

Monday 10th August 2015

The 2015 Meeting of Experts: background and issues

The 2015 Meeting of Experts (MX) is the last of four such meetings in the third inter-sessional process for the 1972 Biological and Toxin Weapons Convention (BWC/BTWC). It will be followed by a Meeting of States Parties (MSP) to be held 14-18 December (the MSP date means that this year it will not clash with the annual Conference of the States Parties of the Chemical Weapons Convention which will be held in The Hague 30 November-4 December). These meetings are established by the five-yearly BWC Review Conferences, in this case by a decision adopted at the Seventh Review Conference in 2011. The inter-sessional meetings are intended to be practical and focused on promoting ideas and learning from experiences in order to develop common understanding and effective action. The 2015 meetings will be chaired by Ambassador Mazlan Muhammad of Malaysia, with two Vice-Chairs – Ambassador György Molnár of Hungary and Ambassador Henk Cor van der Kwast of the Netherlands.

Topics under discussion during the 2015 meetings

There are three on-going topics, also known as the standing agenda items, in the third inter-sessional process – ‘Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X’, ‘Review of developments in the field of science and technology related to the Convention’, and ‘Strengthening national implementation’. This year the meetings will also discuss ‘How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties’, a topic that was also discussed in 2014. An informal rolling indicative schedule for the meeting is available, along with other materials, on the website of the Implementation Support Unit (ISU) <<http://www.unog.ch/bwc/>>.

Article X of the BWC is about access to the life sciences for peaceful purposes. The renunciation of biological weapons and the control of the hostile uses of the life sciences have to be implemented so that they do not hinder the use of the life sciences for peaceful purposes. Article X also provides ‘the right to participate in, the fullest possible exchange’ of materials and technologies ‘for the use of bacteriological (biological) agents and toxins for peaceful purposes’. Cooperation and assistance goes further than Article X and includes other aspects such as capacity building. In earlier BWC meetings there have been many divergences of opinion relating to Article X issues.

The ongoing rapid advances and new developments within the life sciences mean that the Convention operates within a rapidly changing science and technology (S&T) context. These advances bring new positive opportunities for peaceful uses, such as new medical treatments, but they also lead to new negative opportunities for hostile uses and so lead to changes in the nature of risks and threats the BWC may need to counter. Understanding this changing context is seen as critical in ensuring efforts to control

biological weapons are kept relevant and effective. This year there is a focus on ‘advances in production, dispersal and delivery technologies of biological agents and toxins’.

Improved national implementation of the obligations contained within the Convention is seen as an important way of enhancing effectiveness of the overall regime to control biological weapons. Effective implementation in ways that are appropriate to national contexts has long been regarded as a significant challenge.

BWC Article VII deals with the provision of ‘assistance’ by States Parties if a State Party is ‘exposed to danger’ because of a breach of the Convention. No government is likely to have at its disposal the resources to respond to a severe biological attack and so the concept of receiving assistance applies to all countries. The 2006 Review Conference Final Document included language for the first time addressing one of the perceived weaknesses of the text of the Convention — that a relevant danger must come from a State Party to the Convention — by introducing language in referring to dangers from ‘anyone other than States Parties’, which would include non-states parties as well as non-state entities. The same language was included in 2011.

As this is the final year of this inter-sessional process, some discussion is likely about preparations for the Eighth BWC Review Conference which is to be held in 2016.

Preparations for the MX

A number of papers had been issued as formal MX documents by the end of the week before the meeting. Further papers, had been issued as ‘advance versions’ prior to being typeset as official documents.

The information papers are: ‘2014 Implementation of BWC Article X (Cooperation and Assistance)’ (Australia, INF.1), ‘Previous agreements and understandings under the Convention relevant to strengthening the implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties’ (ISU, INF.2), ‘Background information on continuing challenges and obstacles to developing international cooperation, assistance and exchange’ (ISU, INF.3), and ‘International organizations that may be involved in the provision of and coordination of assistance relevant to Article’ (ISU, INF.4).

