States in need.

25. To further address regional and sub-regional cooperation that can assist national implementation of the Convention, States Parties noted the importance of regional and sub-regional cooperation the sharing of experiences and identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging best 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, and agreed to work together to promote awareness of the implementation of the Convention, and to strengthen regional discussions on the intersessional topics and their application.

26. To further address national, regional and international measures to improve laboratory biosafety and security of pathogens and toxins, States Parties noted the value of, in accordance with national laws and regulations and local conditions, and establishing effective and appropriate arrangements for the safety and security of biological agents and toxins. States Parties further noted the value of sharing ideas about how best to manage dual use risks, examining comprehensively appropriate oversight criteria, improving capacity building for biosafety and security according to their specific situations, raise the level of management and transparency for dual-use bioscience and technology research, establish where appropriate risk assessment and early warning systems for the misuse of bioscience and technology, and to raise awareness of research personnel concerning biosafety and security.

D. 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

27. 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.

28. Recognizing a need to provide effective and timely assistance related to Article VII, States Parties noted national capacities and national health systems contribute 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 further noted that even where national capacity is strong, further international assistance may be required.

29. States Parties reaffirmed that Article VII only applies when there has been a violation of the Convention, and is not concerned with natural outbreaks or other biosafety incidents that are not covered under the framework of the Convention. States Parties noted that the provision of assistance under Article VII can be provided on the basis of a request by the affected state pending the action or findings of the UN Security Council with respect to the investigation of alleged use.

30. Recognizing that there are both strong similarities and differences between responses to a deliberate disease and a natural outbreak, and agreeing on the value of drawing lessons from natural outbreaks such as the 2014 West African Ebola disease outbreak, States Parties noted:

- a. the importance in both cases of a rapid response with clear lines of command and control, as well as effective communication and coordination;
- b. the value of 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,

c. the importance of social anthropological understanding of cultural norms to ensure rapid engagement with local communities during the response;

d. the importance of recognising that, in the case of a deliberate outbreak, response teams could face additional challenges, having to operate in a potentially hostile environment and/or alongside national or international investigations efforts; and

e. the importance of ensuring timely access to affordable drugs and vaccines and related diagnostic, preventive and therapeutic equipment to affected States Parties

31. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties noted the value of considering:

a. guidelines, and the information that should be included, to aid a State Party in submitting a request for assistance;

b. guidelines on the levels of response to be adopted, as depends on the nature of the disease, the geographical area where the outbreak occurred, the status of the public health system of the State and the potential of international effects;

c. establishing a database containing information on, and an inventory of, the types of assistance that States Parties could provide, as a means to facilitate provision of assistance to ensure timely and adequate response to a situation involving implementation of Art VII;

d. a data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

e. 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;

f. a fund for assistance to affected States Parties;

g. 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; and

h. determining what the role of the ISU would be within this mechanism, and what additional resources would be required to enable it to fulfil this

role.

32. States Parties noted the value of preparations being made in advance of Article VII being invoked, including, a coordinated government approach to emergency management, addressing the full range of possible implications, establishing clear channels of communication, accessing relevant expert advice, and working to improve effective cooperation between the law enforcement and health sectors.

33. Recognizing that for the implementation of Article VII national preparedness contributes to international capabilities, States Parties noted the value, at the national level, of:

- a. strong detection capabilities, including for infectious disease detections and surveillance;
- b. accurate disease mapping, including contact-tracing, social mobilization capacities, and case investigation;
- c. appropriate command, control and coordination functions, including at a local level; and
- d. mechanisms to manage offers of assistance, and to mobilize and coordinate the provision of assistance to other countries upon request.

34. 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 capabilities and resources to respond effectively to an alleged use of a biological or toxin weapons. States Parties encouraged States Parties in a position to do so to assist other states Parties, upon request, to build relevant capacity.

35. Recalling discussions in 2014 about the importance of assisting other States Parties by, inter alia, enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties further agreed on the value of collaborating to build relevant national capacity, including:

- a. sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons;
- b. new methods and novel diagnostic technologies and equipment for detection of and quick response to a disease outbreak;
- c. disease surveillance information and analysis, including data on vulnerable and high-risk populations;
- d. enhancing national capacity by supporting the implementation of the International Health Regulations core capacities;
- e. working with relevant international organizations to build national capacity, such as core capacities of public and animal health systems, or

those to address toxins, as well as coordination arrangements; and

f. avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures.

E. Further Steps

36. States Parties considered other potential measures relevant for the implementation of the Convention. Such measures include:

a. further discussing how best to improve methods of work at future meetings;

b. examining mutually beneficial tools to enable States Parties to demonstrate their compliance;

c. identifying and further discussing new approaches to enhance national implementation through voluntary exchanges of information, such as the proposed voluntary peer review mechanism;

d. considering an Open-Ended Working Group to elaborate on a basis of consensus appropriate measures and draft proposals to strengthen the Convention; including elaborating export control mechanism;

e. reassurance, by demonstrating a willingness to co-operate with other States Parties in resolving alleged breaches (Article V or VII);

f. building an operational capability that could be called upon to assist in responding to a biological situation envisaged in Articles X, VII, and VI of the Convention;

g. having an effective and substantive preparatory process towards the 2016 Review Conference; and

h. working towards identifying options for a legally binding protocol to the Convention and options that could achieve similar objectives to a legally binding protocol to the Convention

Compilation of possible elements (Chairman's Compilation distributed on 16 December 2015)

The Chair on Wednesday 16 December 2015 distributed a document headed **COMPILATION – 16 DECEMBER 2015** entitled *Chairman's non-paper on the possible elements for the substantive part of the Report of the 2015 Meeting of States Parties* which showed proposed additions to the text in **bold** and underlined and proposed deletions as ~~striketrough~~. In addition, the compilation also showed the source of the possible elements.

These possible elements were considered in informal sessions and then taken into account by the Chair in developing his second version of the substantive part of the report which was distributed on Friday morning, 18 December 2015.

Possible elements distributed in the compilation dated 16 December 2015

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

(US/UK)

~~1. 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.~~

(US/UK)

~~2. 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.~~

(UK)

~~3. 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. **(US) Noting that relatively few reports have been submitted to date, States Parties called on all States Parties that have not yet done so to submit such reports in advance of the Eighth Review Conference.**~~

(US/UK)

~~4. States Parties recalled their agreement on the importance of continuing discussions on full **(NAM)** and effective **(NAM) and non-discriminatory** implementation of Article X obligations, including in light of various proposals made by States Parties.~~

NAM: 4 bis. States Parties agreed on the urgent need to establish a mechanism to ensure the full, effective and non-discriminatory implementation of Article X, and decided to set up a working group to advance such mechanism;

5. To further efforts to address the 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. enhancing international efforts to **(US)** ~~bridge the gaps between developed and developing countries,~~ and strengthen international

cooperation to ensure all States Parties have access to the benefits of biotechnology, genetic engineering, microbiology and other related areas, in light of **(US)** ~~new~~ **the rapid pace of** science and technology developments **(NAM)** **which have created new opportunities for making progress on implementation of Article X of the Convention including inter alia developments of special relevance to disease surveillance, diagnosis and mitigation as well as advances in enabling technologies;**

b. **(US)** ~~make~~ **making** efforts to **(US)** **more specifically** identify, **(US)** **evaluate** and **(US)** **address challenges and** ~~overcome~~ obstacles in the implementation of Article X **(NAM)** **through adoption of a plan of action** to generate equitable benefits for States Parties, **(NAM)** **in particular developing countries, as well as removal of undue restrictions and/or limitations including procedures for settlement of disputes arising from concerns about the implementation of Article X for developing countries;**

(NAM)

b bis. Identify and address the needs of in particular developing countries in terms of equipment, materials and scientific and technological information for the use of the bacteriological and toxin agents for peaceful purposes,

(NAM)

bis ter. Identify and overcome the obstacles hampering the full, effective and non-discriminatory implementation of article x including by addressing the denial cases to developing States Parties,

c. **(US)** ensure **taking steps to facilitate** timely access to affordable drugs and vaccines and related diagnostic, preventive and therapeutic equipment to affected **(NAM)** **States to help people,** especially in developing countries, as highlighted by the outbreak of Ebola in West Africa in 2014; and

d. continuing national, regional and international efforts to support **(NAM)** **full** access and exchange **(NAM/US)** between developed and developing countries **(NAM)** **in particular from developed to developing countries/ (US) States Parties** of equipment, materials, scientific and technological information, experiences, lessons- learned, best practices, education, technical knowledge, as well as financial resources in the field of life sciences **(NAM)** **for the use of bacteriological and toxin agents** and related areas intended for peaceful purposes.

(CHN)

d ter: elaborating the establishment of a non-proliferation export control regime with universality, fairness and effectiveness under the

framework of the Convention, to enhance non-proliferation in the biological field and facilitate the international biotechnology cooperation.

6. To further address a range of specific measures for the full and comprehensive, **(NAM) effective and non-discriminatory** implementation of Article X taking into account all of its provisions, including **(NAM) legal obligations of States Parties to facilitate and have the 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 and** facilitation of cooperation and assistance, States Parties noted the value of:

a. avoiding imposing **(US) inappropriate** restrictions and/or limitations on transfers of scientific knowledge, technology, equipment and materials for purposes consistent with the objectives and provisions of the Convention **(US) while respecting their obligations under relevant international agreements;**

b. assisting States Parties in the development of appropriate national systems of health care that can respond effectively to infectious disease outbreaks, including through contributing to the training of human resources, transfer of technologies to help improve national capacities for diagnosis, research and , response, **(NAM) mitigation and recovery** including means of protection, and promote academic and scientific exchange between national experts**(US) including in the areas of (NAM) related to biosafety and biosecurity (US) and in this context welcomed the multinational Global Health Security Agenda and other initiatives that aim to promote and coordinate such assistance / (NAM) upon request and with the consent of the State Parties**

(NAM)

b. bis: identifying specific measures to ensure national implementation of the Convention are taken in full conformity Article X of the Convention;

(NAM)

b. ter: identifying obstacles and challenges related to the national implementation that hamper the fullest possible exchange of equipment, material and technology for peaceful purposes;

c. encouraging long-term, sustainable cooperation that meets the needs of the receiving countries **(US) including by addressing sustainability, suitability and consistency with recipient needs in the planning stages;**

d. **(NAM) the growing number of promoting free access (NAM) to**

scientific publications **(US) which** and **(NAM) standards** help **through the** reduce **(NAM) reduction of** possible barriers imposed by the high costs of subscriptions;

e. sharing relevant information about the opportunities and challenges resulting from scientific advances in the life sciences and in biotechnology, infectious disease outbreaks, and healthcare, **(US) including through papers and expert presentations at BWC meetings (NAM) agriculture and industry;**

f. **(US) ensuring that facilitating** States Parties **(US) have (NAM) full access to the benefits of advances in life sciences, (US) for peaceful purposes** including recent advances such as new technologies, the production or development of vaccines, biological production technologies, and equipment and training for appropriate levels of containment laboratories;

g. facilitating the availability of cost-effective, affordable and quality-assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes; and

h. **(NAM- to delete here and be moved to under Article VII).**

~~assisting States Parties in the event of a biological incident whether a natural outbreak, or an accidental release of biological agents~~

(NAM)

h. bis: adopting positive measures to promote technology transfer and international cooperation on an equal and non-discriminatory basis, particularly with countries less advanced in this field, while promoting the basic objectives of the Convention,

(NAM)

h. ter: understanding the cooperation and assistance as a continue process and as an essential part of compliance of the Convention

(NAM)

h. quat: implementing a procedure to settle disputes if a State Party is restricted and/ or denied by another State Party or a group of State Parties on drugs, medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes as enshrined in the article X of the Convention, including by considering a standing body.

