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**Seventh Review Conference of the States Parties  
to the Convention on the Prohibition of the  
Development, Production and Stockpiling  
of Bacteriological (Biological) and  
Toxin Weapons and on Their Destruction**

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Item 5 (d) of the agenda

Organization of the Review Conference: Background documentation

**Preparation for the Seventh Review Conference of the States  
Parties to the Convention on the prohibition of the  
development, production and stockpiling of bacteriological  
(biological) and toxin weapons and on their destruction**

**Submitted by Hungary on behalf of the European Union**

1. The European Union (EU) wishes to highlight the vital importance of the Seventh Review Conference in deciding the future direction of this Convention, and in particular taking decisions on the further work of States Parties to implement and strengthen the Convention during the next intersessional period. The EU welcomes and encourages the conferences and other opportunities that a number of States Parties are providing both for States Parties and other interested organizations and individuals to engage in informal discussions, with a view to identifying where consensus may be found at the Review Conference on ways of strengthening the Convention. The EU and its Member States have contributed funding for such events. During the period between now and the Seventh Review Conference, the EU looks forward to continuing informal discussions with a wide range of States Parties and others in order to ensure the most productive outcome of the Review Conference.
2. The European Security Strategy and the EU Strategy against the Proliferation of Weapons of Mass Destruction, adopted by the European Council in 2003, underline the risks and threats posed by the rapid advances in biological science, including the possible acquisition and development of a biological weapon by a terrorist group. The EU therefore considers the Biological Weapons Convention (BWC) as a key component of the international non-proliferation and disarmament framework and the cornerstone of efforts to prevent biological agents and toxins from ever being developed and used as weapons.
3. The EU's main priorities for the Seventh Review Conference are the following:
  - (a) Building confidence in compliance;
  - (b) Supporting national implementation;
  - (c) Promoting universal adherence.

4. The underlying objective of this working paper is to share with States Parties the EU's views on how the BWC regime could evolve. The EU is still working on its Position which will be adopted by the European Ministers of Foreign Affairs in the following weeks after the Preparatory Committee of the Seventh Review Conference.

## **I. Building confidence in compliance**

5. The EU supports transparency among States Parties which can demonstrate compliance and increase reciprocal confidence by exchanging information. Mutual confidence in compliance by States Parties is a condition for the long term sustainability of an effective BWC regime. Confidence comes from trust that commitments are being faithfully fulfilled and that all obligations are adhered to. Greater transparency can be achieved by a wide range of measures that could include confidence building measures, information exchanges, formal declarations of relevant facilities and activities, consultations between the States Parties - informal and formal, bilateral or multilateral on any aspect of implementation of and compliance with the Convention; it could also include site visits and inspections to provide better scrutiny of, and insights into, the nature and extent of State Parties biological activities.

### **A. CBM-declarations**

6. CBM declarations are a tool for States Parties to demonstrate compliance through information exchange on activities relevant under the Convention. Unfortunately, among the 163 States Parties, only 72 submitted their CBM returns in 2010. In this regard, the current CBM system can benefit from a better quantity and quality of participation. The EU recalls that the Third Review Conference, Article V of the final document, agreed that States Parties are to implement the CBMs in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, and in order to improve international cooperation in the field of peaceful biological activities.

7. The EU considers the following two priorities on the CBMs:

(a) Increasing number and quality of CBM submission by:

(i) Reducing complexity and removing ambiguity from CBM forms. To that end, the Geneva Forum workshops' reports could serve as a basis for the development of detailed and concrete proposals for the modification of the CBMs. Quality of CBM submissions could be enhanced by keeping/making the CBM forms simple and feasible.

(ii) Supporting CBM compilers. To that end, the ISU could support national points of contact for example by the creation of a reference library, or by offering a 'helpdesk' function, and/or by providing the CBM forms in more languages.

(iii) Integrating information about Article X related assistance offers, requests and activities into the CBM mechanism.

(b) Increasing relevance and comprehensiveness of CBM forms.

The EU supports the inclusion of references of all relevant articles of the Convention in the CBM as it is the main declaration tool of compliance. However this process should not lead to an increased complexity and workload. Careful consideration would have to be given to achieving an appropriate balance between useful information and effort required to provide it.

## **B. Consultations**

8. The EU attaches a lot of importance to the provision for consultation and cooperation under Article V, which stipulates that the States Parties can consult each other in relation to the objective of, or in the application of the provisions of the Convention. Although the BWC does not specifically foresee formal consultations on CBMs they could take place under the auspices of Article V.

## **C. Verification/compliance control**

9. The EU considers verification to be a key long-term goal that would help strengthen the BWC and believes that States Parties should work together to create an enhanced compliance regime.