The Working Papers are on the subjects of: core assumptions and key questions in relation to Article VII (UK, WP.1); relevant lessons and follow-up action from the Ebola outbreak in west Africa (UK, WP.2); improving methods of work at BWC meetings (Russia and Belarus, WP.3), US high containment laboratory policy (USA, WP.4); production and delivery advances (USA, WP.5); tacit knowledge (USA, WP.6), proposal for an Article VII database (France and India, WP.7); convergence between biology and chemistry (Switzerland, WP.8+Corr.1); impact of science and technology advances on responses to infectious disease outbreaks (UK, WP.9); a dedicated process for reviewing developments in science and technology (Switzerland, WP.11); production, dispersal and delivery technologies (UK, WP.12); and the Benelux peer review exercise (Belgium, the Netherlands and Luxembourg, WP.13).

The advance version papers are: ‘Proposal by the Russian Federation for inclusion in the report of the Eighth Review Conference of the Biological Weapons Convention’ (Russia); and ‘Implementation of Article VII’ (South Africa). These papers can be found via the ISU website; official documents can also be found via the UN documents server <<http://documents.un.org>>. Document references for this meeting all start BWC/MSP/2015/MX/, so the provisional agenda for the meeting is published as BWC/MSP/2015/MX/1 and the provisional programme of work as BWC/MSP/2015/MX/2.

Additional papers are likely to be issued.

This is the first report from the Meeting of Experts for the Biological and Toxin Weapons Convention which is being held from 10 to 14 August 2015 in Geneva.

The reports are prepared by Richard Guthrie on behalf of the BioWeapons Prevention Project (BWPP) who can be contacted during the Meeting of Experts on +41 76 507 1026 or <richard@cbw-events.org.uk>.

Tuesday 11th August 2015

The opening day: introductory statements and Article VII

The Chair of the 2015 Meeting of Experts (MX), Ambassador Mazlan Muhammad of Malaysia, opened the meeting on Monday morning, noting that this year was the fortieth anniversary of the Biological and Toxin Weapons Convention (BWC/BTWC).

Formal decisions were taken, such as adoption of the agenda, programme of work and the rules of procedure. Guinea was admitted as an observer, together with a number of international bodies. Sponsorship had been provided by Australia, Finland and the Netherlands, via the Implementation Support Unit (ISU), to assist the participation of representatives of Burundi, Cameroon, Cuba, Mongolia, the Philippines and Sudan. Bilateral sponsorship by the USA to support the participation of Guinea was referred to later in the day. The morning was devoted to introductory statements with the afternoon to Article VII once statements were complete. Where copies of statements, presentations or posters are provided by those that gave them, these will be added to the ISU website.

Introductory statements

Statements were made by Iran (for the non-aligned), Russia, Denmark, Bangladesh, USA, France, Pakistan, Malaysia, Brazil, Mexico, China, Italy, India, Cuba, Australia, Argentina, Ghana, and the Netherlands. A statement was also made by the European Union.

To save duplication, themes relating to subject areas that have dedicated sessions later this week, such as cooperation and assistance and national implementation, will be discussed in the reports for those days. Many references were made by delegations to working papers either already published or that were in preparation. A large number of statements called for increased membership of the BWC and welcomed Andorra which had joined the Convention this year as the 173rd State Party. Numerous references were made to the fundamental tension within the Convention – the dual-use dilemma that the life sciences could be applied to beneficial or malicious purposes and the challenges that arise in inhibiting the hostile uses while preserving, indeed encouraging, the peaceful uses.

While the recent Ebola virus disease outbreak in West Africa was of natural origin, many delegations recognised there were a number of lessons to be learned from the response efforts for Ebola that could apply to any future disease outbreak triggered by the use of biological weapons. Such lessons might be applied at the local, national and international levels and so were not limited to issues relating to Article VII.