(NAM)

h. quint.: promoting collaborative research and development, including through exchange of scientists and providing training opportunities in advanced laboratories.

7. To further address ways and means to target and mobilize resources, including financial resources, to address gaps and needs for assistance and cooperation, ~~(UK) in particular from developed to developing States Parties,~~ and from international and regional organizations and other relevant stakeholders, States Parties noted the value of:

(NAM)

a prior: 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 no limiting this cooperation to financial resources;

(US - to delete here and be moved to Further Steps Section)

a. promoting the relevance of the Convention to ~~(NAM) both signatories and non-State Parties that rarely participate in the meetings of the BWC.~~ States Parties in a position to do so should consider ~~(NAM) contributing~~ **additional contributions** to the ISU Sponsorship programme to increase the level of participation in meetings of the BWC ~~(NAM) and taking into account the high importance of its predictability;~~ and

b. further utilizing ~~(NAM) and expanding~~ the cooperation and assistance database established in pursuance of the decision of the 7th review Conference for targeting resources by States Parties offering assistance and cooperation ~~(US) including by taking steps to organise offers thematically and adding links to other relevant tools, resources, and programmes in order to increase the overall utility of the database by making concrete offers in areas directly relevant to the Convention-(SUI) of assessing the functionality of the database and of the ISU reporting regularly on the operation of the database / (NAM) in order to meet the need of the States Parties.~~

(NAM)

b bis. facilitating the fullest possible exchange of equipment, materials, and technologies for peaceful purposes,

8. To further address education, training, exchange and twinning programmes and other means of developing human resources in the biological sciences and technology relevant to the implementation of the Convention, ~~(UK) particularly in developing countries,~~ States Parties acknowledged that exchanges in education and training ~~(US) are of fundamental importance for~~ **contribute to** the development of relevant human resources in the field of biological sciences, and that international cooperation in education and training will help ~~(NAM / US) bridge (NAM) to reduce / (US) narrow~~ the gap(s) between the capabilities of ~~(US) developing and developed countries~~ **States Parties.**

9. To further address capacity-building, through international cooperation, in biosafety and biosecurity, and for detecting, **(NAM) reporting notifying**, and responding to outbreaks of infectious disease or biological weapons attacks, including in the areas of preparedness, response, and crisis management and mitigation, States Parties noted that recent **(NAM) lessons learnt from** infectious disease outbreaks reinforce the need for a continued and **(NAM) stronger** concerted international effort to build countries' capacities, at the request of the recipient State and in accordance with their needs, to effectively mitigate the risk posed to **(NAM) world public** health by **(NAM) pathogenic microorganisms relevant biological agents**.

10. To further address coordination of cooperation with other relevant international and regional organizations, and other relevant stakeholders, States Parties recognized that relevant international and regional organizations such as the WHO and the OIE play an important role in disease surveillance, prevention, detection **(NAM) and**, response, **(NAM) mitigation and recovery** and there is therefore merit in coordination and cooperation between States Parties and relevant international organizations in accordance with their respective mandates.

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

11. States Parties noted certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information **(NAM) and knowledge** on these developments **(NAM) taking into account that enabling technologies have many benefits for public health in developing countries and the need for a balanced approach keeping in view the legitimate aspects of these new developments in biological science and technology for peaceful purposes**, such as:

a. advances of relevance to agriculture, such as improved biological control methods to combat plant pests and diseases, and approaches to improve **(UK) food** production of ~~food components~~;

b. advances and research in biology, biotechnology, bioengineering and biomedical engineering, in particular, developments in enabling technologies including high-throughput systems for sequencing, synthesizing and analyzing DNA, bioinformatics and computational tools and systems biology, host-pathogen interactions for enhanced cooperation and making vaccines, medicines and diagnostics production simpler, faster, cheaper and more efficient in developing countries; and

c. **(NAM) advances in immunology**, such as the CRISPR/Cas system to edit, silence and activate genes at any given site in virtually any kind of genome, including human cells.

(NAM)

c. Alt. 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;

(NAM: Para.s 12 and 13 to be deleted and replaced by Para. 34 of 2014 MSP Report)

12. ~~States Parties noted that advances in science and technology can have potential for uses contrary to the provisions benefits for the Convention and agreed on the need to share information on these developments:~~

~~a. developments in production technologies which improve yield, speed, flexibility, cost-effectiveness, portability, availability and safety that could also be applicable for the production of biological or toxin weapons agents;~~

~~b. improved dispersal and delivery methods which have the potential to be misused for hostile purposes;~~

~~c. increasing sophistication and worldwide spread of synthetic biology, together with other enabling technologies, such as gene editing; and~~

~~d. lack of criteria for identifying research as being in contravention of the BWC.~~

(RUS) (d) lack of criteria for identifying research as being of direct relevance to the object and purpose of the Convention.

13. ~~States Parties noted the importance of facilitating the fullest possible exchange of relevant technologies where their use is fully consistent with the peaceful objects and purposes of the Convention.~~

(NAM: Para. 34 of last 2014 MSP report to take the place of para 12 and 13:)

12 Alt: 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 technologies where their use is fully consistent with the peaceful object and purpose of the Convention.

14. To further address strengthening national biological risk management, as appropriate, in research and development involving new science and technology developments of relevance to the Convention, States Parties noted that a possible measure may include a comprehensive examination of appropriate oversight criteria, inter alia, reaching common understandings on **(US) criteria for assessing risks of relevance to the Convention**, optimal methods for assessing risks and benefits, and optimal approaches to mitigating risks identified at **BWC (UK) meetings**. States Parties further noted that measures taken to mitigate biological risk should be proportional to assessed risk and not hamper peaceful activities, including international cooperation **(NAM) and enhancing scientific**

and technological understanding should guarantee that technology transfers and exchange for peaceful purposes are unhindered.

15. To further address voluntary codes of conduct and other measures to encourage responsible conduct by scientists, academia and industry, States Parties noted the value of **(NAM) formulating of (NAM) including (CHN) guidelines a template** for voluntary codes of conduct for scientists in the fields relevant to the Convention, **(NAM)** and that such codes could help States Parties to guide/regulate individual bio-researchers and institutions in their assessment of risks and benefits. States Parties also noted the need to bring in a diverse range of expertise from all relevant fields and noted the need to avoid codes of conduct imposing restrictions **(NAM) and/or limitations (US)** on exchange of scientific discoveries in the field of biology for peaceful purposes: **inconsistent with the convention.**

(NAM)

15 bis: To further address the need for necessary cooperation and assistance in the form of training to developing countries to set up advanced laboratories for detecting and responding to infectious diseases, collecting and disseminating information on S&T developments, including new research in areas relevant to the Convention, exchange information about databases and networks and ensuring access to such databases and networks and training of personnel without any unjustified limitations that are of utmost importance for the developing countries.

16. To further address education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties recognized that the continuous and accelerating rate of progress in scientific knowledge requires the necessity of deepening a culture of responsible use of this knowledge, which takes into account biological disarmament **(US) and non-proliferation** without undermining peaceful uses. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties **(NAM) agreed discussed** on the need to share information **(NAM) and knowledge** on these developments **(NAM)**, including dual-use research of concern.

17. To further address science- and technology-related developments relevant to the activities of multilateral organizations such as the WHO, OIE, FAO, IPPC and OPCW, States Parties noted that the increasing convergence of chemistry and biology underlines the importance of continuing to build and sustain **(NAM) coordination cooperation** between the Convention and the Chemical Weapons Convention **(NAM) according to national regulation** to assist analysis of the potential benefits and risks resulting from advances in **(US) converging** scientific and technological areas **(US)** of mutual interest.

18. Recalling the decision of the Seventh Review Conference for the 2015 Meetings to address the topical scientific subject of any advances in production, dispersal and delivery technologies of biological agents and toxins, States Parties

noted that advances in such technologies and its implications **(NAM) needs to be discussed** require further. analysis and review:

19. Recognizing other science and technology developments relevant to the Convention, States Parties emphasized the need for **(NAM) continuing** a ~~dedicated, structured, systematic ongoing and flexible process for (NAM) the its~~ review, to provide a more robust and comprehensive foundation on which to base decisions to ensure effective implementation of the Convention. **(NAM) States Parties recognized the value of continuing discussions in light of various proposals made by States Parties, (NAM)** including: ~~Amongst ideas discussed were an expert working group to review the relevant scientific literature and, through reports and presentations, keep States Parties up to date on the latest scientific advances with potential implications for the Convention; a technical body under the BTWG dedicated to reviewing scientific and technological developments; and a panel composed of experts nominated by States Parties~~ **(RUS) regionally representative. There was an agreement that any action in that regard may be taken only at the Review Conference / (NAM) The review process methodology of science and technology related to the Convention, is part and parcel of Review Conference mandate and should be decided by the Review Conference / (SUI) In this regard, States Parties noted the value of separating the technical discussions from the consideration of policy implications. /**

(US)

19 alt: Recognising other science and technology developments relevant to the Convention, States Parties:

a. **emphasized the need for a dedicated, structured, systematic ongoing and flexible process for S&T review, to provide a more robust and comprehensive foundation on which to base decisions to ensure effective implementation of the Convention** ~~Amongst ideas discussed were an expert working group to review the relevant scientific literature and, through reports and presentations, keep States Parties up-to-date on the latest scientific advances with potential implications for the Convention; a technical body under the BWC dedicated to reviewing scientific and technological developments; and a panel composed of experts nominated by States Parties.~~

b. **Noted the potential relevance of tacit knowledge, defined as the set of skills and understanding gained only through direct experience, as an important consideration in assessing the risk of biological weapons production and proliferation.**

20. States Parties noted that among the lessons identified by assessments of the international response to the Ebola Virus Disease (EVD) outbreak in West Africa was the need to expand investment in research and development on diagnostics, drugs and vaccines, **(NAM) and also recognize the importance of**

the accessibility of science and technology developments related to the response of any outbreak.

C. Standing agenda item: Strengthening national implementation

(US / UK)

~~21. 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.~~

(US / UK)

~~22. 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 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.~~

(US)

22. Bis: States Parties agreed that efforts to strengthen national implementation would benefit from better information about the measures States Parties have put in place and the capacity gaps they face, including for the purpose of mobilizing and targeting technical and financial resources to build capacity.

23. To further address a range of specific measures for the full, **(NAM) effective and non-discriminatory** comprehensive implementation of the Convention, especially Articles III and IV **(NAM) which require commitments towards the implementation of all provisions of the Convention**, States Parties noted the value, depending on national needs and circumstances and in accordance with national laws and regulations, continuing to enact, enforce and review of national implementation measures, and to provide appropriate updates on such activities. **(NAM)** 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. **(US) States Parties recognized that such measures should:**

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

(b) Affect only a very few cases where there is a nationally determined unacceptable risk of diversion for prohibited activities;

(c) Address transfers of tangible and intangible goods;

(d) Include 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) Take into account information about proliferation related to and use of biological weapons, 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.

