

**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**

1 November 2019

Original: English

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**2019 Meeting**

Geneva, 5 August 2019

**Meeting of Experts on Strengthening National Implementation**

**Geneva, 5 August 2019**

Item 9 of the agenda

**Adoption of the factual report reflecting the deliberations of the meeting, including possible outcomes**

**Report of the 2019 Meeting of Experts on  
strengthening national implementation\* \*\***

**I. Introduction**

1. At the 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 ([BWC/CONF.VIII/4](#)), States Parties decided to hold annual meetings and that the first such meeting, in December 2017, would seek to make progress on issues of substance and process for the period before the next Review Conference, with a view to reaching consensus on an intersessional process.

2. At the Meeting of States Parties in December 2017, States Parties reached consensus on the following:

“(a) Reaffirming previous intersessional programmes from 2003-2015 and retaining the previous structures: annual Meetings of States Parties preceded by annual Meetings of Experts.

(b) The purpose of the intersessional programme is to discuss, and promote common understanding and effective action on those issues identified for inclusion in the intersessional programme.

(c) Recognizing the need to balance an ambition to improve the intersessional programme within the constraints – both financial and human resources – facing States Parties, twelve days are allocated to the intersessional programme each year from 2018- 2020. The work in the intersessional period will be guided by the aim of strengthening the implementation of all articles of the Convention in order to better

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\* The present report was submitted after the deadline in order to reflect the most recent information.

\*\* Any entry listed in this document does not imply the expression of any opinion regarding, and is without prejudice to, the legal status of any country or territory or of its authorities.



respond to current challenges. The Meetings of Experts for eight days will be held back to back and at least three months before the annual Meetings of States Parties of four days each. Maximum use would be made of the Sponsorship Programme funded by voluntary contributions in order to facilitate participation of developing States Parties in the meetings of the intersessional programme.

(d) The meetings of the MSP will be chaired by a representative of the EEG in 2018, a representative of the Western Group in 2019 and a representative of the Group of Non-Aligned Movement and Other States in 2020. The annual Chair will be supported by two annual vice-chairs, one from each of the other two regional groups. In addition to the reports of the Meetings of Experts, the Meetings of States Parties will consider the annual reports of the ISU and progress on universality. The Meetings of Experts will be chaired in 2018 by [the Group of the Non-Aligned Movement and Other States Parties to the BWC] (MX 1 and MX 2) and the Western Group (MX 3 and MX 4), in 2019 by EEG (MX 1 and MX 2) and NAM (MX 3 and MX 4), and in 2020 by Western Group (MX 1 and MX 2) and by EEG (MX 3 and MX 4); MX 5 will be chaired by the regional group chairing the MSP.

	<i>MSP</i>	<i>MX 1</i>	<i>MX 2</i>	<i>MX 3</i>	<i>MX 4</i>	<i>MX 5</i>
2018	EEG	NAM	NAM	WG	WG	EEG
2019	WG	EEG	EEG	NAM	NAM	WG
2020	NAM	WG	WG	EEG	EEG	NAM

All meetings will be subject mutatis mutandis to the rules of procedure of the Eighth Review Conference.

(e) The Meetings of Experts would be open-ended and will consider the following topics:

[...]

### **MX.3 (1 day): Strengthening national implementation:**

- Measures related to Article IV of the Convention;
- CBM submissions in terms of quantity and quality;
- Various ways to promote transparency and confidence building under the Convention;
- Role of international cooperation and assistance under Article X, in support of strengthening the implementation of the Convention
- Issues related to Article III, including effective measures of export control, in full conformity with all Articles of the Convention, including Article X.

[...]

