
**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**

26 April 2016

English only

Preparatory Committee
Geneva, 26-27 April and 8-12 August 2016
Item 5 of the agenda
General exchange of views

**Strengthening the ability to take action: an essential agenda
for the Eighth Review Conference**

Submitted by the United States of America

Introduction

1. At the December 2015 BWC Meeting of States Parties, the United States submitted a working paper (BWC/MSP/2015/WP.3) on one of the most critical issues facing the Review Conference in November. It described, in summary fashion, steps the Conference could take to enable BWC States Parties to work together more effectively to counter the threat of acquisition and use of biological weapons, whether by State or non-State actors. In the intervening months, we have engaged with a majority of the BWC's 174 States Parties to solicit their views. This document is an update of the December working paper that seeks to take into account the feedback we have received to date.

2. This working paper is intended as an invitation to further dialogue: our proposals build on ideas advanced by African and Latin American Parties at the Sixth Review Conference, as well as proposals from South Africa, Germany, and the United Kingdom of Great Britain and Northern Ireland at the Seventh Review Conference. We invite additional comments, questions, and suggestions for improvement. Engaging in such discussion now is the best way to ensure a strong, substantive, and widely supported outcome at the Eighth BWC Review Conference.

The need for action

3. The threat posed by biological weapons is a real one. Technological advances and the diffusion of knowledge around the globe, for all their positive effects, have also put the potential for a biological weapons capability within reach of more nations and terrorist or insurgent groups than ever before. A number of governments have expressed increasing concern in recent months over the threat of bioterrorism. Preventing the acquisition and use of biological weapons requires a range of practical measures, and the combined efforts of

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the international community. The current BWC “intersessional work programme,” although useful, has proven insufficient to respond to this challenge. Stronger collective steps by BWC States Parties are needed to address the threat, but it is clear that this will not be possible without first strengthening our ability to take collective action.

4. There remain deep divisions among Parties to the Convention on important issues. However, by acknowledging and carefully managing these divisions, the Eighth Review Conference could take important steps that would reinforce our ability to take meaningful action to strengthen the Convention. The history of past Review Conferences amply demonstrates that the necessary authority to take such steps already exists – what is needed is the political will to make use of it.

Proposal in brief

5. **Improve capacity to review and respond to developments in science and technology:** Many delegations have called for a better process for seeking advice on scientific and technological developments and their implications for the Convention, and several proposals have been advanced with this aim. The United States of America views on key elements of such a process are set out in a separate working paper.

6. **Improve capacity for in-depth substantive and technical discussions:** The current intersessional process tries to do too much in too little time. It does not provide opportunities for in-depth discussion of key issues by technical experts, and progress is, therefore, limited. Technical meetings dedicated to specific topics, tasked to submit reports and recommendations to the political decision-making bodies, are a well-established mechanism in other international *fora*. To improve capacity for in-depth substantive and technical discussions, the Review Conference should take action to replace the annual Meeting of Experts with more focused technical working groups, each with its own Chairman, reporting to the Chairman of the Meeting of States Parties. These working groups should be open to all States Parties, and diverse representation would be highly important. Nevertheless, the need for delegations to seek to contribute relevant expertise should be underscored.

7. Based on the experience of the last intersessional work programme, we submit that technical working groups should be assigned specific tasks, rather than given more general mandates or agendas. As tasks are completed, new tasks could be proposed and approved by the Meeting of States Parties. We suggest that the following are important issue areas that should be evaluated to identify clear, specific taskings for future work:

(a) Strengthening implementation, including measures to combat acquisition and use of biological weapons by terrorists or other non-State actors, and enhancing transparency and assurance of compliance;

(b) Strengthening international capacities for coordination, investigation, and assistance in the event of a suspicious outbreak or biological weapons attack;

(c) Responding to developments in science and technology, including through oversight, outreach, and education;

(d) Promoting and coordinating international cooperation and capacity building, including both Article X and implementation support.

8. **Enhance the authority of the annual Meeting of States Parties:** Meetings of States Parties already take decisions—for example, on the appointment of officers for the following year, on the implementation of the assistance and cooperation database, and on preparations for each Review Conference. Lack of agreement on the parameters of Meetings of States Parties’ authority to address substantive issues, however, has had a

crippling effect. Parties should agree at the Review Conference on clear parameters or guidelines to establish what issues can be decided at such a meeting, and when another procedure, such as making recommendations to the next Review Conference, would be more appropriate.

9. **Strengthen the Implementation Support Unit:** States Parties should augment the staffing and mandate of the ISU consistent with the strengthened structures described above and with any agreed measures that would require ISU support to implement. For example, experience in other *fora* suggests that a dedicated science and technology review body requires strong staff support with an appropriate scientific background if it is to be successful.

10. **Provide greater oversight and steering:** More in-depth substantive processes, a more action-oriented annual meeting, and a strengthened ISU would require some measure of oversight, coordination, and planning. A steering group comprising the Chairman, Vice-Chairmen, and leaders of expert groups should be established to support the Chairman, liaise with the ISU, help to identify and prepare issues for consideration at the annual meetings, and maintain an ongoing focus on BWC issues in Geneva. If desired, a somewhat expanded membership could be considered to ensure that the steering group is sufficiently representative.

11. The approach outlined above will allow BWC States Parties to take action at the Review Conference to establish new, stronger structures immediately, and without protracted negotiation: structures that can both support the implementation of decisions taken by the Review Conference and allow for ongoing intersessional work on issues that require further attention