There were numerous calls for a legally binding instrument to strengthen the BWC with other statements suggesting there was no consensus for this or what form it would take. Russia expanded upon its earlier suggestions for new methods of working to propose an open-ended arrangement to discuss possible ways of strengthening the Convention.

Cooperation across the traditional group lines that have existed within the Convention were mentioned, although some falls within definitions of capacity building.

Denmark referred to a project it was working on with Kenya to enhance biosecurity in East Africa. France and India spoke of their joint paper on a proposal for an Article VII database. Australia spoke of a forthcoming paper with Malaysia. China made reference to a project with France to help build China's first level-4 laboratory.

Calls were made to widen participation in the Confidence-Building Measures (CBMs) arrangements. A number of countries noted that they had submitted returns. Mexico noted that it had made its CBM return public for the first time. The Netherlands indicated that CBM submissions would be included in the Benelux peer review of the three countries' national implementation.

A number of references were made to preparations for the Eighth BWC Review Conference which is to be held in 2016. Some of the comments related to how the inter-sessional process might be made more productive, if a new one was established for the period 2017-2020. References were made to the 'delicate balance' outcome of the Seventh Review Conference in 2011.

Ghana observed that there was a low participation from African countries and suggested this could lead to lack of balance in the proceedings. New books on biosecurity issues were highlighted by Denmark and the Netherlands. The EU described elements of a new Council Decision to support the BWC that is in preparation.

NGO statements

Non-governmental organizations addressed the meeting in an informal session. Statements were given by: the University of Bradford; the University of London; Biosecure; the Bradford Disarmament Research Centre and Ukrainian Biosafety Association; the International Network of Engineers and Scientists; the Biosecurity Working Group of the Inter-Academy Panel on International Issues; the BioWeapons Prevention Project; Research Group for Biological Arms Control, Hamburg; the Verification, Research Training and Information Centre; and Pax Christi International.

First working session – Article VII

The afternoon session consisted of a panel composed of international organizations on the theme of 'surveying existing capacity'. Presentations were given by the World Health Organization, the International Committee of the Red Cross, the International Federation of the Red Cross, the Organization for the Prohibition of Chemical Weapons, the Counter-Terrorism Implementation Task Force, and the UN Office for Disaster Risk Reduction. Issues included within these presentations dealt with lessons from recent disease outbreaks (not only Ebola but also MERS and some influenza strains), the operation of relief activities in contaminated environments, preparations that can make assistance more effective in an emergency including lessons learned from experiences with past humanitarian relief operations, types of assistance that can be made from the various agencies and how these agencies operate with other bodies.

Side event and poster session

There was one side event on Monday, hosted by Switzerland on 'Developments in Science & Technology relevant to the BWC'. Opening remarks were given by Ambassador Urs Schmid (Switzerland) with presentations by Katherine Bowman (US National Academies of Science), Christopher Timperley (OPCW Scientific Advisory Board), Gunnar Jeremias (University of Hamburg) and Piers Millett (Biosecure).

At the end of the day, a poster session on subjects relevant to the topics under discussion at the MX was held.

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Wednesday 12th August 2015

The second day: cooperation and assistance

The 2015 Meeting of Experts (MX) of the Biological and Toxin Weapons Convention (BWC/BTWC) continued on Tuesday with the formal proceedings focused on the topic of ‘Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X’. The programme of work outlined a chance for interventions on the overall topic with subsequent time set aside for the seven specific sub-topics identified in the decision of the Seventh BWC Review Conference in 2011. In addition, specific time had been allocated immediately after the lunch break for presentations by international bodies and Guests of the Meeting (GoMs). In the event, most delegations included their comments on the sub-topics within their general statements and so there were few interventions in the sub-topic slots. For ease of analysis, this report will follow the themes, drawing on the relevant points irrespective when they were made.

The Chair of this year’s meetings, Ambassador Mazlan Muhammad of Malaysia, took the chair for the morning session with Vice-Chair Ambassador Henk Cor van der Kwast of the Netherlands taking the chair for the afternoon session. Attendance in the main meeting room was slightly reduced during parts of the day as the Conference on Disarmament was in session and some delegates had responsibilities for both meetings.