(f) Each Meeting of Experts will prepare for the consideration of the annual Meeting of States Parties a factual report reflecting its deliberations, including possible outcomes. All meetings, both of Experts and of States Parties will reach any conclusions or results by consensus. The Meeting of States Parties will be responsible for managing the intersessional programme, including taking necessary measures with respect to budgetary and financial matters by consensus with a view to ensuring the proper implementation of the intersessional programme. The Ninth Review

Conference will consider the work and outcomes it receives from the Meetings of States Parties and the Meetings of Experts and decide by consensus on any inputs from the intersessional programme and on any further action.”

3. By resolution [73/87](#), adopted without a vote on 5 December 2018, the General Assembly, *inter alia*, requested the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to continue to provide such services as may be required for the conduct and the implementation of the decisions and recommendations of the review conferences.

## II. Organization of the Meeting of Experts

4. In accordance with the decisions of the Eighth Review Conference and the 2017 Meeting of States Parties, the 2019 Meeting of Experts on Strengthening National Implementation was convened at the Palais des Nations in Geneva on 5 August 2019, chaired by Ms. Lebogang Phihlela of South Africa.

5. On 5 August 2019, the Meeting of Experts adopted its agenda ([BWC/MSP/2019/MX.3/1](#)) as proposed by the Chair.

6. At the same meeting, following a suggestion by the Chair, the Meeting of Experts adopted as its rules of procedure, *mutatis mutandis*, the rules of procedure of the Eighth Review Conference, as contained in document [BWC/CONF.VIII/2](#).

7. Mr. Daniel Feakes, Chief, Implementation Support Unit, Office for Disarmament Affairs, Geneva, served as Secretary of the Meeting of Experts. Mr. Hermann Lampalzer, Political Affairs Officer, Implementation Support Unit, served as Deputy Secretary and Ms. Ngoc Phuong van der Blij, Political Affairs Officer, also served in the secretariat.

## III. Participation at the Meeting of Experts

8. Ninety-six delegations participated in the Meeting of Experts as follows: Afghanistan; Algeria; Angola; Argentina; Armenia; Australia; Austria; Belarus; Belgium; Bolivia (Plurinational State of); Botswana; Brazil; Bulgaria; Burkina Faso; Canada; Chile; China; Colombia; Costa Rica; Côte d'Ivoire; Cuba; Cyprus; Czech Republic; Denmark; Dominican Republic; Ecuador; El Salvador; Estonia; Ethiopia; Finland; France; Georgia; Germany; Greece; Guatemala; Holy See; Honduras; Hungary; India; Indonesia; Iran (Islamic Republic of); Iraq; Ireland; Italy; Japan; Jordan; Kazakhstan; Kenya; Kyrgyzstan; Lao (People's Democratic Republic); Latvia; Lebanon; Libya; Malaysia; Mali; Mexico; Montenegro; Morocco; Mozambique; Myanmar; Nepal; Netherlands; Nigeria; North Macedonia; Pakistan; Peru; Philippines; Poland; Portugal; Qatar; Republic of Korea; Romania; Russian Federation; Saudi Arabia; Senegal; Serbia; Slovakia; South Africa; Spain; Sri Lanka; State of Palestine; Sweden; Switzerland; Tajikistan; Thailand; Trinidad and Tobago; Turkey; Uganda; Ukraine; United Arab Emirates; United Kingdom of Great Britain and Northern Ireland; United States of America; Uruguay; Venezuela (Bolivarian Republic of); Yemen; and Zimbabwe.

9. In addition, three States that had signed the Convention but had not yet ratified it participated in the Meeting of Experts without taking part in the making of decisions, as provided for in rule 44, paragraph 1 of the rules of procedure: Egypt; Haiti; and United Republic of Tanzania.

10. One State, Israel, neither a party nor a signatory to the Convention, participated in the Meeting of Experts as an observer, in accordance with rule 44, paragraph 2.

11. The United Nations, including, the United Nations 1540 Committee Group of Experts, the United Nations Institute for Disarmament Research (UNIDIR), the United Nations Interregional Crime and Justice Research Institute (UNICRI), and the United Nations Office for Disarmament Affairs (UNODA), attended the Meeting of Experts in accordance with rule 44, paragraph 3.