(NAM)

23 bis: Recalling further the Seventh Review Conference call for legal obligations of States Parties to facilitate and have the 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 (agreed language of 7th REVCON Para 50)

(NAM)

23 ter: 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 (Para. 43 last MSP)

24. To further address ways and means to enhance national implementation **(NAM) of all provision of the Convention**, ~~taking into account differences in national circumstances and legal and constitutional processes, sharing best practices and experiences, including the voluntary exchange of information among States Parties on their national implementation, enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions, (NAM) taking into account differences in national circumstances and legal and constitutional processes, sharing best practices and experiences~~, States Parties noted the value of:

a. **(NAM) effective (US) and comprehensive national legislation (NAM) which are consistent and in conformity with all provisions of the Convention;**

(NAM)

a.bis: enacting necessary legislations and/or regulations to ensure the fullest possible exchange of equipment, materials and technologies for peaceful purposes;

(NAM)

a.ter: enacting necessary legislations that any violation of Article X would be prosecuted;

(NAM)

a.quat: take necessary measures to redress and remedy the situations arising from the violation of obligations under Article X, committed by any legal or natural persons;

(NAM)

a.quint: reviewing national laws and regulations governing international exchanges and transfers to ensure that they are in full conformity with the obligations undertaken under Article X;

b. managing the risks of the misuse of research;

c. continuous capacity-building;

d. strengthening domestic biosecurity regulations and capabilities;

e. **(NAM) national export controls (NAM) on sensitive materials (US) and technologies consistent with the requirements of UN Security Council Resolution 1540 / (NAM) in full conformity with the provisions of the Convention;**

(NAM)

e.bis: diverse national export controls should not create obstacles for developing countries to properly manage their public health needs; to this end, appropriate review mechanism to ensure that national laws and regulations are in full compliance with Article X, and to render them consistent with Convention should be devised;

f. providing reassurance through increased transparency and practical demonstrations of continued commitment to the Convention **(US)** and **including** participation in the system of Confidence-Building Measures; and

- g. cross-regional cooperation, through partnership programmes, or by providing the necessary financial resources to States in need.

(RUS)

24 (bis): In the context of examining any potential further measures, as appropriate, relevant for the implementation of the Convention, States Parties considered a proposal on establishing an Open-Ended Working Group to elaborate on a basis of consensus appropriate measures and draft proposals to strengthen the Convention.

(FR)

24 (bis): The conference continued to discuss ways to enhance dialogue on compliance and exchange of good practices in the framework of the BWC, including the organization of voluntary peer reviews by several States parties, and noted informations provided to the Conference in this regard.

25. To further address regional and sub-regional cooperation that can assist national implementation of the Convention, States Parties noted the importance of regional and sub-regional cooperation the sharing of experiences and identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging best 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, and agreed to work together to promote awareness of the implementation of the Convention, and to strengthen regional discussions on the intersessional topics and their application.

26. alt1: To further address national, regional and international measures to improve laboratory biosafety and **(NAM) biosecurity of (NAM) pathogens biological agents** and toxins, States Parties noted the value of, in accordance with national laws and regulations and local conditions, **(NAM) and to establishing effective and appropriate arrangements (NAM) for the safety and security of biological agents and toxins or to improve the existence ones.** States Parties further noted the value of sharing ideas about how best **(NAM) manage dual-use risks in light of various proposals made by States Parties,** examining comprehensively appropriate oversight criteria, improving capacity building for biosafety and security according to their specific situations, raise the level of management and transparency for dual-use bioscience and technology research; establish where appropriate risk assessment and early warning systems for the misuse of bioscience and technology, and to raise awareness of research personnel concerning biosafety and security.

26. alt2: To further address national, regional and international measures to improve laboratory biosafety and security of pathogens and toxins, States Parties noted the value of, in accordance with national laws and regulations and local

conditions, and establishing effective and appropriate arrangements for the safety and security of biological agents and toxins. **(ESP) States Parties noted that focused exchanges of information on these issues through encounters of a voluntary nature can contribute to this aim.** States Parties further noted the value of sharing ideas about how best to manage dual use risks, examining comprehensively appropriate oversight criteria, improving capacity building for biosafety and security according to their specific situations, **(US) raise and raising** the level of management and transparency for dual-use bioscience and technology research, **(US) establishing** where appropriate **(US) mechanisms to guard against the** risk assessment and early warning systems for the misuse of bioscience and technology, and **(US) to raise and raising** awareness of research personnel concerning biosafety and security.

D. 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

(US / UK)

~~27. 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.~~

28. Recognizing a need to provide **(NAM) full**, effective and timely assistance **(NAM) under Article VII to the State Party(ies) exposed to the danger as a result of violations of the Convention** related to Article VII, States Parties **and noting that** noted national capacities and national health systems contribute 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 further noted that even where national capacity is strong, further international assistance may be required **(NAM) by the affected State Party.**

29. States Parties **(NAM)** reaffirmed that Article VII only applies when there has been a violation of the Convention, and is not concerned with natural outbreaks or other biosafety incidents that are not covered under the framework of the Convention. States Parties noted that the **undertaken** to provision **provide** of assistance, **in accordance with the United Nations Charter**, under Article VII, can be provided on the basis of a request by the affected state **(NAM) party pending if** the action or findings of the UN Security Council **(NAM)** with respect to the investigation of alleged use **decides that such Party has been exposed to danger as a result of violation of the Convention.**

(NAM)

29 bis: States Parties having considered relevant agreements reached at past review conferences and common understandings identified at previous

Meetings of States Parties related to Article VII, reiterated 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.

(US)

29 bis States Parties noted the concerns expressed that the requirement for a decision by the UN Security Council could conflict with the imperative for prompt assistance and agreed on the value of further discussion to address this challenge.

30. Recognizing that there are both strong similarities and differences between responses to a deliberate disease and a natural outbreak, (NAM) and agreeing on the value of drawing lessons from natural outbreaks such as the 2014 West African Ebola disease outbreak, States Parties noted:

a. the importance in both cases of a (NAM) rapid **timely** response (NAM) with clear lines of command and control, as well as effective communication and coordination;

b. the value of 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,

(NAM)

b bis: that an event relevant to Article VII is more than an animal, plant or public health emergency, and recognizes that there is no institutional mechanism under the Convention to undertake relevant activities.

(CAN)

b-bis : the value of clear and formal relationships between the Convention and entities responsible for investigating biological incidents, including inter alia the United Nations Secretary-General's Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons and relevant groups within WHO, OIE, FAO, and IPPC, when such an investigation is requested, either directly to those entities or through the Convention via Article VI.

c. the (NAM) importance **value** of social-anthropological understanding of (NAM) cultural norms **national specificities** to ensure rapid engagement with local communities during the response;

(NAM)

d. the importance of recognizing that, in the case of a deliberate outbreak, response teams could face additional challenges, having to operate in a

~~potentially hostile environment and/or alongside national or international investigations efforts; and~~

e. the importance of ensuring timely access to affordable drugs and vaccines and related diagnostic **(NAM) tools**, preventive and therapeutic equipment to affected States Parties **(US) and in this context, of creating appropriate incentive to drive investment**

(NAM)

e. bis the importance of drawing lessons from the Ebola disease outbreak, including addressing the lack of ready operational capacity and the need for a change in the research and development model to ensure timely, accessible and affordable medical support for affected populations at a time when major pharmaceutical companies are reluctant to invest in relevant drugs and vaccines before there is an assured market.

31. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties noted the value of **(NAM) ~~considering~~ various proposals made by States Parties including: / (US) in full coordination with other relevant organisations:**

a. **(NAM) agreed** guidelines, and the information that should be included, to aid a State Party in submitting a request for assistance **(UK) and agreed that in the interim the proposed format in BWC/MSP/2015/MX/WP.10 should be used by state parties / (NAM) not conditioning its submission to providing assistance**

(NAM)

a. bis: Assistance means coordination and delivery of assistance to the requesting State Party,

(NAM)

a.ter: The request or appeal for assistance should be immediately transmitted to all States Parties and relevant international organizations for coordination and delivery of emergency and humanitarian assistance and support,

(NAM)

a.quat: providing the equipment related to the means of protection against the use of biological weapons to the requesting State Party without undue restrictions,

b. **(NAM) agreed** guidelines on the levels of response to be adopted **(NAM) by the States Parties and the assisted by the International organization**, ~~as depends~~ **depending** on the nature of the disease, the

geographical area where the outbreak occurred, **(NAM)** ~~the status~~ **the capabilities and capacities** of the public health system of the State and the potential of international effects;

c. **(CHN)** ~~establishing a database containing information on, and an inventory of, the types of assistance that States Parties could provide, as a means to facilitate provision of assistance to ensure timely and adequate response to a situation involving implementation of Art VII;~~ **(NAM) through specific offers of assistance including, inter alia, expertise, information, protection, detection, decontamination, prophylactic and medical and other equipment;**

d. a database containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

e. procedures, **(NAM)** ~~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, **(NAM)** ~~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;~~

f. a fund for assistance to affected States Parties;

g. capacity-building for international regional and sub-regional organizations that have relevant mandates, **(NAM) as appropriate** such as by joint exercises, workshops and training, including by the use of e-learning modules; and

h. **(NAM / US)** ~~determining~~ **(NAM) exploring / (US) assessing** what **(US)** ~~the role~~ **(US)** ~~of the~~ **if any, the** ISU **(US)** ~~would be~~ **should play** within this mechanism, and **(NAM) if necessary** what **any** additional resources **(NAM)** ~~would be required to enable~~ **for enabling** it to fulfill this role.

32. States Parties noted the value of preparations being made in advance of Article VII being invoked, including, a coordinated government approach to emergency management, addressing the full range of possible implications, establishing clear channels of communication, accessing relevant expert advice, and working to improve effective cooperation between the law enforcement and health sectors.

33. Recognizing that for the implementation of Article VII national preparedness contributes to international capabilities, States Parties noted the value, at the national level, of:

a. strong detection capabilities, including for infectious disease detections and surveillance,

- b. **(NAM) capacity building for** accurate disease mapping, including contact-tracing, social mobilisation capacities, and case investigation;
- c. **(NAM) appropriate—command, control and coordination, as appropriate.** functions, ~~including at a local level;~~ and
- d. mechanisms to manage offers of assistance, and to mobilize and coordinate the provision of assistance to other countries upon request.

34. 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 capabilities and resources to respond effectively to an alleged use of a biological or toxin weapons. States Parties encouraged States Parties in a position to do so to assist other states Parties, upon request, to build relevant capacity.