The morning started with an additional introductory statement by Libya. Once the working session formally started, general remarks on Article X issues were given by: Iran (for the non-aligned), Ukraine, Russia, China, Tunisia (for Germany and Tunisia), Ecuador, India, Georgia, USA, Australia, and Ghana. Under the various sub-topics, the floor was taken by the ISU, Malaysia, Japan, Republic of Korea, Iran (national capacity), Netherlands, Cuba, Kenya, Italy and India. [Where a delegation took the floor more than once, only the first time is noted in this list.] The international bodies and GoMs presenting after lunch were the World Organization for Animal Health (OIE), The World Academy of Sciences (TWAS) & Inter-Academy Panel, the Biotechnology Industry Organization, and the Developing Countries Vaccine Manufacturers Network.

Overarching points

The statement for the non-aligned highlighted that Article X had long been a priority for the group. The call for ‘full, effective and non-discriminatory’ implementation of Article X was reiterated, which would require removal of any restrictive measures that are contrary to the letter or spirit of Article X and thus lead to equal treatment of all States Parties that wish to use the life sciences for peaceful purposes. References were made to past non-aligned proposals for an Article X action plan and an Article X implementation mechanism.

There were a number of points of overlap with Article VII, particularly informed by experiences countering or responding to disease outbreaks such as Ebola or MERS. Projects and activities highlighted both human and animal health issues as well as

increasing concerns relating to anti-microbial resistance. South-South cooperation was raised, with India highlighting provision of diagnostic kits.

Sub-topic themes

On *implementation reporting*, some delegations made references to their published reports on Article X implementation. Many individual projects were highlighted. The Article X database has 4 requests on it from 3 States Parties. There are 29 offers on the database with 5 countries (Canada, France, Germany, UK, USA) putting forward direct offers of assistance and the Australia Group collectively offering assistance with export controls. On *challenges and obstacles* it was suggested that, while export controls were required to stop a State Party assisting prohibited activities, 'politically motivated restrictions' on trade in goods for peaceful purposes formed an obstacle to implementation of Article X. The ISU introduced its background paper on challenges and obstacles (INF.3). India suggested there were sometimes difficulties in obtaining certain high-technology equipment such as that for high containment laboratories. On *targeting and mobilizing resources*, presentations by GoMs highlighted the role industry could play in providing therapeutic products. The need to have effective regulation on medical products that was sufficiently flexible to respond to emerging disease situations was raised, although concerns were voiced that this might be better dealt with in other forums. On *education and training*, the OIE spoke of its 'Global Conference on Biological Threat Reduction' held this year. On *capacity-building*, Tunisia spoke about the German-Tunisian Partnership Programme for Excellence in Biological Security that was launched this year. Georgia referred to assistance for its Lugar Center. Kenya spoke of its biosecurity work with Denmark. A number of other projects were described. On *coordination with other relevant bodies* examples were given of a range of activities carried out with or through the World Health Organization, the Commonwealth of Independent States, the Shanghai Cooperation Organization and the Association of South East Asian Nations illustrating the range of bodies that can be involved in such projects.

Side events

There were four side events on Tuesday. A breakfast meeting was convened by the Biotechnology Industry Organization (BIO) entitled 'Platform technologies & opportunities for combatting infectious disease: a discussion with companies'. Presentations were given by Phyllis Arthur (BIO), and Russell Wilson (Novavax). The event was chaired by Piers Millett (Biosecure).

