

Thursday 13th December 2012

## The Third Day: national implementation and CBMs

The 2012 Meeting of States Parties (MSP) of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) continued on Wednesday with the news that Mauritania had requested observer status at the MSP, having made progress toward accession to the Convention. This observer status was agreed.

A Working Paper, WP.11, from Australia, Canada, Japan, New Zealand and Switzerland entitled 'We need to talk about compliance' was distributed as an official document. Also distributed was an update to the report on universality, 3/Add.1. These papers will be available via the ISU website <<http://www.unog.ch/bwc>>; official documents can also be found via the UN documents server <<http://documents.un.org>>.

### **National implementation**

The morning saw the MSP discussing its third topic: 'Strengthening national implementation'. Statements/interventions were given in the following order: Iran (on behalf of the non-aligned states), Chile, Denmark, France, Canada, Cuba, Switzerland, Republic of Korea, India, Netherlands, Russia, Malaysia, China, United Kingdom, Australia, Iraq, United States and Germany. The Chair of the MSP, Ambassador Boujemâa Delmi of Algeria, was in the Chair for this session.

There was general agreement that effective national implementation is key to delivering an effective global regime. A number of calls were made for a legally binding international instrument to strengthen the Convention, not only for verification but to set global standards which national implementation could follow. Moreover, some States Parties wanted to emphasise that drives for national implementation should not distract from the need for a multilateral verification instrument. Many statements outlined existing implementation measures and some indicated forthcoming or planned improvements; examples include Malaysia, which is preparing new legislation, and the Netherlands which is in the process of implementing an improved coordinated biosecurity regime. Chile described in detail existing preparations for response to hostile use of disease. Denmark detailed its biosecurity arrangements. The compliance assessment proposal by Canada and Switzerland was revisited. France spoke to its peer review proposal, stating it would hold a pilot exercise to assess its own national implementation. The non-aligned statement suggested that a peer review system could lead to a false sense of assurance in national implementation. The USA responded that, while there was potential for a false sense of security from a peer review arrangement, this was not a reason to stop exploring the proposal.

### **Confidence-Building Measures (CBMs)**

After lunch, the MSP moved on to its fourth topic, 'How to enable fuller participation in the CBMs'. Unlike the other topics, which are for consideration in each year of the third inter-sessional process, this topic is scheduled for discussion in 2012 and 2013. Statements/interventions were given in the following order: Iran (non-aligned), France, Canada, United

Kingdom, Switzerland, Germany, India, Sweden, United States, Cuba, Australia, Pakistan, Iran (national) and Belgium. Vice-chair Ambassador Urs Schmid of Switzerland took the chair for this session of the Meeting.

As in the past, many statements stressed that CBMs should not be a substitute for a verification system nor should they be used to assess compliance. There was general agreement that greater participation should be encouraged. The need for the compilation of returns not to be burdensome was highlighted and there was discussion about the benefits that CBM submission brings to a country, such as creating a catalyst for action between agencies and as a domestic tool to take stock of what oversight is needed. A lack of knowledge about the challenges some States Parties face in compiling their returns was recognised and it was noted that knowing where obstacles are could help target assistance as well as help in the development of the CBM arrangements. Canada noted that it was translating some 15 CBM returns into English in the hopes that this will make them more usable. The UK spoke to its Working Paper, WP.1, with the aim of prompting substantive discussion in 2013 on this issue, noting that leaving further debate until 2016 would be a wasted opportunity.

### **Role of the Synthesis Paper**

Part of the function of the MSP is to produce a report at the end of the Meeting, ideally a report that has some utility. In past MSPs, States Parties have sometimes made comments on the Synthesis Paper circulated by the Chair after each year's Meeting of Experts in order to focus thinking on what might be in the MSP report. During Tuesday and Wednesday, a few States Parties made specific reference to the Paper in their interventions; however, some phraseology being used came across as if amendments were being suggested to the Synthesis Paper itself rather than guidance being offered for the drafting of the MSP report. This does not appear to be the intention, but the perception was created nonetheless. In the past, the Synthesis Paper has been annexed to the MSP report with the following caveat: 'This annex was not proposed for adoption as an outcome of the Meeting, and therefore was not discussed with that aim. Thus, the annex was not agreed upon and consequently has no status.' This has been the procedure since the first Synthesis Paper was produced in 2004.

### **Side events**

A breakfast event was convened by the Universities of Bath and Bradford together with Landau Network-Centro Volta (LNCV) on the theme of science and education. Presentations were given by Alexander Kelle (Bath) 'Towards the focused and effective science and technology review during the third BTWC inter-sessional process', Tatyana Novossiolova (Bradford) 'Biosecurity education for the life sciences: nuclear security education experience as a model', Giulio Mancini (LNCV) 'The European biosecurity awareness raising network', and Simon Whitby (Bradford) 'The 2012 BioWeapons Monitor Book Launch'. The event was chaired by Ambassador Jo Adamson (United Kingdom).

A lunchtime event was convened by the Hamburg Research Group for Biological Arms Control (HRG) and the ISU with support from Germany and the Philippines on 'Technology, Trade and Transparency: Lessons for other treaty regimes'. Introductions were given by: Ambassador Hellmut Hoffman (Germany), Jesus Gary Domingo (Philippines) and Richard Lennane (ISU). Presentations were given by Gunnar Jeremias (HRG), Alvaro Fernandez Acebes (World Customs Organization), Markie Muryawan (UN COMTRADE), Cristina Versino (European Commission Joint Research Centre), and Rossen Popov (International Narcotics Control Board).

*This is the fourth report from the Meeting of States Parties for the Biological and Toxin Weapons Convention which is being held from 10 to 14 December 2012 in Geneva. The reports are prepared by Richard Guthrie on behalf of the BioWeapons Prevention Project (BWPP). Copies of these reports, starting from 2006, are available via the BWPP website at <<http://www.bwpp.org>>.*

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