35. Recalling discussions in 2014 about the importance of assisting other States Parties by, *inter alia*, enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties further **(NAM) agreed—discussed** on the value of collaborating to build relevant national capacity, including:

- a. sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons;
- b. new methods and novel diagnostic technologies and equipment for detection of and quick response to a disease outbreak;
- c. disease surveillance information and analysis, including data on **(NAM) populations in high-risk and vulnerable situations** and ~~high-risk populations;~~
- d. enhancing national capacity **(NAM) including through taking advantage of, inter-alia,** ~~by supporting~~ the implementation of the International Health Regulations core capacities;
- e. working with relevant international organizations to build national capacity, such as core capacities of public and animal health systems, or those to address toxins, as well as coordination arrangements; and
- f. avoiding **(NAM) duplicating existing unnecessary duplication of existing** efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures.

(US / NAM)

~~E. Further Steps~~

~~36. States Parties considered other potential measures relevant for the implementation of the Convention. Such measures include:~~

- a. ~~further discussing how best to improve methods of work at future meetings;~~
- b. ~~examining mutually beneficial tools to enable States Parties to demonstrate their compliance;~~
- c. ~~identifying and further discussing new approaches to enhance national implementation through voluntary exchanges of information, such as the proposed voluntary peer review mechanism;~~
- d. ~~considering an Open Ended Working Group to elaborate on a basis of consensus appropriate measures and draft proposals to strengthen the Convention; including elaborating export control mechanism;~~
- e. ~~reassurance, by demonstrating a willingness to co-operate with other States Parties in resolving alleged breaches (Article V or VII);~~
- f. ~~building an operational capability that could be called upon to assist in responding to a biological situation envisaged in Articles X, VII, and VI of the Convention;~~
- g. ~~having an effective and substantive preparatory process towards the 2016 Review Conference; and~~
- h. ~~working towards identifying options for a legally binding protocol to the Convention and options that could achieve similar objectives to a legally binding protocol to the Convention.~~

An analysis of the above compilation shows that these proposals were made by nine entities – eight States Parties and the NAM:

Entity	Cooperation and Assistance	Science & technology	Strengthening national implementation	Article VII	Further steps
Canada				1	
China	1	1		1	
France			1		
Spain			1		
NAM	42	24	22	39	1
Russian Federation		2	1		
Switzerland	1	1			

UK	5	2	2	2	
USA	23	6	10	9	1
Total	72	36	37	52	2

Second version of the substantive paragraphs (Chairman’s non-paper distributed on Friday morning, 18 December 2015)

The *Chairman’s non-paper on the possible elements for the substantive part of the Report of the 2015 Meeting of States Parties* distributed on Friday morning 18 December 2015 provided a second version of the substantive text. A comparison is provided here of the second (Friday 18 December am) and first (8 December 2015) versions showing additions in **bold** and deletions.

Chairman’s non-paper on the possible elements for the substantive part of the Report of the 2015 Meeting of States Parties – 18 December 2015

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

1. 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.

2. 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.

3. 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.

4. 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.

5. To further efforts to address the 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. enhancing international efforts to bridge the gaps between developed and developing countries, and strengthen international cooperation to ensure all States Parties have access to the benefits of biotechnology, genetic engineering, microbiology and other related areas, in light of **the rapid pace of new science and technology developments , including, *inter alia* developments of special relevance to disease surveillance, diagnosis and mitigation as well as advances in enabling technologies;**
 - b. **making** ~~make~~ efforts to **more specifically** identify, **evaluate and address challenges** and overcome obstacles in the implementation of Article X to generate **equitable** benefits for **all** States Parties, **in particular developing countries;**
 - c. **taking steps to facilitate and** ensure timely access to affordable drugs and vaccines and related diagnostic, preventive and therapeutic equipment to affected **States** ~~people~~, especially in developing countries, as highlighted by the outbreak of Ebola in West Africa in 2014; ~~and~~
 - d. continuing national, regional and international efforts to support **the full** access and exchange **for all States Parties, in particular from** ~~between~~ ~~developed to~~ ~~and~~ developing countries, of equipment, materials, scientific and technological information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources in the field of life sciences and related areas intended for peaceful purposes; **and**
 - e. **facilitate the participation from developing to developed countries, through ICT tools, of scientific information, lessons learned exchanges and sectorial know-how through a cooperative approach.**
6. 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 noted the value of:
- a. avoiding imposing restrictions and/or limitations on transfers of scientific knowledge, technology, equipment and materials for purposes consistent with the objectives and provisions of the Convention;
 - b. assisting States Parties in the development of appropriate national systems of health care that can respond effectively to infectious disease outbreaks, including through contributing to the training of human resources, transfer of technologies to help improve national capacities for diagnosis, research, ~~and~~ response, **mitigation and recovery** including means of protection, and promote academic and scientific exchange between national experts ~~related to biosafety and biosecurity~~, **and in this context welcomed initiatives that aim to promote and coordinate such assistance, upon request and with the consent of the State Parties;**

- c. encouraging long-term, sustainable cooperation that meets the needs of the receiving countries **including by addressing sustainability, suitability and consistency with recipient needs in the planning stages**;
 - d. the growing number of ~~free-access~~ scientific publications **and the need to promote access through reducing barriers, including help reduce** barriers imposed by the high costs of subscriptions;
 - e. sharing relevant information about the opportunities and challenges resulting from scientific advances in the life sciences and in biotechnology, infectious disease outbreaks, **and healthcare, agriculture and industry, including through papers and expert presentations at BWC meetings**;
 - f. **taking steps to facilitate and ensure** ensuring that States Parties have **full** access to the benefits of advances in life sciences, **for peaceful purposes** including recent advances such as new technologies, the production or development of vaccines, biological production technologies, and equipment and training for appropriate **levels of level** containment laboratories;
 - g. facilitating the availability of cost-effective, affordable and quality-assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes; and
 - h. **promoting collaborative research and development, including through exchange of scientists and providing training opportunities in advanced laboratories.**
 - h. ~~— assisting States Parties in the event of a biological incident whether a natural outbreak, or an accidental release of biological agents.~~
7. To further address ways and means to target and mobilize resources, including financial resources, to address gaps and needs for assistance and cooperation, in particular from developed to developing States Parties, and from international and regional organizations and other relevant stakeholders, States Parties noted the value of:
- a. **facilitating the fullest possible exchange of equipment, materials, and technologies for peaceful purposes, and recognized that International cooperation under Article X is not limited to financial resources**;
 - b. ~~promoting the relevance of the Convention to both signatories and non-State Parties that rarely participate in the meetings of the BWC.~~ States Parties in a position to do so should consider **additional contributions** to the **BWC** Sponsorship programme to increase the level of participation in meetings of the BWC **and taking into account the high importance of its predictability**; and

c. further utilizing the cooperation and assistance database established in pursuance of the decision of the 7th review Conference for targeting resources by States Parties offering assistance and cooperation, **including by taking steps to organise offers thematically and adding links to other relevant tools, resources, and programmes in order to increase the overall utility of the database, assessing the functionality of the database and for the ISU to report regularly on the operation of the database, in order to meet the need of the States Parties.** ~~by making concrete offers in areas directly relevant to the Convention~~

8. To further address education, training, exchange and twinning programmes and other means of developing human resources in the biological sciences and technology relevant to the implementation of the Convention, particularly in developing countries, States Parties acknowledged that exchanges in education and training **contribute to** ~~are of fundamental importance for~~ the development of relevant human resources in the field of biological sciences, and that international cooperation in education and training will help **to reduce** ~~bridge~~ the gap between the capabilities of **States Parties** ~~of developing and developed countries.~~

9. To further address capacity-building, through international cooperation, in biosafety and biosecurity, and for detecting, **notifying**, ~~reporting~~ and responding to outbreaks of infectious disease or biological weapons attacks, including in the areas of preparedness, response, and crisis management and mitigation, States Parties noted that recent **lessons learnt from** infectious disease outbreaks reinforce the need for a continued and **stronger** concerted international effort to build countries' capacities, at the request of the recipient State and in accordance with their needs, to effectively mitigate the risk posed to **human, animal and plant** ~~world health by~~ **relevant biological agents** ~~pathogenic microorganisms.~~

10. To further address coordination of cooperation with other relevant international and regional organizations, and other relevant stakeholders, States Parties recognized that relevant international and regional organizations such as the WHO and the OIE play an important role in disease surveillance, prevention, detection, ~~and~~ response, **mitigation and recovery** and there is therefore merit in coordination and cooperation between States Parties and relevant international organizations in accordance with their respective mandates.

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

11. States Parties **identified** ~~noted~~ 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** ~~such as:~~

a. advances of relevance to agriculture, such as improved biological control methods to combat plant pests and diseases, and approaches to improve **food** ~~production of food components;~~

b. advances and research in biology, biotechnology, bioengineering and biomedical engineering, in particular, developments in enabling technologies including high-throughput systems for sequencing, synthesizing and analyzing DNA, bioinformatics and computational tools and systems biology, host-pathogen interactions for enhanced cooperation and making vaccines, medicines and diagnostics production simpler, faster, cheaper and more efficient in developing countries; and

c. advances in immunology, **and various enabling technologies, including, inter alia, genome editing tools including those derived from bacterial “immune systems”,** such as CRISPR /Cas system to edit, silence and activate genes at any given site in virtually any kind of genome, including human cells., **as well as those related to continuing progress in synthetic biology.**

12. States Parties noted that **some of the developments reviewed** ~~advances in science and technology~~ can have the potential for uses contrary to the provisions of ~~benefits for 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.** ~~and agreed on the need to share information on these developments:~~

~~a. developments in production technologies which improve yield, speed, flexibility, cost effectiveness, portability, availability and safety that could also be applicable for the production of biological or toxin weapons agents;~~

~~b. improved dispersal and delivery methods which have the potential to be misused for hostile purposes;~~

~~e. increasing sophistication and worldwide spread of synthetic biology, together with other enabling technologies, such as gene editing; and~~

~~d. lack of criteria for identifying research as being in contravention of the BWC.~~

States Parties **also agreed** ~~noted on~~ the importance of facilitating the fullest possible exchange of relevant technologies where their use is fully consistent with the peaceful **object** and **purpose** of the Convention.

13. To further address strengthening national biological risk management, as appropriate, in research and development involving new science and technology developments of relevance to the Convention, States Parties noted that a possible measure may include a comprehensive examination of appropriate oversight criteria, inter alia, reaching common understandings on optimal methods for assessing risks and benefits, **including risks of misuse,** and optimal approaches to mitigating risks, identified at BWC **meetings.** States Parties further noted that measures taken to mitigate biological risk should be proportional to assessed risk and not hamper peaceful activities, including international cooperation.

14. To further address voluntary codes of conduct and other measures to encourage responsible conduct by scientists, academia and industry, States Parties noted the value of **considering a template** ~~formulating of guidelines~~ for voluntary codes of conduct for scientists in the fields relevant to the Convention, ~~and that such codes could help States Parties to guide/regulate individual bio-researchers and institutions in their assessment of risks and benefits.~~ States Parties also noted the need to bring in a diverse range of expertise from all relevant fields and noted the need to avoid codes of conduct imposing restrictions **and/or limitations inconsistent with the convention.**

15. To further address education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties recognized that the continuous and accelerating rate of progress in scientific knowledge requires the necessity of deepening a culture of responsible use of this knowledge, which takes into account **the object and purpose of the Convention** ~~biological disarmament~~ without undermining peaceful uses. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties **discussed** ~~agreed~~ on the need to share information **and knowledge** on these developments, including dual-use research of concern.

