

**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**

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**Standing agenda item: strengthening
national implementation**

**Providing Reassurance on Biological Weapons Convention
(BWC) Implementation**

**Submitted by Australia, Brunei Darussalam, Chile, Costa Rica,
Ecuador, Ghana, Japan, Malaysia, Norway, Republic of Korea and
Thailand**

1. The overall aim of this working paper is to raise awareness among relevant national officials and experts on the importance of providing reassurance that States Parties are fully implementing all provisions of the Biological Weapons Convention (BWC) effectively. This builds on a paper submitted at the Meeting of States Parties in December 2014 by Malaysia, Australia, Thailand, Republic of Korea, Ghana, Costa Rica and Japan on the issue of national implementation (BWC/MSP/2014/WP.8). The key objective of this working paper is to develop further “common understandings” and options for “effective action” in relation to this key standing agenda item leading into the 2016 BWC Review Conference.

- Effective implementation of the BWC includes but is not limited to effective national legislation, domestic biosecurity regulations and capabilities and export controls on sensitive materials (in some cases, developed through bilateral and regional cooperative efforts). These measures can all work in a complementary manner to enhance biological security globally, reduce the possibility of BW proliferation, and raise barriers to bioterrorism. These measures can also help to improve detection and response capabilities for natural, accidental or deliberate disease outbreaks, and facilitate exchange in the life sciences for peaceful purposes.

2. This working paper highlights several options for effective action on reassurance for further discussion under the standing agenda item on Strengthening National Implementation.



Introduction

3. Effective implementation of the BWC helps reduce the risks of the biological sciences and biotechnology being deliberately or inadvertently misused for hostile purposes. A key challenge is to provide reassurance to other States Parties that the basic obligations of the BWC are being met.

What is reassurance?

4. In the context of the BWC, reassurance can be achieved by increased transparency and practical demonstrations of continued commitment to the Convention. Annual Confidence Building Measure (CBM) reports already provide level of reassurance by those States Parties that provide these reports. We also encourage greater sharing of experience and capacity to ensure that initiatives to strengthen national implementation are effective and visible to other States Parties.

- We continue to encourage all BWC States Parties to submit comprehensive annual CBMs.

5. Additional unilateral, bilateral or multilateral measures can provide further reassurance about effective implementation of the BWC. We encourage States Parties to enact, enforce and review national implementation measures, and to provide comprehensive reports on such activities (under Articles III, IV and V). These measures include, inter alia:

- Domestic legislation, including the criminalisation of the prohibitions contained in the BWC;
- Regulations on the transfers of BWC relevant materials, equipment and information, including an effective national export control licensing system;
- National biosecurity measures.

6. Where national capacity to undertake such measures is limited, the following are some of the options available to seek external assistance:

- The offers of assistance provided by States Parties through the BWC ISU assistance database;
- The offer by States Parties which have export licensing measures in place to provide assistance on implementation of export controls for chemical and biological transfers;
- Regional cooperation.

7. Reassurance that all BWC provisions are implemented effectively is important – not only those related to National Implementation. Such reassurance can be achieved by demonstrating a willingness to co-operate with other States Parties in resolving alleged breaches (Article V or VI), and to assist other States Parties in the event of a biological incident whether a natural outbreak, accidental release of biological agents, or a deliberate use of biological weapons (Article VII). Proposed initiatives worth further consideration include:

- Building an operational capability (i.e. through generating a list of experts) that could be called upon to assist in responding to a biological incident, in the absence of a full-time inspectorate.

- Extending the UN Secretary General's Special Mechanism to investigate suspected biological weapons facilities and allegations of use, drawing on experiences with the investigations of chemical weapon use in Syria.

8. Reassurance would be further enhanced through greater transparency of BWC relevant activities undertaken by industry and academic and research institutions. This could include their support to domestic arrangements in States Parties jurisdictions facilitating the fullest possible exchange of relevant equipment, materials and scientific and technological information for peaceful purposes, and for those States Parties in a position to do so, contribute to international cooperation in the life sciences for peaceful purposes (Article X).

- We continue to encourage States Parties to submit regular Article X reports.

Summary

9. BWC States Parties have the opportunity to cooperate, in the intersessional programme and in preparations for the Eighth Review Conference in 2016, to advance the cause of building a safer world free of the threat of biological weapons. A key pre-requisite will be to reinforce political support for the Convention and its implementation.

10. By demonstrating increased transparency and cooperation on BWC-relevant activities, including on national implementation, each State Party can reassure other States Parties that it is committed to the effective implementation of the provisions of the Biological Weapons Convention.
