

**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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Item 9 of the agenda

Standing agenda item: Strengthening national implementation

**Providing reassurance on Biological Weapons Convention
(BWC) implementation**

**Submitted by Australia, Canada, Chile, Colombia, Costa Rica,
Ecuador, Ghana, Japan, Malaysia, Norway, Philippines, Republic of
Korea, Switzerland and Thailand**

Overview

1. The overall aim of this working paper is to facilitate the formulation of recommendations for the 2016 Biological Weapons Convention (BWC) Review Conference (RevCon) on ways of providing reassurance that States Parties are fully implementing all provisions of the BWC effectively. This builds on a paper submitted at the Meeting of Experts in August 2015 by Malaysia, Australia, Brunei Darussalam, Chile, Costa Rica, Ecuador, Ghana, Japan, Norway, Republic of Korea, and Thailand on the issue of national implementation (BWC/MSP/2015/MX/WP.16).

- 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 Biological Weapons (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 consideration at the 2016 BWC RevCon 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 a 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; and
- 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; and
- 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); 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); or in relation to Article X cooperation.

8. Proposed initiatives worth further consideration under these Articles 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;
- Encourage greater transparency of BWC relevant activities undertaken by industry and academic and research institutions;

- 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;
- Contribute to international cooperation in the life sciences for peaceful purposes (Article X); and
- Submit regular Article X reports.

Summary

9. BWC States Parties have the opportunity to crystallise better ways to provide reassurance as we head towards the Eighth BWC RevCon 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.