16. To further address science- and technology-related developments relevant to the activities of multilateral organizations such as the WHO, OIE, FAO, IPPC and OPCW, States Parties noted that the increasing convergence of chemistry and biology underlines the importance of continuing to build and sustain **cooperation** ~~coordination~~ between the Convention and the Chemical Weapons Convention to assist analysis of the potential benefits and risks resulting from advances in **converging** scientific and technological areas ~~of mutual interest.~~

17. Recalling the decision of the Seventh Review Conference for the 2015 Meetings to address the topical scientific subject of any advances in production, dispersal and delivery technologies of biological agents and toxins, States Parties noted that advances in such technologies and its implications **needs to be discussed** ~~require further analysis and review.~~

18. **Recognizing** ~~Recognising~~ other science and technology developments relevant to the Convention, States Parties emphasized the need for a dedicated, structured, systematic, ongoing and flexible process for **S&T** ~~the review, to provide a more robust and comprehensive foundation on which to base decisions to ensure effective implementation of the Convention.~~ States Parties **recognized the value of continuing discussions in light of various proposals made by States Parties. States Parties were of the view that this matter be discussed in the Review Conference.** ~~Amongst ideas discussed were an expert working group to review the relevant scientific literature and, through reports and presentations, keep States Parties up to date on the latest scientific advances with potential implications for the Convention; a technical body under the BWG dedicated to reviewing scientific and technological developments; and a panel composed of experts nominated by States Parties.~~

19. States Parties noted that among the lessons identified by assessments of the international response to the Ebola Virus Disease (EVD) outbreak in West Africa was the need to expand investment in research and development on diagnostics, drugs and vaccines, **and also recognize the importance of the accessibility of science and technology developments related to the response of any outbreak.**

C. Standing agenda item: Strengthening national implementation

20. 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.

21. 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. ~~Amongst ideas discussed were an expert working group to review the relevant scientific literature and, through reports and presentations, keep States Parties up-to-date on the latest scientific advances with potential implications for the Convention; a technical body under the BWC dedicated to reviewing scientific and technological developments; and a panel composed of experts nominated by States Parties.~~ States Parties noted the value of elaborating further the existing common understandings related to national implementation.

22. **States Parties agreed that efforts to strengthen national implementation would benefit from better information about the measures States Parties have put in place and the capacity gaps they face, including for the purpose of mobilizing and targeting technical and financial resources to build capacity.**

~~23. 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, depending on national needs and circumstances and in accordance with national laws and regulations, continuing to enact, enforce and review of national implementation measures, and to provide appropriate updates on such activities. 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.~~

23. To further address ways and means to enhance national implementation, taking into account differences in national circumstances and legal and constitutional processes, sharing best practices and experiences, including the voluntary exchange of information among States Parties on their national

implementation, enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions, States Parties noted the value of:

- a. effective **and comprehensive** national legislation **which are consistent with all provisions of the Convention**;
- b. managing the risks of the misuse of research;
- c. continuous capacity-building;
- d. strengthening domestic biosecurity regulations and capabilities;
- e. **national** export controls **consistent with all provisions of the Convention** ~~on sensitive materials~~;
- f. providing reassurance through increased transparency and practical demonstrations of continued commitment to the Convention **including improved** ~~and~~ participation in the system of Confidence-Building Measures; and
- g. cross-regional cooperation, through partnership programmes, or by providing the necessary financial resources to States in need.

24. To further address regional and sub-regional cooperation that can assist national implementation of the Convention, States Parties noted the importance of regional and sub-regional cooperation the sharing of experiences and identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging best 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, and agreed to work together to promote awareness of the implementation of the Convention, and to strengthen regional discussions on the intersessional topics and their application.

25. To further address national, regional and international measures to improve laboratory biosafety and **biosecurity** ~~security~~ of **biological agents** ~~pathogens~~ and toxins, States Parties noted the value of, in accordance with national laws and regulations and local conditions, establishing effective and appropriate arrangements for the safety and security of biological agents and toxins. States Parties further noted the value of sharing ideas about how best to manage dual use risks, **in light of various proposals made by States Parties, including** examining comprehensively appropriate oversight criteria, improving capacity building for biosafety and security according to their specific situations, raise the level of management and transparency for dual-use bioscience and technology research, establish where appropriate **mechanisms to guard against** ~~risk assessment and early warning systems~~ for the misuse of bioscience

and technology, and **raising** ~~to raise~~ awareness of research personnel concerning biosafety and security.

D. 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

26. 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.

27. Recognizing a need to provide effective and timely assistance **under related to Article VII to the State Party exposed to the danger as a result of violations of the Convention and noting that States Parties noted** national capacities and national health systems contribute 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 further noted that even where national capacity is strong, further international assistance may be required **by the affected State Party.**

28. States Parties having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, reiterated 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.

~~29. States Parties reaffirmed that Article VII only applies when there has been a violation of the Convention, and is not concerned with natural outbreaks or other biosafety incidents that are not covered under the framework of the Convention. States Parties noted that the provision of assistance under Article VII can be provided on the basis of a request by the affected state pending the action or findings of the UN Security Council with respect to the investigation of alleged use.~~

29. Recognizing that there are both strong similarities and differences between responses to a deliberate disease and a natural outbreak, ~~and agreeing on the value of drawing lessons from natural outbreaks such as the 2014 West African Ebola disease outbreak,~~ States Parties noted:

- a. the importance in both cases of a rapid response, as well as effective communication and coordination;
- b. the value of 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;

c. **that an event relevant to Article VII is more than an animal, plant or public health emergency, and recognizes that there is no institutional mechanism under the Convention to undertake relevant activities;**

~~e. the importance of social anthropological understanding of cultural norms to ensure rapid engagement with local communities during the response;~~

~~d. the importance of **understanding of national and regional specificities to ensure rapid engagement with local communities during the response**; recognising that, in the case of a deliberate outbreak, response teams could face additional challenges, having to operate in a potentially hostile environment and/or alongside national or international investigations efforts;~~

e. the importance of ensuring timely access to affordable drugs and vaccines and related diagnostic tools, preventive and therapeutic equipment to affected States Parties; and

f. **the importance of drawing lessons from the Ebola disease outbreak, including addressing the lack of ready operational capacity and the need for a change in the research and development model to ensure timely, accessible and affordable medical support for affected populations.**

30. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties noted the value of **various proposals made by States Parties including** ~~considering~~:

a. guidelines, and the information that should be included to aid a State Party in submitting a request for assistance;

b. **The request or appeal for assistance should be transmitted in a timely manner to all States Parties and relevant international organizations for coordination and delivery of emergency and humanitarian assistance and support;**

c. guidelines on the levels of response to be adopted **by the States Parties, depending** ~~as depends~~ on the nature of the disease, the geographical area where the outbreak occurred, **and the capabilities and capacities** ~~the status~~ of the public health system of the State and the potential of international effects;

d. establishing a database containing information on, and an inventory of, the types of assistance that States Parties could provide, as a means to facilitate provision of assistance to ensure timely and adequate response to a situation involving implementation of Art VII;

- e. a **database** databank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;
- f. 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;~~
- g. a fund for assistance to affected States Parties;
- h. capacity-building for international regional and sub-regional organizations that have relevant mandates, **as appropriate**, such as by joint exercises, workshops and training, including by the use of e-learning modules; and
- i. **exploring** ~~determining~~ what role **if any**, of the ISU **should play** ~~would be~~ within this mechanism and **any what** additional resources **for enabling such a** ~~would be required to enable it to fulfil this role.~~

31. States Parties noted the value of preparations being made in advance of Article VII being invoked, including, a coordinated government approach to emergency management, addressing the full range of possible implications, establishing clear channels of communication, accessing relevant expert advice, and working to improve effective cooperation between the law enforcement and health sectors.

32. Recognizing that for the implementation of Article VII national preparedness contributes to international capabilities, States Parties noted the value, at the national level, of:

- a. strong detection capabilities, including for infectious disease detections and surveillance;
- b. **capacity building for** accurate disease mapping, including contact-tracing, social mobilisation capacities, and case investigation;
- c. appropriate command, control and coordination, functions; and
- d. mechanisms to manage offers of assistance, and to mobilize and coordinate the provision of assistance to other countries upon request.

33. 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 capabilities and resources to respond effectively to an alleged use of a biological or toxin weapons. States

Parties encouraged States Parties in a position to do so to assist other states Parties, upon request, to build relevant capacity.

34. Recalling discussions in 2014 about the importance of assisting other States Parties by, *inter alia*, enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties further agreed on the value of collaborating to build relevant national capacity, including:

- a. sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons;
- b. new methods and novel diagnostic technologies and equipment for detection of and quick response to a disease outbreak;
- c. disease surveillance information and analysis, including data on **populations in high-risk and vulnerable situations** ~~vulnerable and high-risk populations~~;
- d. enhancing national capacity **including through taking advantage of, inter-alia**, ~~by supporting~~ the implementation of the International Health Regulations core capacities;
- e. working with relevant international organizations to build national capacity, such as core capacities of public and animal health systems, or those to address toxins, as well as coordination arrangements; and
- f. avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures.

E. Further Steps

~~36. States Parties considered other potential measures relevant for the implementation of the Convention. Such measures include:~~

- ~~a. further discussing how best to improve methods of work at future meetings;~~
- ~~b. examining mutually beneficial tools to enable States Parties to demonstrate their compliance;~~
- ~~c. identifying and further discussing new approaches to enhance national implementation through voluntary exchanges of information, such as the proposed voluntary peer review mechanism;~~
- ~~d. considering an Open Ended Working Group to elaborate on a basis of consensus appropriate measures and draft proposals to strengthen the Convention; including elaborating export control mechanism;~~
- ~~e. reassurance, by demonstrating a willingness to co-operate with other States Parties in resolving alleged breaches (Article V or VII);~~

~~f. building an operational capability that could be called upon to assist in responding to a biological situation envisaged in Articles X, VII, and VI of the Convention;~~

~~g. having an effective and substantive preparatory process towards the 2016 Review Conference; and~~

~~h. working towards identifying options for a legally binding protocol to the Convention and options that could achieve similar objectives to a legally binding protocol to the Convention~~

Third version of the substantive paragraphs (Chairman's non-paper distributed on Friday afternoon, 18 December 2015)

The third version of the substantive paragraphs of the report of MSP/2015 were distributed on Friday afternoon, 18 December 2015 and this was accepted without further changes in the report of MSP/2015 (BWC/MSP/2015/6 dated 27 January 2016).

The *Chairman's non-paper on the possible elements for the substantive part of the Report of the 2015 Meeting of States Parties* (Rev. 1) distributed on Friday afternoon 18 December 2015 provided a third version of the substantive text. This contained a few additions and deletions when compared to the second version distributed on Friday morning and these additions are shown in **bold** and deletions in the version provided below.

Chairman's non-paper on the possible elements for the substantive part of the Report of the 2015 Meeting of States Parties – 18 December 2015

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

1. 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.

2. 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.

3. 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.

4. 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.