12. The Caribbean Community, the European Union, the International Committee of the Red Cross (ICRC), the Organisation for the Prohibition of Chemical Weapons (OPCW), the World Health Organization (WHO) and the World Organisation for Animal Health (OIE) were granted observer status to participate in the Meeting of Experts in accordance with rule 44, paragraph 4.

13. In addition, at the invitation of the Chair, in recognition of the special nature of the topics under consideration at this Meeting and without creating a precedent, an independent expert participated in informal exchanges in the open sessions as a Guest of the Meeting of Experts: Dr Anastasia Natasha Trataris-Rebisz, National Institute for Communicable Diseases, South Africa.

14. Thirty-one non-governmental organizations and research institutes attended the Meeting of Experts under rule 44, paragraph 5.

15. A list of all participants in the Meeting of Experts is contained in document [BWC/MSP/2019/MX.3/INF.1](#).

#### **IV. Work of the Meeting of Experts**

16. In accordance with the provisional agenda ([BWC/MSP/2019/MX.3/1](#)) and an annotated programme of work prepared by the Chair, the Meeting of Experts had substantive discussions on issues allocated by the 2017 Meeting of States Parties.

17. Under agenda item 4 (“Measures related to Article IV of the Convention”), the Implementation Support Unit provided a brief update. The United States of America and the Islamic Republic of Iran introduced working papers ([BWC/MSP/2019/MX.3/WP.1](#) and [BWC/MSP/2019/MX.3/WP.3](#) respectively). Belgium, Mexico and the Organization for the Prohibition of Chemical Weapons made technical presentations.<sup>1</sup> A representative of the Group of Experts established pursuant to United Nations Security Council resolution 1540 also delivered a statement. There then followed an interactive discussion on the agenda item in which the following States Parties participated: Algeria; Botswana; Canada; Chile; China; Cuba; Germany; India; Iran (Islamic Republic of); Iraq; Italy; Malaysia; Nigeria; Pakistan; Republic of Korea; Russian Federation; United Kingdom of Great Britain and Northern Ireland; United States of America; Venezuela (Bolivarian Republic of) on behalf of the Group of the Non-Aligned Movement and Other States Parties to the BWC.<sup>2</sup> Various views were expressed during the consideration of this agenda item.

18. Under agenda item 5 (“Confidence Building Measures (CBM) submissions in terms of quantity and quality”), the Implementation Support Unit provided a briefing and Japan (with Australia, Germany, Malaysia and the Republic of Korea) and the United Kingdom of Great Britain and Northern Ireland (with Sweden and Switzerland) introduced working papers ([BWC/MSP/2019/MX.3/WP.2](#) and [BWC/MSP/2019/MX.3/WP.4](#) respectively). There then followed an interactive discussion on the agenda item in which the following

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<sup>1</sup> Technical presentations posted on the webpage of the Meeting of Experts, with the consent of the presenter.

<sup>2</sup> Notes sent by Colombia, Ecuador, Guatemala and Peru on the statements delivered by the NAM Chair.

States Parties participated: Brazil; China; Iran (Islamic Republic of); Japan; Netherlands; Pakistan; Russian Federation; Switzerland; United States of America; Venezuela (Bolivarian Republic of) on behalf of the Group of the Non-Aligned Movement and Other States Parties to the BWC. Various views were expressed during the consideration of this agenda item taking into account, inter alia, relevant sections of Final Documents of previous Review Conferences.

19. Without setting a precedent for future meetings, States Parties were unable to undertake and complete their consideration of agenda items 6, 7, and 8. The Chair invited those States Parties wishing to do so to forward their statements to the Chair to be reflected as appropriate in the Chair's paper. Under agenda item 7 ("Role of international cooperation and assistance under Article X, in support of strengthening the implementation of the Convention"), Dr Anastasia Natasha Trataris-Rebisz of the National Institute for Communicable Diseases of South Africa gave a presentation as a Guest of the Meeting.

