

**Meeting 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**

3 December 2013

English only

2013 Meeting

Geneva, 9–13 December 2013

Item 7 of the provisional agenda

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

**Strengthening Article VII: international cooperation and
assistance in preparing for and responding to biological
incidents**

Submitted by the United States of America

1. Article VII of the Convention requires States Parties to assist any party “that has been exposed to danger as a result of a violation of the Convention.” In practice, this means that the international community must have the will and capacity to work together to rapidly respond to a biological incident. Timely response is critical, as faster mitigation efforts result in more lives saved. The obligation under the BWC is to provide assistance in the event of a violation of the BWC, but it may not always be clear initially whether a disease outbreak is deliberate, accidental, or natural in origin, and many States Parties have therefore made clear their willingness to provide assistance in advance of any determination of a violation. Moreover, most of the challenges encountered in providing assistance and most of the capacities necessary to respond to an intentional outbreak are the same as those required to respond to natural infectious disease outbreaks and other public health emergencies. Efforts to strengthen the implementation of Article VII should recognize and embrace this reality: developing approaches that are applicable regardless of the cause of an outbreak will maximize their relevance and usefulness to States Parties.

2. At the 2011 BWC Review Conference the United States provided a framework for future discussions on preparedness and response by hosting a side event to highlight our national efforts to organize responses to biological incidents, as well as the planning and infrastructure that is provided by an array of international organizations to enhance global cooperation for preparedness and response.

3. The United States continued our contribution on preparedness and response at the 2013 Meeting of Experts, focusing on impediments and opportunities for the provision and acceptance of international assistance during public health emergencies. We submitted a national paper on the subject and hosted a side event highlighting lessons learned from Hurricane Katrina and other natural disasters, Canada’s efforts to address impediments to international assistance, and the World Health Organization’s role in providing assistance during public health emergencies.

4. The 2011 BWC Review Conference charged the States Parties with finding “ways to strengthen implementation of Article VII” in 2014 and 2015. Over the next two years, the United States will focus in the intersessional process on identifying and addressing specific impediments to international preparedness and response, sharing best practices, and improving global capacity to address a biological event. We encourage States Parties to work towards identifying and providing solutions to overcome the legal, regulatory and logistical challenges that impede the ability of governments to both provide and receive international assistance during biological emergencies. We will engage in such efforts as part of our broad approach to achieving global health security, which is aligned with the priorities of the Biological Sub-Working Group of the Global Partnership Against the Spread of Weapons of Mass Destruction, and our obligations under the International Health Regulations (2005) for States Parties to collaborate and develop capacity for response to public health emergencies of international concern.

5. More specifically, in partnership with other states, international organizations, and public and private stakeholders, the United States seeks to accelerate progress towards the development of rapid, effective response capacities to assess, contain, mitigate, and recover from biological threats. One measure that national and international entities can take to improve response capabilities is the development of an interconnected global network of Emergency Operations Centers (EOCs) that support a multi-sectoral response to biological incidents. This network of EOCs should be supported by trained rapid response teams, with access to real-time information, and the capacity to attribute the source of an outbreak. Public health professionals should build relationships with law enforcement to pursue joint criminal and epidemiological investigations. BWC meetings can be used to encourage States Parties to develop or strengthen these capacities and share best practices and models that may be replicable around the world.

6. Additionally, effective response to a biological incident requires the international community to improve global access to medical and non-medical countermeasures that can be rapidly distributed during an emergency. This requires states to strengthen their capacity to produce or procure equipment, medication, vaccines and technical expertise, and to strengthen policies, regulations and operational frameworks for sharing both personnel and countermeasures across borders during biological emergencies. Specifically, states need to consider the recognition or waiver of medical credentials for responding health professionals; liability protections for those who manufacture, donate or administer medical countermeasures during an emergency; regulatory clearance to import and use medical products; and mechanisms for mission funding. Over the next two years of the intersessional process, we encourage States Parties to work towards identifying and providing solutions to overcome the legal, regulatory and logistical challenges that impede the ability of governments to both provide and receive international assistance during biological emergencies.

7. States Parties will, unfortunately, continue to experience catastrophic public health disasters. To best prepare for these emergencies, States should prioritize the development of internal capacities to respond efficiently and effectively to biological emergencies. States should consider working across sectors and leveraging existing partnerships to coordinate and develop joint solutions to facilitate the exchange of assistance. The BWC intersessional process provides an important forum for sharing experiences, coordinating, and developing solutions to improve response efforts. The United States looks forward to working with States Parties and others to promote the development of capacities and regulatory frameworks to improve the rapid response to biological incidents.