5. To further efforts to address the 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. enhancing international efforts to bridge the gaps between developed and developing countries, and strengthen international cooperation to ensure all States Parties have access to the benefits of biotechnology, genetic engineering, microbiology and other related areas, in light of the rapid pace of science and technology developments, including, *inter alia* developments of special relevance to disease surveillance, diagnosis and mitigation as well as advances in enabling technologies;

b. making efforts to more specifically identify, evaluate and address challenges and overcome obstacles in the implementation of Article X to generate equitable benefits for all States Parties, in particular developing countries;

c. taking steps to facilitate and ensure timely access to affordable drugs and vaccines and related diagnostic, preventive and therapeutic equipment to affected States, especially in developing countries, as highlighted by the outbreak of Ebola in West Africa in 2014;

d. continuing national, regional and international efforts to support the full access and exchange for all States Parties, in particular from developed to developing countries, of equipment, materials, scientific and technological information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources in the field of life sciences and related areas intended for peaceful purposes; and

e. facilitate the participation from developing to developed countries, through ICT tools, of scientific information, lessons learned exchanges and sectorial know-how through a cooperative approach.

6. 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 noted the value of:

a. avoiding imposing restrictions and/or limitations on transfers of scientific knowledge, technology, equipment and materials for purposes consistent with the objectives and provisions of the Convention;

b. assisting States Parties in the development of appropriate national systems of health care that can respond effectively to infectious disease outbreaks, including through contributing to the training of human resources, transfer of technologies to help improve national capacities for diagnosis, research, response, mitigation and recovery including means of

protection, and promote academic and scientific exchange between national experts, and in this context welcomed initiatives that aim to promote and coordinate such assistance, upon request and with the consent of the State Parties;

~~e. encouraging long term, sustainable cooperation that meets the needs of the receiving countries including by addressing sustainability, suitability and consistency with recipient needs in the planning stages;~~

c. the growing number of scientific publications and the need to promote **wider** access through reducing barriers, including barriers imposed by the high costs of subscriptions;

d. sharing relevant information about the opportunities and challenges resulting from scientific advances in the life sciences and in biotechnology, infectious disease outbreaks, healthcare, agriculture and industry, including through papers and expert presentations at BWC meetings;

e. taking steps to facilitate and ensure that States Parties have full access to the benefits of advances in life sciences, for peaceful purposes including recent advances such as new technologies, the production or development of vaccines, biological production technologies, and equipment and training for appropriate levels of containment laboratories;

f. facilitating the availability of cost-effective, affordable and quality-assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes; and

g. promoting collaborative research and development, including through exchange of scientists and providing training opportunities in advanced laboratories.

7. To further address ways and means to target and mobilize resources, including financial resources, to address gaps and needs for assistance and cooperation, in particular from developed to developing States Parties, and from international and regional organizations and other relevant stakeholders, States Parties noted the value of:

a. facilitating the fullest possible exchange of equipment, materials, and technologies for peaceful purposes, and recognized that International cooperation under Article X is not limited to financial resources;

b. States Parties in a position to do so should consider additional contributions to the BWC Sponsorship programme to increase the level of participation in meetings of the BWC and taking into account the high importance of its predictability; and

c. further utilizing the cooperation and assistance database established in pursuance of the decision of the 7th review Conference for targeting resources by States Parties offering assistance and cooperation, ~~including by taking steps to organise offers thematically and adding links~~

~~to other relevant tools, resources, and programmes in order to increase the overall utility of the database, assessing the functionality of the database and for the ISU to report regularly on the operation of the database, in order to meet the need of the States Parties.~~

8. To further address education, training, exchange and twinning programmes and other means of developing human resources in the biological sciences and technology relevant to the implementation of the Convention, particularly in developing countries, States Parties acknowledged that exchanges in education and training contribute to the development of relevant human resources in the field of biological sciences, and that international cooperation in education and training will help to reduce the gap between the capabilities of States Parties.

9. To further address capacity-building, through international cooperation, in biosafety and biosecurity, and for detecting, notifying, and responding to outbreaks of infectious disease or biological weapons attacks, including in the areas of preparedness, response, and crisis management and mitigation, States Parties noted that recent lessons learnt from infectious disease outbreaks reinforce the need for a continued and stronger concerted international effort to build countries' capacities, at the request of the recipient State and in accordance with their needs, to effectively mitigate the risk posed to human, animal and plant health by relevant biological agents.

10. To further address coordination of cooperation with other relevant international and regional organizations, and other relevant stakeholders, States Parties recognized that relevant international and regional organizations such as the WHO and the OIE play an important role in disease surveillance, prevention, detection, response, mitigation and recovery and there is therefore merit in coordination and cooperation between States Parties and relevant international organizations in accordance with their respective mandates.

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

11. 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. advances of relevance to agriculture, such as improved biological control methods to combat plant pests and diseases, and approaches to improve food production;

b. advances and research in biology, biotechnology, bioengineering and biomedical engineering, in particular, developments in enabling technologies including high-throughput systems for sequencing, synthesizing and analyzing DNA, bioinformatics and computational tools and systems biology, host-pathogen interactions for enhanced

cooperation and making vaccines, medicines and diagnostics production simpler, faster, cheaper and more efficient in developing countries; and

c. advances in immunology, and various enabling technologies, including, inter alia, genome editing tools including those derived from bacterial “immune systems”, such as CRISPR, as well as those related to continuing progress in synthetic biology.

12. 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 technologies where their use is fully consistent with the peaceful object and purpose of the Convention.

13. To further address strengthening national biological risk management, as appropriate, in research and development involving new science and technology developments of relevance to the Convention, States Parties noted that a possible measure may include a comprehensive examination of appropriate oversight criteria, inter alia, reaching common understandings on optimal methods, including appropriate criteria, as required, for assessing risks and benefits, including risks of misuse, and optimal approaches to mitigating risks, identified at BWC meetings. States Parties further noted that measures taken to mitigate biological risk should be proportional to assessed risk and not hamper peaceful activities, including international cooperation.

14. To further address voluntary codes of conduct and other measures to encourage responsible conduct by scientists, academia and industry, States Parties noted the value of considering a template for voluntary codes of conduct for scientists in the fields relevant to the Convention, States Parties also noted the need to bring in a diverse range of expertise from all relevant fields and noted the need to avoid codes of conduct imposing restrictions and/or limitations inconsistent with the convention.

15. To further address education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties recognized that the continuous and accelerating rate of progress in scientific knowledge requires the necessity of deepening a culture of responsible use of this knowledge, which takes into account the object and purpose of the Convention without undermining peaceful uses. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties discussed on the need to share information and knowledge on these developments, including dual-use research of concern.

16. To further address science- and technology-related developments relevant to the activities of multilateral organizations such as the WHO, OIE, FAO, IPPC and OPCW, States Parties noted that the increasing convergence of chemistry and biology underlines the importance of continuing to build and sustain cooperation between the Convention and the Chemical Weapons

Convention to assist analysis of the potential benefits and risks resulting from advances in converging scientific and technological areas:

17. Recalling the decision of the Seventh Review Conference for the 2015 Meetings to address the topical scientific subject of any advances in production, dispersal and delivery technologies of biological agents and toxins, States Parties noted that advances in such technologies and its implications needs to be discussed further.

18. ~~Recognizing other~~ **States Parties recognized the value of continuing discussions on** science and technology developments relevant to the Convention ~~States Parties emphasized the need for a dedicated, structured, systematic, ongoing and flexible process for S&T review, on which to base decisions to ensure effective implementation of the Convention. States Parties recognized the value of continuing discussions in light of various proposals made by States Parties. in light of various proposals made by States Parties. States Parties were of the view that this matter be discussed in the Review Conference.~~

19. States Parties noted that among the lessons identified by assessments of the international response to the Ebola Virus Disease (EVD) outbreak in West Africa was the need to expand investment in research and development on diagnostics, drugs and vaccines, and also recognize the importance of the accessibility of science and technology developments related to the response of any outbreak.

C. Standing agenda item: Strengthening national implementation

20. 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.

21. 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 the value of elaborating further the existing common understandings related to national implementation, **including in light of various proposals made by States Parties.**

~~22. States Parties agreed that efforts to strengthen national implementation would benefit from better information about the measures States Parties have put in place and the capacity gaps they face, including for the purpose of mobilizing and targeting technical and financial resources to build capacity.~~

22. To further address ways and means to enhance national implementation, taking into account differences in national circumstances and legal and constitutional processes, sharing best practices and experiences, including the voluntary exchange of information among States Parties on their national

implementation, enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions, States Parties noted the value of:

- a. effective and comprehensive national legislation which are consistent with all provisions of the Convention;
- b. **preserving managing the peaceful benefits risks of life science the misuse of research whilst preventing activities contrary to the provisions of the convention**
- c. continuous capacity-building;
- d. strengthening domestic biosecurity regulations and capabilities;
- e. **effective** national export controls **in full conformity** consistent with all provisions of the Convention;
- f. **continuing to work to increase participation in the CBMs, including through a voluntary step-by-step approach seeking to identify impediments and difficulties to participation, as appropriate, as well as by identifying assistance opportunities and packages available to help States Parties participate; and**
- ~~f. providing reassurance through increased transparency and practical demonstrations of continued commitment to the Convention including improved participation in the system of Confidence Building Measures; and~~
- g. cross-regional cooperation, through partnership programmes, or by providing the necessary financial resources to States in need.

23. To further address regional and sub-regional cooperation that can assist national implementation of the Convention, States Parties noted the importance of regional and sub-regional cooperation the sharing of experiences and identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging best 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, and agreed to work together to promote awareness of the implementation of the Convention, and to strengthen regional discussions on the intersessional topics and their application.

24. To further address national, regional and international measures to improve laboratory biosafety and biosecurity of biological agents and toxins, States Parties noted the value of, in accordance with national laws and regulations and local conditions, establishing effective and appropriate arrangements for the safety and security of biological agents and toxins. States Parties further noted

the value of sharing ideas about how best to manage dual use risks, in light of various proposals made by States Parties, including examining comprehensively appropriate oversight criteria, improving capacity building for biosafety and **biosecurity** security according to their specific situations, raise the level of management and transparency for dual-use bioscience and technology research, establish where appropriate mechanisms to guard against the misuse of bioscience and technology, and raising awareness of research personnel concerning biosafety and **biosecurity** security.

D. 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

25. 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.

26. Recognizing a need to provide effective and timely assistance under Article VII to the State Party exposed to the danger as a result of violations of the Convention and noting that national capacities and national health systems contribute 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 further noted that even where national capacity is strong, further international assistance may be required by the affected State Party.

27. States Parties having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, reiterated 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.

28. Recognizing that there are both strong similarities and differences between responses to a deliberate disease and a natural outbreak, States Parties noted:

- a. the importance in both cases of a rapid response, as well as effective communication and coordination;
- b. the value of 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;
- c. that an event relevant to Article VII is more than an animal, plant or public health emergency, and recognizes that there is no institutional mechanism under the Convention to undertake relevant activities;

- d. the importance of understanding of national and regional specificities to ensure rapid engagement with local communities during the response;
- e. the importance of ensuring timely access to affordable drugs and vaccines and related diagnostic tools, preventive and therapeutic equipment to affected States Parties; and
- f. the importance of drawing lessons from the Ebola disease outbreak, including addressing the lack of ready operational capacity and the need for a change in the research and development model to ensure timely, accessible and affordable medical support for affected populations.

29. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties noted the value of various proposals made by States Parties including:

- a. guidelines, and the information that should be included to aid a State Party in submitting a request for assistance;
- b. The request or appeal for assistance should be transmitted in a timely manner to all States Parties and relevant international organizations for coordination and delivery of emergency and humanitarian assistance and support;
- c. guidelines on the levels of response to be adopted by the States Parties, depending on the nature of the disease, the geographical area where the outbreak occurred, and the capabilities and capacities of the public health system of the State and the potential of international effects;
- d. establishing a database containing information on, and an inventory of, the types of assistance that States Parties could provide, as a means to facilitate provision of assistance to ensure timely and adequate response to a situation involving implementation of Art VII;
- e. a database containing publicly available information on means of protection against, and responses to, biological and toxin weapons;
- f. Procedures for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party;
- g. a fund for assistance to affected States Parties;
- h. capacity-building for international regional and sub-regional organizations that have relevant mandates, as appropriate, such as by joint exercises, workshops and training, including by the use of e-learning modules; and

- i. exploring what role if any, the ISU should play within this mechanism and any additional resources for enabling such a role.

30. States Parties noted the value of preparations being made in advance of Article VII being invoked, including, a coordinated government approach to emergency management, addressing the full range of possible implications, establishing clear channels of communication, accessing relevant expert advice, and working to improve effective cooperation between the law enforcement and health sectors.

31. Recognizing that for the implementation of Article VII national preparedness contributes to international capabilities, States Parties noted the value, at the national level, of:

- a. strong detection capabilities, including for infectious disease detections and surveillance;
- b. capacity building for accurate disease mapping, including contact-tracing, social mobilisation capacities, and case investigation;
- c. appropriate command, control and coordination, functions; and
- d. mechanisms to manage offers of assistance, and to mobilize and coordinate the provision of assistance to other countries upon request.

32. 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 capabilities and resources to respond effectively to an alleged use of a biological or toxin weapons. States Parties encouraged States Parties in a position to do so to assist other states Parties, upon request, to build relevant capacity.

33. Recalling discussions in 2014 about the importance of assisting other States Parties by, *inter alia*, enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties further agreed on the value of collaborating to build relevant national capacity, including:

- a. sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons;
- b. new methods and novel diagnostic technologies and equipment for detection of and quick response to a disease outbreak;
- c. disease surveillance information and analysis, including data on populations in high-risk and vulnerable situations;
- d. enhancing national capacity including through taking advantage of, *inter-alia*, the implementation of the International Health Regulations core capacities;

- e. working with relevant international organizations to build national capacity, such as core capacities of public and animal health systems, or those to address toxins, as well as coordination arrangements; and
- f. avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures.

The **final** version of the substantive text as adopted in the report **MSP/2015/6 dated 27 January 2016** was the **same** as that provided in The *Chairman's non-paper on the possible elements for the substantive part of the Report of the 2015 Meeting of States Parties* (Rev. 1) distributed on Friday afternoon 18 December 2015.

It is noted that the final version of the substantive paragraphs in BWC/MSP/2015/5 now comprised 10 paragraphs with 15 subparagraphs (compared to 10 paragraphs and 14 subparagraphs in the non-paper distributed by the Chair on 8 December 2015) on the Standing Agenda Item on cooperation and assistance, 9 paragraphs with 3 subparagraphs (compared to 10 paragraphs with 7 subparagraphs in the non-paper distributed by the Chair on 8 December 2015) on the Standing Agenda Item on science and technology, 5 paragraphs and 7 subparagraphs (compared to 6 paragraphs and 7 subparagraphs in the non-paper distributed by the Chair on 8 December 2015) on the Standing Agenda Item on strengthening national implementation and 9 paragraphs and 19 subparagraphs (compared to 9 paragraphs and 23 subparagraphs in the non-paper distributed by the Chair on 8 December 2015) on the biennial topic on Article VII.

Reflections

The principal reflection from considering the Meeting of States Parties held on 14 to 18 December 2015 is the **contrast** between the **unanimous** adoption by the General Assembly of Resolution 70/74 on 7 December 2015 with its clear agreement on the importance of addressing both substantial and procedural issues in preparing for the Eighth Review Conference

Recalling the decision of the Seventh Review Conference that the Eighth Review Conference shall be held in Geneva not later than 2016, ...

9. Stresses the importance of transparent and inclusive preparation for the Eighth Review Conference, to be held in 2016, and encourages States parties to establish a preparatory process allowing for the due and balanced consideration of both substantial and procedural issues related to the review of the Convention and its implementation;

and the evident difficulty at the MSP/2015 of reaching agreement on the schedule for the PrepCom and the Eighth Review Conference.

This difficulty was also evident in the consideration of the substantive paragraphs of the Report of the Meeting of States Parties when it became evident that despite the Chair proposing language for **Further Steps** that clearly looked ahead to the Review Conference in 2016 in his non-paper distributed with his letter to States Parties of 8

December 2015:

36. States Parties considered other potential measures relevant for the implementation of the Convention. Such measures include:

- a. further discussing how best to improve methods of work at future meetings;*
- b. examining mutually beneficial tools to enable States Parties to demonstrate their compliance;*
- c. identifying and further discussing new approaches to enhance national implementation through voluntary exchanges of information, such as the proposed voluntary peer review mechanism;*
- d. considering an Open-Ended Working Group to elaborate on a basis of consensus appropriate measures and draft proposals to strengthen the Convention; including elaborating export control mechanism;*
- e. reassurance, by demonstrating a willingness to co-operate with other States Parties in resolving alleged breaches (Article V or VII);*
- f. building an operational capability that could be called upon to assist in responding to a biological situation envisaged in Articles X, VII, and VI of the Convention;*
- g. having an effective and substantive preparatory process towards the 2016 Review Conference; and*
- h. working towards identifying options for a legally binding protocol to the Convention and options that could achieve similar objectives to a legally binding protocol to the Convention.*

and the clear indication from the Chair and in many of the statements made by States Parties in the General Debate that they were looking forward to the Eighth Review Conference and making decisions at that Review Conference to strengthen the Convention, the substantive language in the Report of MSP/2015 fails to look ahead to the Review Conference. None of the Chair's proposed language, shown above, for Further Steps was adopted.

It is equally evident from examining the successive versions of the substantive language that whenever language was included indicating that something might be considered further at the Review Conference, this was then deleted in the next iteration. One example relates to advances in science and technology where the language in the version distributed on Friday morning 18 December 2015:

18. ~~Recognising~~ **Recognizing** other science and technology developments relevant to the Convention, States Parties emphasized the need for a dedicated, structured, systematic, ongoing and flexible process for **S&T** the review, ~~to provide a more robust and comprehensive foundation on which to base decisions to ensure effective implementation of the Convention.~~ States Parties **recognized the value of continuing discussions in light of various proposals made by States Parties. States Parties were of the view that this matter be discussed in the Review Conference.** ~~Amongst ideas discussed were an expert working group to review the relevant scientific literature and, through reports and presentations, keep States Parties up to date on the latest scientific advances~~

~~with potential implications for the Convention; a technical body under the BWC dedicated to reviewing scientific and technological developments; and a panel composed of experts nominated by States Parties.~~

became in the final version adopted in MSP/2015/6:

~~18. Recognizing other States Parties recognized the value of continuing discussions on science and technology developments relevant to the Convention States Parties emphasized the need for a dedicated, structured, systematic, ongoing and flexible process for S&T review, on which to base decisions to ensure effective implementation of the Convention. States Parties recognized the value of continuing discussions in light of various proposals made by States Parties. in light of various proposals made by States Parties. States Parties were of the view that this matter be discussed in the Review Conference.~~

These deletions are all the more surprising as it is evident that there is a **common understanding** that a different way of addressing advances in science and technology needs to be adopted and that **effective action** could be achieved by an Open-Ended Working Group on science and technology. Yet consensus by deletion once again prevents progress.

It is also noted that the one paragraph that mentions the Eighth Review Conference in the context of the substance of MSP/2015 is paragraph 53:

53. States Parties are encouraged to continue sharing information at subsequent meetings 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).

which is essentially identical to that which appeared in the Report of MSP/2014 (BWC/MSP/2014/5):

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).

Another reflection relates to the language agreed by the Seventh Review Conference in the **Final Declaration** for **Article X** which states that:

*63. The Conference encourages States Parties to provide **at least biannually** appropriate information on how they implement this Article to the*

Implementation Support Unit within the United Nations Office for Disarmament Affairs, and requests the Implementation Support Unit to collate such information for the information of States Parties. The Conference welcomes the information provided by a number of States Parties on the cooperative measures they have undertaken towards fulfilling their Article X obligations. [Emphasis added]

This point was then reiterated in the substantive language relating to the Standing Agenda Item on Cooperation and Assistance in the Report BWC/MSP/2015/5 of the Meeting of States Parties in 2015:

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. [Emphasis added]

which is identical to that in BWC/MSP/2014/5 and BWC/MSP/2013/5.

The following table provides an analysis showing which States Parties have provided such national reports:

MX/2012	MSP/2012	MX/2013	MSP/2013
4	1	None	5
USA	Canada		Japan
Cuba			Canada
European Union*			Germany
Australia			European Union*
			Iraq
MX/2014	MSP/2014	MX/2015	MSP/2015
1	2	3	4
USA	Australia	Iran	United Kingdom
	Germany	Cuba	Canada
		Australia	Global Partnership
			Japan

* The report from the EU in 2012 included projects in 17 of the 28 EU States and in 2013 from 18 of the 28 EU States.

It is evident that the majority of the reports submitted on Article X have come from the Western Group.

Looking ahead to the Eighth Review Conference

Enhancing the effectiveness of the intersessional periods

In looking ahead to the Eighth Review Conference, it is essential to step back and consider the way in which the Biological and Toxin Weapons Convention has advanced over the 40 years since it entered into force in 1975. It needs to be recalled that the present Intersessional Process was agreed in 2002 at the continuation of the Fifth Review Conference and in my report on that meeting (Review no 18, December 2002. Available at: <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva/>) in my reflections I said that:

The decision agreed by the resumed Fifth Review Conference represents a modest step forward which found consensus support by all states parties – and, as such, was better than the indications (outlined in Bradford Review Conference Paper No. 8) earlier in the year which suggested that agreement might not be forthcoming even on annual meetings prior to the Sixth Review Conference in 2006. It is regrettable that the opportunity was missed to adopt a Final Declaration as the reaffirmations and extended understandings provided by such Final Declarations do significantly contribute to the strengthening of the norm and regime totally prohibiting biological weapons.

I went on to also note that:

As Ambassador Tóth made clear in Geneva in November 2002, the success of the new approach depends on the States Parties regaining “confidence that they can do things together” and that if the meetings of 2003–05 are well prepared then the new approach can produce “concrete actions with results”. Otherwise, the new approach could be “an empty shell”. The onus is thus clearly on all states parties to be proactive and to prepare effectively for the annual meetings of experts and of states parties.