20. In the course of its work, the Meeting of Experts was able to draw on a number of working papers submitted by States Parties, as well as on statements and presentations made by States Parties, international organizations and the Guest of the Meeting, which were circulated in the Meeting.

21. The Chair, under her own responsibility and initiative, has prepared a paper listing considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the agenda items under discussion at the Meeting. The Meeting of Experts noted that this paper had not been agreed and had no status. It was the Chair's view that the paper could assist delegations in their preparations for the Meeting of States Parties in December 2019 and those in the remaining year of the intersessional programme and in the Meeting of Experts on Strengthening National Implementation in the intersessional programme in 2020 and also in their consideration of how best to "discuss, and promote common understanding and effective action on" the topics in accordance with the consensus reached at the 2017 Meeting of States Parties. The paper prepared by the Chair, in consultation with States Parties, is attached as Annex I to this report.

## **V. Documentation**

22. A list of official documents of the Meeting of Experts, including the working papers submitted by States Parties, is contained in Annex II to this report. All documents on this list are available on the BWC website at <http://www.unog.ch/bwc> and through the United Nations Official Document System (ODS), at <http://documents.un.org>.

## **VI. Conclusion of the Meeting of Experts**

23. At its closing meeting on 5 August 2019, the Meeting of Experts adopted its report by consensus, as contained in document BWC/MSP/2019/MX.3/CRP.1 as orally amended, to be issued as document BWC/MSP/2019/MX.3/2.

## **Annex I**

### **Summary report**

#### **Submitted by the Chairperson of the Meeting of Experts on Strengthening National Implementation**

1. The Chairperson, under her own responsibility and initiative, has prepared this paper which lists considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the agenda items under discussion at the Meeting. The Meeting of Experts noted that this paper had not been agreed and had no status. It was the Chairperson's view that the paper could assist delegations in their preparations for the Meeting of States Parties in December 2019 and those in the remaining year of the intersessional programme and also in the succeeding Meeting of Experts on Strengthening National Implementation in the intersessional programme in 2020.

2. The Chairperson would like to express her gratitude to delegations for their active participation in the Meeting, particularly for the various working papers that were submitted and which together with oral statements and the constructive debate, as well as the interventions by relevant international organizations have served as the basis for this summary report. The procedural report of the Meeting details which delegations spoke under the different agenda items, and which delegations introduced working papers, so such information will not be repeated in this summary report. Discussions cut across the different agenda items, as some of the issues are intertwined and national implementation addresses various articles of the Convention. It emerged from the discussions that there is a variety of proposals on strengthening national implementation and efforts are being undertaken by a number of States Parties to enhance the domestic implementation of the Convention.

3. Due to intense discussions on agenda items 4 and 5, there was not sufficient time to address agenda items 6, 7 and 8 during the Meeting with full interpretation. The Chairperson and States Parties regretted this situation and noted that it should not set a precedent. The Chairperson invited States Parties that wished to do so to provide her with written versions of their statements prepared for agenda items 6, 7 and 8, for inclusion in the Chairperson's summary. Statements thus submitted to the Chairperson have been summarized in the appropriate sections below. At the end of the Meeting, the Chairperson suggested that the Chairperson of the Meeting of Experts on Strengthening National Implementation in 2020 should consider, in consultation with States Parties, measures to avoid this situation occurring again.

#### **I. Agenda item 4 – measures related to Article IV of the Convention**

4. Several States Parties took the floor under this agenda item and shared their views on measures related to Article IV of the Convention. The Implementation Support Unit provided an update to information which had been included in its background paper issued to the previous year's Meeting of Experts on Strengthening National Implementation. Two States Parties presented working papers under this agenda item and two States Parties and one international organization made technical presentations.

