

**Eighth 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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General exchange of views

**Position of the European Union relating to the Eighth Review
Conference of the BWC**

Submitted by the European Union

1. The European Union Strategy against the Proliferation of Weapons of Mass Destruction, adopted by the European Council in 2003, underlines 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 European Union therefore considers the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons Convention and on Their Destruction (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.

2. In line with its consistent support for the full implementation and strengthening of the BWC as well as in light of the forthcoming Eighth Review Conference taking place on 7–25 November 2016 in Geneva the European Union adopted Council Decision 2015/2096/CFSP laying down the following common position.

3. In the run up to and during the Eighth Review Conference of the BWC, the European Union will work, in particular, to ensure that the States Parties address the following priorities:

(a) building and sustaining confidence in compliance, by a range of specific measures described below;

(b) supporting national implementation, including by engaging more with non-governmental stakeholders;

(c) supporting the United Nations Secretary-General's Mechanism for investigation of alleged use of biological weapons and agents through further development of its operational capabilities as a means of strengthening Articles VI and VIII of the BWC;

(d) promoting the universality of the BWC.

The European Union's objective is to review the operations of the BWC and the 2012-2015 intersessional process, promote concrete actions and explore options to further



strengthen the BWC. In this regard, the European Union shall put forward concrete proposals to the Eighth Review Conference in 2016 with a view to their adoption by that Conference.

4. Be representative of the diversity of all States Parties: While the work of a science and technology review body should be technical, not political, its composition should be geographically diverse and representative of all States Parties. This is critical for the political credibility of the work products. Special arrangements – such as a voluntary fund or a line item in the ISU budget – could be made to ensure broad cross-regional representation and avoid an unbalanced makeup of the body.

5. For the purpose of the aforementioned objectives, the European Union will:

(a) Contribute to a full review of the operation of the BWC at the Eighth Review Conference, including the implementation of undertakings of the States Parties under the BWC, and the conduct of and outcomes from the 2012-2015 intersessional programme;

(b) Support a new substantive work programme that addresses the limitations of previous intersessional programmes during the period between the Eighth and Ninth Review Conferences through the adoption of enhanced arrangements for further progress under that work programme, with a view to strengthening the effectiveness of the BWC;

(c) Support a Ninth Review Conference of the BWC, to be held no later than 2021;

(d) Build consensus for a successful outcome of the Eighth Review Conference, on the basis of the framework established by previous Conferences, and promote, inter alia, the following key issues:

(i) while recognising that there is no consensus regarding verification at this stage, that remains a central element of a complete and effective disarmament and non-proliferation regime, the European Union is working towards identifying options that in a new intersessional programme and beyond may contribute to an increase in confidence in compliance and to the effective implementation of the object and purpose of the BWC. States Parties should be able to demonstrate compliance, inter alia, by means of interactive information exchanges (such as mandatory or voluntary declarations) and enhanced transparency about their capabilities, activities and actions, including voluntary and other onsite measures as agreed; proposals made during the 2012 - 2015 intersessional programme and the outcomes of the programme provide a basis for this work;

(ii) supporting and strengthening, where necessary, national implementation measures, including administrative, judicial, and criminal legislation, and control over pathogenic microorganisms and toxins in the framework of the BWC; further action could be considered and decisions taken on ways and means to enhance national implementation: outreach to and engagement with non-governmental stakeholders on a national, regional and global level and their role in the promotion of the objectives of the BWC and its implementation; continued support for adoption of appropriate standards on biosafety and biosecurity measures; awareness raising among relevant professionals in the private and public sectors; training and education programmes for those granted access to biological agents and toxins relevant to the BWC; promotion of a culture of responsibility amongst relevant national professionals and the voluntary development, adoption and promulgation of codes of conduct; promoting compliance with obligations under United Nations Security Council resolutions 1540 (2004) and 1673 (2006), where relevant to the elimination of the risk of biological or toxin weapons being acquired or used for terrorist purposes, including possible non-state actor access to materials, equipment,

and knowledge that could be used in the development and production of biological and toxin weapons;

(iii) universal adherence of all States to the BWC, including by calling on all States not party to the Convention to adhere thereto without further delay and to commit legally to disarmament with regard to, and non-proliferation of, biological and toxin weapons; and, pending adherence of such States to the BWC, encouraging such States to participate as observers in the meetings of the States Parties to the Convention and to implement, on a voluntary basis, the provisions of the BWC; and by recommending the adoption of an action plan on universalisation, coordinated by the ISU and evaluated during dedicated sessions at the intersessional meetings;

(iv) working towards the ban on biological and toxin weapons being declared a universally binding rule of international law, including through universalisation of the BWC;

(v) efforts to enhance transparency and build confidence in compliance, including through necessary and achievable revisions to the current CBMs; the European Union is willing to work on the enhancement of the CBMs by identifying measures to increase their direct relevance to the core objective of transparency and the avoidance of suspicions and concerns; continue to support a voluntary peer review process as a valuable tool for increasing transparency between States Parties thereby enhancing confidence in compliance with the BWC and strengthening national implementation through the sharing of good practices, raising stakeholder awareness of implementation requirements and increasing international cooperation in this field;

(vi) strengthening operational capabilities of the United Nations Secretary-General's Mechanism for investigation of alleged use of chemical and biological weapons, including through expanding the cadre of trained experts, training, and the conduct of table-top and field exercises; work done separately can help further strengthen Article VI and indirectly Article VII of the BWC;