Two lunchtime events were held in parallel. One, on 'Safeguarding science in the 21st century: BioSecurity Textbook', was convened by the Netherlands and the UK. Presentations were given by Tatyana Novosiolova (Bradford University), Koos van der Bruggen (Netherlands), Jo Husbands (US National Academy of Sciences), and Morten Madsen (Centre for Biosecurity, Denmark). The event was chaired by Ambassador Matthew Rowland (UK) with opening remarks given by Ambassador Henk Cor van der Kwast (Netherlands). The other, convened by the Global Health Security Agenda, was on 'Health Security through action'. Comments from Ambassador Robert Wood (USA) were followed by presentations by Simon Nikkari (Finland), Melissa Dahlke (Uganda), Mia Kjems Draegert (Denmark), Hellen Mbugua-Kabiru (Kenya), Anna Katz (Finland), and Furaha Mramba (Tanzania).

At the end of the day, an event was convened by Russia on 'Strengthening the BWC and improving its implementation: resuming negotiations in that regard in 2017'. A presentation was given by Vladimir Ladanov (Russia) with opening remarks given by Vladimir Yermakov (Russia).

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Thursday 13th August 2015

The third day: scientific and technological developments

The 2015 Meeting of Experts (MX) of the Biological and Toxin Weapons Convention (BWC/BTWC) continued on Wednesday on the topic of ‘Review of developments in the field of science and technology related to the Convention’ with a focus on ‘advances in production, dispersal and delivery technologies of biological agents and toxins’. A first draft of the procedural section of the Report of the Meeting was circulated in the afternoon. New working papers, including some relevant to Thursday’s topic, were either posted to the ISU website during Wednesday or were circulated in hard copy. As with Tuesday’s topic, time was allocated to the overall topic with additional time set aside for specific sub-topics with specific time had been allocated immediately after the lunch break for presentations by international bodies and Guests of the Meeting (GoMs). Like the Article X discussions, most delegations included their comments on the sub-topics within their general statements

The morning started with Russia exercising a right of reply to respond to suggestions made by Ukraine on Tuesday that its biosecurity circumstances had been affected by the loss of an anti-plague laboratory on Crimea and with loss of control of territory in the south-east of the country. Russia used its right of reply to outline the view of its government that the current government in Kiev was not legitimate. Ukraine requested a right of reply to the Russian reply, which prompted a further reply in return, and so on. These exchanges took up nearly half an hour at the beginning of the day, some further minutes at the end of the morning session and again at the end of the afternoon session. In discussions in the corridors, it was clear that many delegations, even those with sympathies with one side of this interaction or the other, felt these exchanges had gone on for too long. The right of reply mechanism states: ‘the reply shall be as brief as possible’ [Rule 19].

Once the working session formally started, general remarks on the topic were given by: Iran (for the non-aligned), Switzerland, India, Russia, China, USA, Cuba and Australia. Under the various sub-topics, the floor was taken by the UK and the Netherlands. [Where a delegation took the floor more than once, only the first time is noted in this list.] The international bodies and GoMs presenting after lunch were the Scientific Advisory Board of the Organization for the Prohibition of Chemical Weapons, the CDC Uganda Virus Research Institute, the Inter-Academy Panel, and the Georgia Institute of Technology.

Overarching points

There was considerable overlap with other topics discussed within this MX. New developments in the life sciences can lead to cheaper and more readily available tools for diagnosis and treatment of diseases and this has implications for discussions on Article X. There are similar connections with Article VII. However, new understandings about the processes that sustain life that lead to these positive developments might also be used to intervene in those life processes to cause harm, either deliberately or inadvertently. Hence, S&T developments should influence how national implementation is carried out in order to

ensure that such implementation remains relevant to the challenges. This potential for new S&T developments to cause either good or harm was highlighted in a presentation by Switzerland on the CRISPR/Cas system that allows for new means of intervention in the processes in living cells ranging from bacteria to cells in the human body.

The rapid pace of developments means that just to list the areas of S&T developments raised in the MX would, of itself, fill the two pages of this daily report. References were made by delegations to working papers of this MX (for example, WP.5, 6, 8, 9, 11, 12 and 15).