5. The view was expressed that national implementation is a broad article that requires implementation of wide range of measures at multiple levels. Issues that were mentioned

included, inter alia, the development, harmonization and enforcement of comprehensive national legislation, adopting effective national export control systems and adopting and sustaining robust national implementation measures. The importance of information sharing in strengthening national implementation was mentioned and a number of measures that could promote this were mentioned, for example sharing best practices and experiences including challenges experienced, exchanging information on the enforcement of national legislation, exploring possible ways to strengthen national institutions and coordination among national law enforcement institutions. It was noted that assistance and cooperation go together with strengthening national implementation, as assistance for building capacities in different areas may be required in order to fully implement the provisions of the Convention. It was also mentioned that some States Parties, especially developing countries, may require assistance to strengthen their national capacities for the full implementation of the Convention. States Parties in a position to provide such support were encouraged to do so, if requested. A number of States Parties briefed the Meeting on initiatives which they are undertaking to support the implementation of the Convention in developing countries.

6. Some States Parties referred to the benefits of developing a comprehensive approach at the domestic level including engagement with international partners, industry and academia. The Meeting was informed about the development and implementation of a holistic national strategy, comprising efforts to address the full range of biological threats — whether naturally occurring, accidental, or deliberate, domestic or international, and whether they threaten humans, animals, or plants — in a single, coordinated framework. Some States Parties reiterated the importance of implementing an effective national biosecurity regime, including the development of a biosecurity culture within relevant institutions. Additionally, the value of legislative or regulatory measures, awareness-raising efforts, and biosafety and biosecurity training and education programmes was mentioned.

7. Some States Parties referred to the need for a full and balanced implementation of all provisions of the Convention and expressed the view that the provisions of Articles III and IV should not be used to impose restrictions and/or limitations on the transfer or exchange of scientific knowledge, technology, equipment and materials. In this context, a proposal for a reassurance mechanism for monitoring transfers was put forward and the importance of full, effective and non-discriminatory implementation of Article X was mentioned by several States Parties. Other States Parties expressed the view that appropriate national export controls are compatible with the provisions of Article X and make an important contribution to upholding Articles I and III of the Convention.

8. The Meeting of Experts was informed about the challenges faced by the Chemical Weapons Convention (CWC), such as a low level of adoption of national legislation; a lack of awareness and sensitization; a lack of prioritization of the CWC; and a lack of coordination at the national level. It was mentioned that the challenges are similar to the BWC and some States Parties suggested closer cooperation between the OPCW and the ISU. A number of States Parties suggested exploring the measures introduced by the OPCW to support national implementation of the CWC. For example, the Meeting was informed about the “initial measures” approach, which is a minimum set of legislative measures used by the OPCW Technical Secretariat to monitor the status of implementation of the CWC. Some States Parties pointed out the potential usefulness of a list of BWC implementation measures that could be provided by the ISU.

9. In addition, several States Parties referred to the significant overlap between the obligations under the BWC and those under UN Security Council resolution 1540 (2004). The Meeting of Experts was informed that the implementation rate for the biological weapons-related prohibitions of resolution 1540 was only 62%, compared with 74% for its chemical weapons-related prohibitions.

## **II. Agenda item 5 – Confidence Building Measures (CBM) submissions in terms of quantity and quality**

10. The Implementation Support Unit provided an update to its background paper submitted to the Meeting of Experts in 2018 and informed States Parties about the functioning of the new electronic CBM platform. The ISU suggested that some technical adjustments could be made to the CBM forms to make them more user-friendly and to make it easier to present the information contained in the CBMs to States Parties. Two States Parties introduced working papers. A number of States Parties highlighted the importance of improving and strengthening CBMs more because CBMs are the only formal tool under the BWC for promoting transparency and building confidence amongst States Parties, and as such they play an important role in preventing and reducing the occurrence of ambiguities, doubts and suspicions among States Parties. Several States Parties highlighted the importance of strengthening the CBMs in terms of quantity and quality and encouraged additional States Parties to participate in the CBM process.

