

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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Consideration of the factual reports of the Meetings of Experts reflecting their deliberations, including possible outcomes

A new initiative to promote voluntary transparency and confidence building measures

Submitted by France

1. The Biological and Toxin Weapons Convention (BTWC) is the first international instrument to ban an entire category of weapons. Unlike the Convention on the Prohibition of Chemical Weapons (CWC), the BTWC does not have a verification mechanism. In the absence of such a mechanism, it is therefore impossible to ensure compliance with the political commitments of a State Party to the Convention.
2. At the Seventh Review Conference of the Biological and Toxin Weapons Convention (BTWC) in December 2011, a working paper (BWC/CONF/VII/WP.28) submitted by France sought to initiate debate on the potential of developing a Peer Review system for the BTWC to build confidence in the implementation of the Convention.

I. What are voluntary transparency exercises?

(a) Transparency exercises contribute to strengthening national implementation of the convention by States parties.

(b) It gives the opportunity to States to improve *confidence*, share best practices and experiences on national implementation, including the voluntary exchange of information on their national implementation, enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions, and by taking also into account mandatory as well as voluntary biosafety and biosecurity requirements.

3. It provides the chance to pave the way and to develop international, regional and bilateral cooperation by identifying key areas where assistance in capacity building may be needed, while fully respecting national sovereignty.

4. France is fully aware that such mechanism cannot serve as a guarantee for a full and effective implementation of the convention. In this sense, voluntary transparency exercises are not aimed at replacing the verification protocol that was not adopted in 2001.



II. Previous exercises

5. Since 2011, 14 countries, including France, have taken the initiative to host a transparency exercise. These various exercises brought together 35 countries from all regional groups. This positive dynamics needs to be pursued and consolidated.
6. Since France first launched the discussion on the matter of voluntary transparency exercises, the concept and its implementation have come a long way. A number of exercises have been led, with a variety of aims and procedural settings.
7. **Canada, Switzerland and the Czech Republic** presented a Compliance Assessment pilot project at the Seventh Review Conference, with follow-up at the 2012 Meeting of Experts. National implementation systems were examined through written submissions
8. **France** conducted a pilot peer review exercise in December 2013, and reported its lessons learned in 2014. This exercise was focused on the national system of biosafety and biosecurity, the national export control system; and the awareness raising policy, with a panel of experts from nine countries.
9. **Belgium, Luxembourg, and the Netherlands** conducted a **peer review exercise** among themselves, using the BWC CBM reporting format. This exercise included two phases: a first phase during which written consultation took place between the three States, and a second phase during which each country organized an event and hosted the other two States for a review through presentations and on-site visits.
10. **Germany** conducted a **peer review** exercise in August 2016, providing information to a team of international experts from 19 countries. The visit included a tour of the Bundeswehr Institute of Microbiology, a visit to the laboratories, conversations with staff, presentation and discussion of research activities, access to the BSL3 laboratory and an assessment meeting, as well as a closing session including discussion, summary, and a final assessment.
11. **Spain and Chile** launched a series of "**voluntary visits**" in 2015-2016 with the aim of improving biosafety and biosecurity at the national level. In each country, a number of bio-facilities were visited. Follow-up workshops were run in Madrid with the goal of fostering regional cooperation in order to help Latin American countries improve their legislation in matters related to biosafety and biosecurity.
12. **Canada, Chile, Ghana, Mexico, and the United States** have partnered in a BWC **Implementation Review** initiative for the purposes of improving national implementation of the BWC through the sharing of information and experiences, increasing transparency, and providing good practices that other BWC Parties may wish to consider in their own effort.
13. **Morocco** conducted in May 2017 an exercise of peer reviews with the support of the European Union, with 10 countries. It aimed to present Moroccan efforts in controlling the proliferation of pathogens, allow the international experts to visit some of the most important Moroccan, and obtain the necessary laboratories in order to picture the way of pathogens management in Morocco, to recommendations from experts to enhance the BWC implementation.

III. A new initiative to promote voluntary transparency and confidence building measures

14. At the last December MSP, States parties agreed to make efforts, during the intersessional process, to explore "*various ways to promote transparency and confidence building under the convention*".
15. France proposes to create an exchange platform for voluntary transparency exercises. This platform will allow to:

- Strengthen the implementation of the BTCW, and in particular support national implementation efforts;
- Discuss and exchange information and best practices on previous and future voluntary exercises envisaged by the BTWC States parties;
- Create a compendium of all transparency exercises conducted so far which will be regularly updated and submitted as a BTWC working paper;
- Identify potential needs for assistance and cooperation, including reusable in the implementation of Article X.

16. France proposes to launch this exchange platform as a side event during the MSP in December. This meeting will be open to all States parties and civil society. It will include presentations on some exercises recently carried out.

17. This platform will constitute a flexible framework available for those States interested in such an initiative, but would in no way constitute a standard or a rigid framework. This initiative will be conceived as a tool to facilitate and accompany national voluntary initiatives to organize transparency exercises and to organize and speed up transparency measures. States will obviously remain free to organize and manage transparency measures the way they see fit. A tailored approach within such exercises is suitable in a view to enhance win/win cooperation and create a room for confidence building promotion.