With this year's meeting being the last in the current inter-sessional process, a number of delegations have started to consider whether there are ways to improve the review of S&T issues beyond the Eighth BWC Review Conference to be held in 2016. A number of introductory statements on Monday had indicated desires to improve S&T review arrangements. The creation of some form of science advisory board or the creation of a new form of inter-sessional working practice that would focus on S&T issues have been suggested. Switzerland spoke to its working paper (WP.11) on the subject. It would seem that delegations are open to exploring new arrangements in this area with the usual caveats such as resource implications. The integration of S&T developments into policy processes has historically been challenging whether those processes are national or multinational.

Selected sub-topic themes

On *new developments of concern*, the issue of 'gain of function' research was most prominent, as in earlier years. On *new developments with potential benefits*, there were hopes that new developments would be able to lead to more treatments being made available in more locations for more people. The Georgia Tech presentation was on new micro-needle methods of delivery vaccines, which research indicates may overcome many problems of conventional vaccine delivery, including a much reduced need for refrigeration to keep the vaccine in a viable condition. On *strengthening national biological research risk management*, both the Netherlands and the USA highlighted key points of the development of their biosecurity systems that had been discussed at their lunchtime side event. On *codes of conduct*, some delegations reiterated that while the types of content codes might have could be discussed within BWC meetings, implementation of codes should be done on a national basis.

Side events

There were three side events on Tuesday. A breakfast event was convened by the Federation of American Scientists (FAS) on 'Use of Microbial Forensics in Attribution Decision Making (The Science-Policy Interface)'. Presentations were given by Chris Bidwell (FAS) and Randall Murch (Virginia Tech).

Two lunchtime events were held in parallel. One, on 'National Measures to Address Dual Use Research', was convened by the USA and the Netherlands. Presentations were given by Ayse Aydin (Netherlands), Herawati Sudoyo (Indonesian Academy of Sciences), Zalini Yunus (Malaysia), Susan Collier-Monarez (USA). The event was chaired by Christopher Park (USA) with opening remarks given by Ambassador Henk Cor van der Kwast (Netherlands) and Ambassador Robert Wood (USA). The other, convened by the UN Institute for Disarmament Research (UNIDIR) and France, was on 'From the Geneva Protocol to the UNSG mechanism : Lessons Learned and Opportunities'. Presentations were given by Nikita Smidovich (UN Office for Disarmament Affairs), Nicolas Coussière (France), Anna-Lena Johansson (Sweden), and Cedric Invernizzi (Switzerland). Introductory remarks were given by Louis Riquet (France) and Kerstin Vignard (UNIDIR).

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Friday 14th August 2015

The fourth day: national implementation

The 2015 Meeting of Experts (MX) of the Biological and Toxin Weapons Convention (BWC/BTWC) continued on Thursday on the topic of ‘Strengthening national implementation’. As has been the practice this year, time was allocated to the overall topic with additional time set aside for specific sub-topics with specific time allocated immediately after the lunch break for presentations by international bodies and Guests of the Meeting (GoMs). As before, where copies of statements or presentations are provided by those that gave them, these will be added to the ISU website. New working papers and the first draft of the first part of the annex of the Report of the Meeting that contains ideas and suggestions raised during the first three days’ proceedings was circulated.

Interventions from states parties were given in the following order: Iran (for the non-aligned), UK, Spain, Mongolia, Burundi, Canada, Australia, Japan, Cameroon, Republic of Korea, Malaysia, China, Switzerland, India, Ecuador, Cuba, USA, France, Iraq, the Netherlands and Colombia. [Where a delegation took the floor more than once, only the first time is noted.] The international bodies and GoMs presenting after lunch were the UN 1540 Committee, UN Interregional Crime and Justice Research Institute (UNICRI), the World Organization for Animal Health (OIE), the Bradford Disarmament Research Centre and VERTIC. The intervention by Cameroon is the first time it has taken the floor since the 2008 MX when it described the processes it was taking to join the Convention, becoming a state party in 2013.

Overarching points

Improved national implementation of the obligations contained within the Convention has regarded as an important way of enhancing effectiveness of the overall regime to control biological weapons. With such a variety of national constitutional systems and varying levels of activities that need to be controlled, effective implementation in ways that are appropriate to national contexts has long been regarded as a significant challenge.