11. Different views were expressed regarding the nature of CBMs. Some States Parties considered them as politically-binding, while other States Parties saw them as voluntary measures. In the discussions, some States Parties expressed the view that CBMs are neither declarations, nor a substitute for verification and therefore cannot be considered as a tool for assessing compliance. These States Parties suggested that the only method for assessing compliance is a legally binding mechanism with verification provisions. Some States Parties stated that the CBMs were the only formal tool for States Parties to demonstrate their transparency and compliance with the Convention.

12. Some States Parties referred to the low level of CBM submissions, as well as the stagnation in the number of submissions. For many States Parties, the reasons could be found in difficulties in collecting the necessary information to complete each form, and the lack of awareness about the multiple benefits of CBMs. Some States Parties referred to different technical challenges related to the overall low level of participation in CBMs and highlighted the need for assistance. In this context, a number of States Parties were interested to learn more about the specific challenges faced by some States Parties in order to be able to provide tailored assistance. The idea of convening informal consultations on CBMs submissions was mentioned by some States Parties. In addition, a number of States Parties reiterated the usefulness of the new electronic CBM platform developed by the ISU with funding from a State Party as a tool to simplify the compilation and submission of CBMs. Some States Parties indicated that they had submitted their CBMs via the platform and encouraged other States Parties to use the electronic platform.

13. For many States Parties, one crucial precondition for CBM submission is the establishment of a cooperative network of relevant domestic stakeholders, whose support is often required to collect the necessary information and complete the forms. Creating such a network, however, tends to be a challenging task, not least because perceptions often vary among stakeholders regarding their role in the Convention's implementation. A State Party indicated that expanding the number of regional awareness raising workshops with States Parties may also assist. Reference was also made to specific issues arising in respect to CBMs. One such issue relates to a potential reporting gap in the declaration of vaccine production facilities under CBM Form G, due to the wording of the current CBM text, which does not take account of an increasing trend for companies to outsource vaccine production and marketing authorisation processes to facilities located in other countries. Some States Parties reported on a specific case, where additional facilities were identified and reported, in the interests of transparency. They encouraged other States Parties to consider similar approaches and recommended that any possible future amendments to the content of the



CBMs in light of scientific and technological developments, including trends in production processes, should take into account such issues.

14. Several concrete proposals were therefore made aimed at enhancing the utility and use of CBMs. Suggestions included, inter alia, technical modifications to the type and range of information requested in the CBM forms, the establishment of a CBM assistance network, and the creation of an informal working group on CBMs open to all interested States Parties. Moreover, reference was made to a step-by-step approach, advocated by some States Parties at previous Meetings of Experts. These States Parties suggested that this approach would benefit States Parties that have either never submitted a CBM report or have experienced difficulties in regularly doing so. It was also suggested that the identification of options for systematically assessing the information contained in the CBMs requires renewed attention. For example, the view was expressed that working with the information contained in the CBMs may be another way to raise awareness about the benefits of the CBM mechanism and may thus lead to increased participation, as well as to better quality of the information reported.

### **III. Agenda item 6 – Various ways to promote transparency and confidence building under the Convention**

15. One State Party submitted a working paper under this agenda item. A number of States Parties informed the Meeting of Experts about different voluntary activities which they have conducted to improve transparency and build confidence in the implementation of the Convention. Reference was made to activities such as peer reviews, voluntary visits and transparency exercises. The Meeting of Experts was informed that, since 2011, a total of 15 States Parties have hosted some form of transparency exercise, bringing together 35 countries from all regional groups. While acknowledging that such activities are neither a substitute for verification nor comparable with a compliance mechanism, some States Parties expressed the view that they can bring various benefits, including building a clearer sense of how States Parties are implementing the Convention. It was added that the voluntary transparency exercises are not standardised but are adapted and made upon request, in line with the needs of the State Party.

