

Thursday 12th December 2013

## The third day: national implementation and CBMs

### **Opening of the meeting**

The Meeting of States Parties (MSP) of the Biological and Toxin Weapons Convention (BWC/BTWC) continued on Wednesday with further working sessions with the morning dedicated to agenda item 9, 'Strengthening national implementation', and the afternoon to item 10, the biennial item 'How to enable fuller participation in the CBMs'. As with Tuesday, there was more detail in the interventions than had been usual in previous MSPs.

The Chair of the meeting, Judit Körömi of Hungary, the Special Representative of the Foreign Minister for Arms Control, Disarmament and Non-Proliferation, announced that the first elements of the draft report of the meeting would be circulated to delegations electronically on Wednesday evening.

### **Strengthening national implementation**

The morning session was chaired by Vice-Chair Mazlan Muhammad of Malaysia. Statements or presentations under this agenda item were given by: the UN 1540 Committee, Interpol, Chile, Iran (for the non-aligned), Mexico, Burkina Faso, Cuba, UK, Peru, Australia, Belarus, Malaysia, Hungary, Iraq, Sweden, France, USA, Republic of Korea, Germany, Switzerland, Canada, India, Pakistan and Ecuador. Exceptionally, the Vice-Chair briefly switched the meeting into an informal session after the US intervention to allow VERTIC to take the floor to provide information on its national implementation measures programme.

Effective and coherent national implementation was widely recognized as being an obligation of BWC membership and key to making the BWC an effective global instrument. A divergence of opinion was apparent on how effectiveness of national implementation should be understood. As with earlier meetings, two proposals to assess effectiveness were raised – peer review, proposed by France, and compliance assessment, proposed by Canada and Switzerland with the Czech Republic. Interventions from a number of western delegations expressed support for these proposals. From a different perspective, Iran and other non-aligned delegations suggested that, while there were opportunities for governments to share national implementation experiences and so learn from each others activities, 'piecemeal' arrangements such as peer review or compliance assessment may create a false sense of assurance and were no substitute for verification. Moreover, a legally-binding verification instrument would, by its nature, set standards by which effectiveness of national implementation could be compared. It would be an over-simplification to suggest that this is a simple two-way split as there are many states which support calls for verification and which support the assessment proposals.

There was some follow-up to the paper by Australia and co-sponsors put forward at the 2012 MSP entitled 'We need to talk about compliance' (WP.11 of that meeting) with suggestions that consideration now of what constitutes compliance could help assist in identifying necessary national implementation measures as well as assisting in framing discussions in preparations for the Eighth BWC Review Conference to be held in 2016.

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

Statements or interventions under this agenda item were made by: the Implementation Support Unit (ISU), the European Union, Iran (for the non-aligned), Belgium, Japan, Malaysia, Spain, the Netherlands, Germany, UK, Cuba, Switzerland, USA, Canada, France, Mexico, Australia, India, Pakistan, China, Belarus, South Africa and Algeria.

There was a general agreement that a greater number of submissions should be encouraged and disappointment expressed that only 63 returns had been submitted so far this year compared with 69 last year. Numerous delegations noted there was a need to know why countries do not submit. It was recognized that efforts were needed to make submission easier. The ISU gave a presentation on an electronic submission system currently under development and funded by the EU. Other suggestions for ways of easing submission efforts included promoting bilateral cooperation and holding regional seminars. In particular, Japan spoke to its proposal in WP.7 for allowing States Parties to submit a CBM in stages in a 'step-by-step approach'. Canada announced it would reissue its 2003 guide to preparing CBMs, taking into account the changes agreed at the Seventh Review Conference in 2011. It was also suggested that translating CBM returns into other UN languages might make CBMs more accessible and that making more them public would give the system a higher profile. The quality of information provided, as well as the quantity of returns, was seen as important.

As in previous years there was considerable discussion about the role of CBMs, with many statements stressing that CBMs should not be a substitute for a verification system nor should they be used to assess compliance, while others indicated that CBMs were useful for helping governments understand each other's activities.

Many delegations noted that this was the last time that CBMs would be formally on the agenda of the inter-sessional meetings and so there was a need to think about what might put forward to the Eighth Review Conference for discussion and possible adoption. While some delegations expressed a desire to see the CBM arrangements evolve, others expressed caution that they did not wish to see substantive changes. It was not clear from the discussion what might constitute appropriate changes that could command consensus.

## **Side events**

A breakfast side event was convened by the United Kingdom on 'The Biosecurity Sub-working Group of the Global Partnership against the spread of materials and weapons of mass destruction'. Presentations were given by Keiji Fukuda (WHO), Carol Walters (USA), Zalini Yunus (Malaysia), John Griffin (Canada), Sylvia Groneick and Florian Lewerenz (Germany). The event was chaired by Ambassador Matthew Rowland (UK).

There were two lunchtime events. One was convened by the Royal Netherlands Academy of Arts and Sciences (KNAW), on 'Improving biosecurity - assessment of dual use research'. Presentations were given by Jan Wilschut (University Medical Centre Groningen), Koos van der Bruggen (KNAW Biosecurity Committee) and Malcolm Dando (Bradford University). The event was chaired by Kathryn Nixdorff (Darmstadt University of Technology). The other was convened by Denmark, France and Germany entitled 'United Nations Secretary-General's mechanism for investigation of alleged use of biological weapons'. Introductory remarks were given by Sylvia Groneick (Germany) who chaired the meeting, Jean-Hugues Simon-Michel (France) and Uffe Balslev (Denmark). Presentations were given by Nikita Smidovich (UN Office of Disarmament Affairs), Nicolas Isla (WHO), Dzenan Gino Sahovic (Umeå CBRNE Centre), Nicolas Coussière, Ministry of Defence (France), Asbjørn Toft Dahl, Centre for Biosecurity and Biopreparedness (Denmark), and Robert Grunow, Robert Koch Institute (Germany).

*This is the fourth report from the Meeting of States Parties for the Biological and Toxin Weapons Convention which is being held from 9 to 13 December 2013 in Geneva. The reports are prepared by Richard Guthrie on behalf of the BioWeapons Prevention Project (BWPP). The reports are available via the BWPP website at <<http://www.bwpp.org>>. The author can be contacted during the Meeting of States Parties on +41 76 507 1026 or <[richard@cbw-events.org](mailto:richard@cbw-events.org)>.*