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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Review of the operation of the Convention as provided for in its Article XII

Fostering stakeholder accountability

Submitted by France

I. Background

1. The work carried out during the two previous intersessional processes united an international community composed of the Government authorities of States parties to the Convention, stakeholders from industry, professional organizations, universities and scientific associations. A consensus was gradually reached, firstly, on definitions and concepts and, secondly, on the scale and diversity of biorisks. These risks in all their guises, whether naturally occurring, accidental or intentional, were at the heart of the deliberations.

2. The task now is to capitalize on these core outcomes in order to give the Convention a more ambitious future. While maintaining strict respect for the sovereignty of States, we must now make the transition from the awareness-raising phase to the accountability phase.

II. Fostering accountability through the adoption of domestic legislation: moving towards international traceability?

3. Supplementing national laws transposing the Convention's provisions, many countries have enacted legislation to reduce biorisks in recent years.

4. France has enacted a law underpinned by the Public Health Code which establishes biosafety and biosecurity measures for handling highly pathogenic biological agents.

5. These legally-binding measures ensure that the Government authorities have full traceability in respect of laboratory activities, the parties engaged in these activities, the objectives pursued and the procedures involved.

6. With traceability in the inter-laboratory exchange of the most virulent strains being thus guaranteed, the French Government authorities now have the means to reduce the risk of deliberate misuse. **Unfortunately, this traceability is not yet international in its scope**.

7. The new French law draws heavily on the current provisions of the 1961 Single Convention on Narcotic Drugs.[1]

8. The States parties (currently 180) to the international conventions on drug control[2] are required to adopt appropriate legislation, to establish the necessary administrative and disciplinary measures and to cooperate with international drug control organizations and other States parties. Accordingly, each State party transposes the measures established internationally into national control measures constituting part of the domestic legal system. As a result, each State party maintains its sovereignty in respect of oversight, verification and research activities carried out within its territory but **there is an international mechanism for ensuring product traceability as well as international cooperation between countries**.

9. France suggests that the next intersessional processes should include a discussion of the extent to which and the circumstances in which a system of this kind could foster the development of a shared governance framework for international exchanges.

III. Fostering accountability in scientific laboratories (research, manufacturing, etc.) through non-legislative measures

A. Promoting quality management standards

10. Quality management standards, such as ISO/IEC 17025 and ISO 15189, provide an accreditation of scientists' competence which guarantees the reliability of their work and thus helps determine the level of confidence that clients can place in individual laboratories. Supplemented by guidelines and international best practice guides, as required and according to the specificities of the activity in question, these quality management standards help ensure effective laboratory biorisk management. Not only do they serve as a tool for economic cooperation and development, by attesting to the reliability of the laboratories and the services they provide, but their implementation also serves to increase transparency, in that accredited laboratories are required to undergo third-party compliance audits.

B. Establishing national awareness-raising plans

11. In accordance with the recommendation made in paragraph 15 of the Final Document of the Sixth Review Conference,[3] France calls for the introduction of national awareness-raising plans targeting the scientific community which adhere to the following guidelines:

[1] The 1961 Single Convention on Narcotic Drugs, as amended by the Protocol of 1972.

[2] The 1961 Single Convention on Narcotic Drugs, as amended by the Protocol of 1972, the 1971 Convention on Psychotropic Substances, and the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

[3] The Conference encourages States Parties to take necessary measures to promote awareness amongst relevant professionals of the need to report activities conducted within their territory or under their jurisdiction or under their control that could constitute a violation of the Convention or related national criminal law. In this context, the Conference recognizes the importance of codes of conduct and self-regulatory mechanisms in raising awareness, and calls upon States Parties to support and encourage their development, promulgation and adoption.

(a) States parties to the Convention are each urged to establish a national mechanism to assume responsibility for implementing the national awareness-raising plan for the scientific community. The mechanism should be composed of representatives of Government ministries and agencies engaged in research activities, academics, representatives of leading research organizations and other stakeholders;

(b) The awareness-raising plan should provide for:

(i) Definition of the criteria to be used to identify hazardous areas of research;

(ii) The establishment of scientific monitoring observatories;

(iii) The development of codes of conduct for scientists and manufacturers;

(iv) The dissemination of information through conferences, workshops and dedicated websites.

12. The annual meeting of States parties could serve as a forum at which national mechanisms could share best practice and draft any guidelines that might be needed.

13. States parties could submit progress reports on implementation of their national plans at each Review Conference.

14. To achieve accountability, immediate action to raise awareness is needed.

15. It is therefore essential to include specialized modules on the Convention and its provisions in training programmes for scientists and engineers. The issues of dual use and bioethics should also be addressed. The content and timetable for these courses should be determined by the national mechanism.

IV. Fostering stakeholder accountability through the European Union Centres of Excellence established in implementation of the European Union Instrument for Stability

16. On the basis that security and economic development go hand in hand, France is seeking to encourage responsible development and to this end is contributing to the European Union Centres of Excellence initiative by providing supporting expertise.

17. The aim of the Centres of Excellence initiative launched in 2010 is to mitigate chemical, biological, radiological and nuclear risks in general, including the risks associated with biological materials, by developing a platform for cooperation on biosafety and biosecurity issues through which all stakeholders can move forward in step with each other and ultimately share a **common culture of biorisk mitigation**.

18. Through the involvement of its national experts, France is contributing to this process of exchange, which aims to create conditions conducive to the scientific and economic cooperation that will strengthen national and regional policies in other States parties.