16. It was suggested by some States Parties that these activities can strengthen national implementation, facilitate the sharing of best practices, improve information exchange and enhance international cooperation, in addition to increasing transparency. Additionally, some States Parties highlighted the need to continue exploring additional measures, including potentially through the creation of an exchange platform for voluntary transparency initiatives. It was suggested that such a platform could serve as a tool to facilitate and accompany national voluntary initiatives to organize transparency exercises and to organize and speed up transparency measures.

17. On the other hand, some States Parties expressed caution about peer reviews, expressing the view that such one-time activities cannot provide credible and effective transparency and confidence building related to compliance, particularly due to the lack of agreed criteria for assessing compliance at different facilities. Furthermore, some States Parties expressed the view that peer reviews and compliance assessments should not be seen as additional measures for implementation of the Convention, as all States Parties are obliged to take measures for national implementation of the Convention. Different views were expressed by States Parties regarding the overarching purpose and effectiveness of these activities and some questions about the underlying conceptual and methodological issues were raised. Other States Parties encouraged those who have not yet done so to consider undertaking and sharing the outcome of such transparency exercises.

18. Some States Parties suggested that assessing compliance could in their view only be undertaken collectively through appropriate multilateral verification arrangements and highlighted the importance of efforts to strengthen the Convention in a balanced manner and in all its aspects. The view was expressed that voluntary transparency measures should not distract the attention of States Parties from a comprehensive strengthening of the Convention. These States Parties also pointed out that relevant work had been done in the past within the Ad Hoc Group.

#### **IV. Agenda item 7 – Role of international cooperation and assistance under Article X, in support of strengthening the implementation of the Convention**

19. Under this agenda item, several States Parties reiterated the important role of international cooperation and assistance in support of strengthening the implementation of the Convention. Some States Parties informed the Meeting of Experts about concrete activities being undertaken to help developing States Parties strengthen their domestic implementation of the Convention. Such activities include, for example, support to enhance the effectiveness of national export controls, to strengthen law enforcement capacities to identify, detect and prosecute any attempts to develop biological weapons; to provide training to national focal points; and to provide training in support of legislative, regulatory, administrative, judicial and other implementation measures. Reference was also made to support for the establishment of national inventories of dangerous pathogens, as well as to a regional initiative to strengthen biosafety and biosecurity in Africa.

20. Some States Parties mentioned the linkage between Article X and national implementation and how offers of assistance were often hampered by an incomplete understanding of States Parties' existing national implementation measures. It was therefore suggested that the Meeting of Experts could consider concrete measures to improve existing reporting on national implementation measures, for example through practical steps which could be taken to improve common understandings and to better identifying needs.

21. A number of States Parties reiterated the importance of the full, effective and non-discriminatory implementation of all the provisions of the Convention and further alluded to a strong relation between Article X and national implementation. Some States Parties suggested an institutional mechanism for international cooperation and compliance with Article X, particularly to ensure that laws and regulations adopted by States Parties do not hinder international exchange and cooperation. They also proposed an action plan for the full, effective, and non-discriminatory implementation of Article X, including procedures for the settlement of disputes arising from concerns about its implementation.

#### **V. Agenda item 8 – Issues related to Article III, including effective measures of export control, in full conformity with all Articles of the Convention, including Article X**

22. Under this agenda item, a number of States Parties referred to the importance of effective export control measures in conformity with the Convention and recalled agreements and common understandings reached in this regard by States Parties at previous meetings. Many States Parties took the opportunity to inform the Meeting of Experts about national measures that they have adopted to implement Article III of the Convention.

23. It was also suggested by some States Parties that significant efforts still need to be made to address existing gaps. Furthermore, it was pointed out that the implementation of

the relevant measures varies greatly from one State Party to another. It was suggested that it is therefore hard to assess the overall implementation of Article III and its effectiveness given the many different approaches to national export control.