Three intersessional periods have now been successfully completed – from 2003 to 2005, then 2007 to 2010 and most recently 2012 to 2015 – and States Parties have demonstrated that *they can do things together*. However, they have been less successful in producing *concrete actions with results* and it is timely – and appropriate – that as States Parties prepare for the Eighth Review Conference consideration is given to how States Parties can work together effectively and actually strengthen the Convention and its implementation.

One of the clearest indications of the ineffectiveness of the present arrangements has come from BWC/MSP/2015/WP. 10 submitted by Switzerland that states:

*During the current intersessional work programme, States Parties have devoted **1.5 days per year to issues around science and technology**. Under half of the allotted time has been used to review relevant developments (an average of **almost 4.5 hours per year**), [Emphasis added].*

It is also evident that despite the mandate agreed at the Seventh Review Conference for the intersessional period being to ***discuss, and promote common understanding and effective action*** on those issues identified for inclusion in the intersessional programme by this Seventh Review Conference [Emphasis added], and despite being clearly expected to achieve *conclusions* or *results* as the agreed mandate also states *All meetings, both of experts and of States Parties, will reach **any conclusions or results** by consensus*. [Emphasis added], there is little if any *effective action* or *results* as the States Parties have chosen to defer any further consideration until the Eighth Review Conference in line with the language agreed at the Seventh Review Conference that *The Eighth Review Conference will consider the work and outcome of these meetings and decide on any further action*.

It is therefore timely and appropriate for States Parties at the Eighth Review Conference to consider how best to strengthen the Convention and improve its implementation as the Final Declaration under Article XII of the Convention at the Seventh Review Conference specifically stated that:

66. The Conference decides that the Eighth Review Conference shall be held in Geneva not later than 2016 and should review the operation of the Convention, taking into account, inter alia:

- (a) new scientific and technological developments relevant to the Convention, taking into account the relevant decision of this Conference regarding the review of developments in the field of science and technology related to the Convention;*
- (b) the progress made by States Parties on the implementation of the Convention;*
- (c) progress of the implementation of decisions and recommendations agreed upon at the Seventh Review Conference, taking into account, as appropriate, decisions and recommendations reached at previous review conferences.*

The effectiveness of the intersessional periods from 2003 to 2005, 2007 to 2010 and 2012 to 2015 needs to be evaluated and consideration given to what actual progress and actual action has been achieved. It is evident that little if any effective action has been agreed let alone taken and undue attention has been given to maintaining a careful balance rather than recognizing that effective action could be agreed and taken in some areas whilst not in others. Looking back on the intersessional period that is nearing completion, makes it evident that consideration should be given to whether a more effective arrangement could well be to have an Annual Meeting of States Parties with a clear mandate to agree actions as appropriate supported by Open-Ended Working Groups (OEWG). One such OEWG should address the topic of relevant advances in science and technology whilst another OEWG should address providing reassurance that States Parties are implementing all Articles of the

Convention. This OEWG would address the implementation of Articles III, IV, V and X and would provide a forum within which consideration could be given to the annual submission of CBMs as well as to the biannual reports by States Parties on the implementation of Article X. Reassurance concerning implementation needs to be addressed across the Convention as a whole.

A further point that needs to be addressed in making future intersessional periods more effective is to address the need for continuity and leadership during the period such as by establishing a steering committee that would be made up of the Chair and Vice-Chairs of the Annual Meeting of States Parties together with the Chairs of the Open-Ended Working Groups.

In addition to consideration of how best to improve the effectiveness of the intersessional periods, attention needs to be given to the provision of Confidence Building Measures and to the resources for the Implementation Support Unit.

On **Confidence Building Measures**, it needs to be recalled that at the Seventh Review Conference, the States Parties in their Final Declaration on Article V agreed:

22. The Conference emphasises the importance of the exchange of information among States Parties through the confidence-building measures (CBMs) agreed at the Second and Third Review Conferences. The Conference welcomes the exchange of information carried out under these measures and notes that this has contributed to enhancing transparency and building confidence.

23. The Conference recognises the urgent need to increase the number of States Parties participating in CBMs and calls upon all States Parties to participate annually. The Conference notes that since the Sixth Review Conference, there has only been a slight increase in the percentage of State Parties submitting their CBMs. The Conference emphasises the importance of increasing and continuing participation in the CBMs.

In addition, States Parties also agreed at the Seventh Review Conference that the first biennial item to be considered in the Intersessional Process was to be:

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

The language agreed in the Report of the Meeting of States Parties in 2013 (BWC/MSP/2013/5) regarding this biennial item was:

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

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

(a) Encouraging States Parties that have not participated regularly in the

CBMs or have never participated, to share information on the specific reasons on why they do not participate;
(b) Consider voluntarily making all, or part, of their CBM returns public.

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

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

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

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

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

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

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

The information about the submission of CBMs since the Seventh Review Conference and which of these have been made publicly available shows

Year	Number of CBMs	Number publicly available
2011	69	23
2012	69	23
2013	65	23
2014	71	25
2015	72	30

As the BTWC has currently 173 States Parties, the above table shows that almost 42

per cent – less than half – of the States Parties submit their annual Confidence Building Measure returns and of these less than half make their CBM returns publicly available.

Consequently, States Parties at the Eighth Review Conference need to take steps to ensure that a majority of all States Parties submit their annual CBM returns and make them publicly available.

In addition, the Eighth Review Conference needs to make further improvements in the content of the CBMs – after all, the Seventh Review Conference only adopted 11 out of the 25 proposed improvements – so that the CBMs really build confidence, and it also needs to make provision for the CBM returns to be discussed collectively each year in the intersessional period from 2017 onwards. Moreover, the Annual Meeting of States Parties should be authorised to decide, within the broad framework set by the Eighth Review Conference, on the adoption of minor refinements to the CBMs during the intersessional period in the light of these collective discussions. After all, back in 1987 an Ad Hoc Meeting of Experts, as an “appendix” to Second Review Conference, was convened to “finalise the modalities” of the original CBMs. The Annual Meetings of States Parties from 2017 onwards should likewise be empowered to “finalise the modalities” of an improved CBM regime coming out of the Eighth Review Conference.

In regard to the **Implementation Support Unit**, it needs to be recalled that at the Seventh Review Conference there was considerable support for a modest increase in the strength of the ISU from 3 to 5 positions. However, it became evident late in the Seventh Review Conference that this could not be agreed. As I noted in my reflections in my report on the Seventh Review Conference (available at <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva/HSP%20Reports%20from%20Geneva%20Special%20March%202012.pdf>):

Financial constraints were particularly emphasised by States Parties from southern Europe, but the climate of austerity they reflected was more widely felt. It is evident from the paper circulated by the Secretariat on 21 December 2011 that the annual additional resources sought from Portugal and Spain for the measured and modest augmentation of the ISU in BWC/CONF.VII/4 were \$2,869 for Portugal and \$17,775 for Spain. Given that the major participants had accepted the measured and modest augmentation of the ISU, and that the EU Joint Action in support of the BTWC [Council Joint Action 2008/858/CFSP of 10 November 2008] with its budget of 1.4 M Euro (\$ 1 M) was about to terminate at the end of December 2011 with some \$270,000 unspent, it appears that this was yet another example of the EU's fragmentation and its failure to think and plan ahead in a coordinated way. These constraints resulted in the Conference adopting, in its final hours, a budget embodying zero real growth increase subject only to variations for inflation and for currency fluctuations against the Swiss franc. This strict budgetary discipline impinged on the costs permitted to the Intersessional Process and, notably, prevented any increase of staff or resources for the Implementation Support Unit. The BWC is, in comparison with many, a very inexpensive treaty to administer, but this fact counted for nothing: its

diminutive scale of assessments on States Parties was still subjected to the full force of public expenditure cash limits.

The subsequent annual reports of the Implementation Support Unit have each year reiterated the difficulties caused by the lack of resources:

The decision of the Seventh Review Conference to mandate additional tasks to the Unit without increasing its resources did pose a challenge, however, and the concerns raised in the 2011 ISU report to the Seventh Review Conference about the capacity of the ISU to respond to the requests of States Parties and the geographic distribution of ISU activity remain unresolved – and have even been exacerbated. (MSP/2012/2, para 33).

The decision of the Seventh Review Conference to mandate additional tasks to the Unit without increasing its resources continued to pose a challenge and the concerns raised in the 2011 ISU report to the Seventh Review Conference about the capacity of the ISU to respond to the requests of States Parties and the geographic distribution of ISU activity remain unresolved. (MSP/2013/4, para 31).

The decision of the Seventh Review Conference to mandate additional tasks to the Unit without increasing its resources continued to pose a challenge. The concerns raised in the 2011 ISU report to the Seventh Review Conference about the capacity of the ISU to respond to the requests of States Parties and the geographic distribution of ISU activity remain unresolved. (MSP/2014/4, para 34).

As described in previous reports, the decision of the Seventh Review Conference to mandate additional tasks to the ISU without increasing its resources continued to pose a challenge. The concerns raised in the 2011 ISU report to the Seventh Review Conference about the capacity of the ISU to respond to the requests of States Parties and the geographic distribution of ISU activity remain unresolved. (MSP/2015/3, para 36).

Consequently, States Parties in their preparations for the Eighth Review Conference need to give early consideration to the resources for the Implementation Support Unit. There would be considerable merit in requesting the Implementation Support Unit to prepare a note on the *Estimated costs for the intersessional period of the Convention during 2017-2020* for consideration during the preparations for and at the Review Conference itself.

It should be noted that at the Seventh Review Conference the Secretariat issued BWC/CONF.VII/4 dated 21 December 2011 on the **penultimate** day of the Review Conference. This was entitled *Estimated costs of the intersessional programme of the Convention to be held from 2012–2015* and in its first paragraph stated:

1. By resolution 65/92, adopted without a vote on 8 December 2010, the General Assembly requested the United Nations Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and

to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences.

2. This document is submitted pursuant to the above-mentioned resolution, and pending the decision of the Seventh Review Conference to commission an intersessional programme to run from 2012 to 2015, comprising annual meetings of experts and States Parties, an Implementation Support Unit, and associated elements.

In the preparation for the Eighth Review Conference, there would be value in a corresponding document entitled *Estimated costs for the intersessional **period** of the Convention during **2017-2020*** and commencing with two paragraphs:

*1. By resolution **70/74**, adopted without a vote on **7 December 2015**, the General Assembly requested the United Nations Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences.*

*2. This document is submitted pursuant to the above-mentioned resolution, and pending the decision of the **Eighth** Review Conference to commission a programme to run **in the intersessional period** from 2017 to 2020, comprising annual meetings **such as** of **open-ended working groups** and States Parties, an Implementation Support Unit, and associated elements.*

The amendments shown in bold would enable this document to include illustrative costs for alternative arrangements during the next intersessional period between the Eighth and Ninth Review Conferences and could with advantage include costs for additional members of the ISU such as individuals with appropriate expertise in regard to advances in science and technology, in national implementation and education who might serve as support to the proposed Open-Ended Working Groups.

There would be immense benefit in such an estimate of costs being made available during the PrepCom in August as this would enable States Parties and the European Union to prepare more effectively for the Review Conference and the necessary agreement of the resources for the subsequent activities of the Implementation Support Unit.

The key for a successful Eighth Review Conference lies in the early development of proposals especially those supported by cross regional groups of States Parties.



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>