(vii) taking decisions on the provision of assistance and coordination in the context of Article VII of the BWC with relevant organisations upon request by any State Party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems as the first line of defence;

(viii) enhancing transparency about cooperation and assistance related to Article X of the BWC and taking into account the mandates, work and the expertise of other international organisations; The European Union will continue to support the concrete implementation of Article X of the BWC through its various assistance programmes and is willing to continue elaboration of common understandings, which forms the basis for effective action with regard to cooperation for peaceful purposes in the framework of the BWC; further action could be considered and decisions taken on the enhancement of international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, on promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases; the European Union will continue to support the operation of the current Cooperation and Assistance Database, and where appropriate, seek ways to enhance its utility; supporting, inter alia, the G7 Global Partnership programmes, relevant European Union programmes and the goals of the Global Health Security Agenda targeted at support for implementation of the International Health Regulations and disarmament, control and security of sensitive materials, facilities, and expertise as appropriate;

(ix) supporting a process of more frequent and focused assessments of relevant scientific and technological developments, which may have implications for the BWC; such a process could involve the incorporation of a standing science and technology advisory function in the ISU and a more substantive review process as a central element in a new intersessional work programme in order to cover relevant events and work conducted by international academies and the States Parties in a more integrated and coordinated fashion.

6. In order to strengthen compliance, the European Union will promote increased relevance and comprehensiveness of CBM-forms by:

(a) examining annual CBM-forms as the regular national declaration tool on implementation and compliance and developing them further with this objective in mind;

(b) reducing to the largest extent possible remaining complexities of CBM-forms and removing potential ambiguities;

(c) supporting the ISU to play more of a role in support of national points of contact in compiling their CBMs through regional seminars and training for electronic submission of CBM-forms;

(d) working to increase the participation, quality and comprehensiveness of the CBMs, by expanding the functionality of the electronic CBM facility and making it, as well as the CBM guide, available in all official languages of the United Nations on the BWC website.

7. In addition to the objectives laid down in paragraph 3, the European Union will support the strengthening of the role of the ISU. In particular, the Union will support:

(a) the prolongation of the ISU's mandate for a further five years;

(b) the inclusion of further activities in the mandate of the ISU to support the implementation of a revised and strengthened intersessional work programme, as proposed in paragraph 7 below;

(c) the developing a more effective system to review scientific and technological developments and their impact on the BWC by establishing, inter alia, a standing science and technology advisory and liaison function in the ISU;

(d) the adoption of an action plan on universalisation to be coordinated by the ISU;

(e) a role for the ISU in supporting States Parties national points of contact in compiling and submitting CBM-forms as noted in paragraph 5;

(f) an adequate expansion of the current ISU staff to meet the new objectives and carry out activities mentioned above.

8. In order to support the review and strengthening of the intersessional programme, the European Union will in particular:

(a) support the following topics for a new intersessional programme, either as intersessional topics or through dedicated working groups, or both:

(i) national implementation and compliance;

(ii) further work on CBMs following the Eighth Review Conference;

(iii) assistance and cooperation under Article VII of the BWC;

(iv) developments in science and technology;

(v) review of the Consultative Committee procedure;

(vi) universalisation as proposed below in paragraph 8.

(b) support the development of national regulatory frameworks on bio-safety and bio-security; although appropriate standards for bio-safety and bio-security for laboratories are not in any way a substitute for a compliance regime, the adoption and promotion of such standards can help individual States Parties in the long term with the implementation of their obligations under the BWC; they could also be a useful tool, along with other measures, to help demonstrate compliance; discussion on this subject, i.e. including with relevant laboratories, biosafety-associations and industry, could be part of a new intersessional work programme;

(c) support voluntary peer review exercises involving States Parties in the context of the BWC; the objective of a peer review exercise is to improve national implementation and to provide reassurance of compliance by means of information exchanges and enhanced transparency regarding, for instance, capabilities, activities and actions for implementation and intentions towards compliance;

(d) support the reinforcement of the decisional power of the intersessional process by exploring a range of options such as clearly defined decision-making powers for specific areas of work.

9. In order to support the universality of the BWC, the European Union will:

(a) support the adoption of an action plan on universalisation, coordinated by the ISU, with concrete steps and activities; the action plan might include activities such as outreach events, joint demarches, translation of relevant documents, incentives such as information exchange on assistance offers; this action plan would be evaluated and, if necessary, modified at each Meeting of States Parties.

(b) support the organisation of dedicated sessions or working group meetings on universalisation during the intersessional process in order to coordinate outreach activities between various actors and plan regional initiatives.

10. The European Union will support efforts to strengthen the United Nations Secretary-General's Mechanism for investigation of alleged use of chemical and biological weapons, in particular, by ensuring the effectiveness of the provisions of the Mechanism and taking practical steps to this end, such as providing support for training programmes, including the hosting of exercises, and developing an analytical laboratory system.

11. The European Union will support efforts to strengthen Article VII of the BWC at the Eighth Review Conference, taking into account efforts elsewhere in building international capacities for responding to outbreaks of infectious disease.

12. The European Union and its Member States have a vested interest in a well-prepared and successful Eighth Review Conference. We stand ready to cooperate with all State Parties to this effect.