24. Some States Parties expressed the view that any national export control measures should be in full conformity with obligations under the Convention and conducive to the full, effective and non-discriminatory implementation of all its provisions. It was emphasised by several States Parties that such measures should not adversely affect the rights and obligations of States Parties under the Convention and should not lead to the creation of undue restrictions hindering the full, effective and non-discriminatory implementation of Article X. It was mentioned by some States Parties that national legislation and regulations should be reviewed to ensure that they are in full conformity with Article X.

25. Other States Parties expressed the view that export controls, including effective licensing measures, promote confidence that transfers of equipment and technology are exclusively used for purposes permitted by the Convention, and thereby directly contribute to fulfilment of the undertakings set out in Article III, and that they also make a key contribution to upholding the prohibitions contained in Article I. It was suggested by some States Parties that, by increasing the confidence of suppliers that their transfers will be used only for peaceful purposes, effective national export controls can also contribute to promoting international exchange in biotechnology and the life sciences for peaceful purposes within the framework of Article X.

26. States Parties shared possible ways in which to strengthen effective export control measures. For example, regular outreach to all stakeholders including private industry and academia was highlighted as one element, in addition to offering countries technical support to develop and/or strengthen export control systems and build national capacities.

27. While some States Parties expressed support for existing mechanisms, others proposed new instruments such as the establishment of a non-proliferation export control and international cooperation regime under the framework of the Convention. It was suggested that such a regime would promote biological non-proliferation and international cooperation on biotechnology and that it could complete and reinforce other existing multilateral non-proliferation export control regimes. The view was also expressed that the establishment of such a regime could enhance the implementation of Article X and meet the demands of all States Parties, especially developing countries, for access to equipment, materials and scientific and technological information for peaceful purposes. Other States Parties believed such an approach would not strengthen the Convention. Some States Parties referred to the value of establishing a set of principles to help States Parties achieve the goal of effective national measures, that would also avoid hampering peaceful economic and technological development.

28. Some States Parties raised specific questions regarding the implementation of Article III and suggested that exploration of these and other relevant issues should continue within the framework of the Convention, with some States Parties suggesting the creation of an open-ended working group on the topic.

## Annex II

### List of documents

<i>Symbol</i>	<i>Title</i>
BWC/MSP/2019/MX.3/1	Provisional Agenda for the 2019 Meeting of Experts on Strengthening National Implementation
BWC/MSP/2019/MX.3/2	Report of the 2019 Meeting of Experts on Strengthening National Implementation
BWC/MSP/2019/MX.3/CRP.1 English only	Draft Report of the 2019 Meeting of Experts on Strengthening National Implementation
BWC/MSP/2019/MX.3/INF.1 English/French/Spanish only	List of participants
BWC/MSP/2019/MX.3/INF.2 English only	Background information – Update – Submitted by the Implement Support Unit
BWC/MSP/2019/MX.3/WP.1 English only	Strengthening National Implementation: The United States National Biodefense Strategy - Submitted by the United States of America
BWC/MSP/2019/MX.3/WP.2 English only	Proposals to Enhance Confidence-Building Measures Participation – Submitted by Japan, Co-Sponsored by Australia, Germany, Malaysia and Republic of Korea
BWC/MSP/2019/MX.3/WP.3 English only	National Implementation Under Article IV - Submitted by the Islamic Republic of Iran
BWC/MSP/2019/MX.3/WP.4 English only	Confidence Building Measure G - Declaration of Vaccine Production Facilities: Identifying Additional Relevant Facilities - Submitted by Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland
BWC/MSP/2019/MX.3/WP.5 English only	An Exchange Platform for Voluntary Transparency Exercises - Submitted by France
BWC/MSP/2019/MX.3/WP.6 English only	Strengthening National Implementation - Submitted by the Bolivarian Republic of Venezuela on behalf of the Non-Aligned Movement and other States Parties to the Biological Weapons Convention