10. The EU suggests, in the short term, that the Review Conference would call on States Parties to support the strengthening mechanism of the Secretary General of the United Nations. In addition the Review Conference should call on States Parties to ensure the effectiveness of the provisions of the mechanism itself (provision of expertise and equipment). The Review Conference could take practical steps to this end, such as calling for support for training programmes and the development of an analytical laboratory network.

## **II. Strengthening the ISU**

11. Since its inception in 2006, the work of the ISU has been widely recognized as crucial for the BWC and its implementation. In this respect, the prolongation of the ISU's mandate for another five year duration and the inclusion of further activities in the mandate of the ISU are priorities for the EU at the Review Conference.

12. The EU suggests activities in which the ISU could play a role:

(a) Establishing a communication and information platform on policy, scientific and other activities relevant to the Convention (setting up a "reference library"/electronic database for building awareness with States Parties, academia and industry);

(b) Liaising and sharing information with other relevant international organizations;

(c) Further strengthening the national implementation of the BWC by providing an advisory service on national implementation; setting up a "reference library";

(d) Further supporting the CBM system by providing support in the review of the declarations. Based on information supplied in a revised form, the ISU could also be mandated to compile Article X related information into an online database;

(e) Provide adequate inputs in keeping track and assisting review of science and technology developments;

(f) Managing an action plan on universality adopted by States Parties.

13. To carry out the activities mentioned above by the ISU, an expansion of the staff is a necessity. The EU therefore supports an adequate expansion of the current staff.

## **III. Renewing and strengthening the intersessional process**

14. The EU considers that the current intersessional process has proved its value in maintaining awareness among States Parties and the scientific community on BWC related

issues. It is the primary tool that can be used to improve both national implementation and transparency. The EU's objective for the intersessional process is to get agreement on a new substantive work programme for the next five years with more action orientated outcomes. The EU supports the following topics for a new intersessional process either as intersessional topics or through dedicated working groups:

- (a) National implementation;
- (b) Universalisation;
- (c) Assistance and cooperation;
- (d) Developments in science and technology;
- (e) Identification of requirements for assistance in the development and adoption of appropriate regulatory frameworks (focusing on biosafety and biosecurity in the first instance) as well as in the development and implementation of biosafety and biosecurity management standards.

15. Due to the rapid developments in science and technology (S&T), the EU encourages the States Parties at the Review Conference to consider a process of more frequent assessments of relevant S&T developments. More regular review could also serve to maintain a focus on the important role of S&T in the Convention.

16. As noted above the EU supports further examination of the requirements for appropriate regulatory frameworks, in particular on biosafety and biosecurity. Development and implementation of appropriate biosafety and biosecurity management standards for laboratories and industry is also an area worth exploring, both in terms of specific requirements and costs. These standards can help States Parties in the long term with the implementation of the Convention's obligations and could also prove to be a useful tool, along with other measures, to contribute to a future enhanced compliance regime. This is why the EU believes that more discussion is needed on this topic between relevant bodies and that such a dialogue could be part of a new intersessional work programme. However, we should stress that, firstly, such measures are not in any way a substitute for a compliance regime. Secondly, non-governmental regimes, such as international standard systems, are not a substitute for compliance. Thirdly, we should not concentrate on these issues at the expense of State Party level compliance.

17. Finally, on the organization and working methods of the intersessional process, the EU supports the reinforcement of its decisional character by making binding the final report for the States Parties' Meeting, agreeing on road maps, considering the possibility of task groups on specific issues, action plans or recommendations.

#### **IV. Implementing Article X**

18. The EU supports the inclusion of requests/offers/activities concerning cooperation and assistance and exchange of information related to Article X in CBMs. For example, CBM form D could be revised and structured in a way that allows States Parties to exchange that information. In addition, the ISU could be tasked to compile Article X related information into an online database which could be accessible publicly, or exclusively for States Parties.

#### **V. Promoting universalisation**

19. Universalisation of the BWC is a constant priority for the EU, given the low level of participation in the BWC in comparison with other non-proliferation treaties. The EU

believes that further efforts are required to expand the geographical scope of the Convention. The involvement of countries from various regional groups in these efforts would be valuable to raise awareness about the Convention from different perspectives.

20. The Review Conference should consider the adoption of an action plan on universalisation with concrete steps and activities (including outreach events, joint demarches, translation of relevant documents, incentives such as information exchange on assistance offers, possible assistance visit to fill the first CBM form...). This action plan would be evaluated and, if necessary, modified at each States Parties meeting. In addition, dedicated sessions or a working group on universalisation could be organized at experts or States Parties meetings during the intersessional process in order to coordinate outreach activities between various actors and plan regional initiatives.

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