There was considerable overlap with other topics discussed within this MX – in particular with biosecurity issues that were raised under the science and technology topic on Wednesday and the need for capacity building within some states that was discussed under the cooperation and assistance topic on Tuesday. As with topics discussed earlier, some delegations were thinking ahead towards the Eighth BWC Review Conference.

Many delegations described developments for implementation of the BWC by their governments – proposals/consultations for what might be within the control measures, drafting of laws and regulations, approval by legislative assemblies and ongoing implementation of the controls. Many examples were given for implementation assistance from international bodies, other states parties and civil society.

While the sharing of good practice was widely supported, there were differing views of how this might best be done and the relevance to the Convention of informal arrangements to evaluate or assess compliance within individual states. The most prominent

proposal currently for such an informal arrangement is the French proposal for peer review. India indicated that while it was open to more discussion on the subject, it was yet to be convinced of the role of peer review within the BWC. The UK noted that there were a multiplicity of possible ways to move forward with the peer review concept.

Particular points

Four new papers were circulated in the room as official documents on Thursday. WP16, prepared by Australia and Malaysia with 9 co-sponsors, was on ‘providing reassurance’ in BWC implementation through increased transparency and practical demonstrations of commitment to the Convention. WP.17 was a paper by Chile, Ecuador, El Salvador, Italy, Panama and Spain on measures to improve biosecurity. WP.18, prepared by the USA and co-sponsored by 36 others in the printed version in the room, repeated suggestions for elements of an effective national export control system that had been included in a paper (WP.2) presented to the 2014 Meeting of States Parties (MSP). The intention stated in the paper is to try to reach a common understanding on the points at the 2015 MSP as measures needed to implement Article III of the BWC. The co-sponsors on the printed version were primarily EU and JACKSNNZ countries with Colombia, Turkey and Ukraine. Other co-sponsors may be added. India expressed support for the paper in its intervention. WP.19 was a summary of national measures to address dual use research by Indonesia, Malaysia, Netherlands and USA following their side event on Wednesday.

The UK noted the importance of involving funders of research and highlighted the ‘Position statement on dual use research of concern and research misuse’ issued collectively by three of the country’s largest funders and updated in July.

Effective national implementation involves maintaining control of dangerous pathogens at all times and so the acknowledgement of inadvertent shipments of laboratory samples that contained live anthrax spores instead of inactivated spores from a US facility raised some questions. The Russian delegation suggested that this put lives at risk, not only of US citizens but citizens of other countries too as some shipments were to US laboratories in other countries. Russia posed a rhetorical question as to whether the succession of mishandling incidents were designed to habituate the public to such events and that it was worth posing the question as there might be some motive behind it. This was described as fanciful by the US.

Side events

There were three events in the side rooms on Wednesday. A breakfast briefing was convened by the US delegation to report to states parties on the inadvertent shipments of dangerous pathogens from US laboratories. The event was described as being convened in order to enhance transparency but was held behind closed doors – the only activity at this MX, apart from the regional group caucus meetings, that was held in private.

Two lunchtime events were held in parallel. One, on ‘The Dutch Bottom-up Approach in Raising Biosecurity Awareness: How to Reach Professionals, Students and Amateurs?’, was convened by the Netherlands with presentations by Rik Bleijs, Saskia Rutjes, Cécile van de Vlucht and Harold van de Berg (all Netherlands) with opening remarks given by Ambassador Henk Cor van der Kwast. The other, convened by the Republic of Korea, Peru, Interpol and the World Health Organization, was entitled ‘Global Health Security Agenda - Action Package Meeting: Multisectoral Rapid Response on MERS Outbreak in Korea’. The presentation was given by Chaeshin Chu (Republic of Korea).

NOTE: There will be an additional MX report covering the final day of the Meeting. This will be published next week and will be posted at the web location given below.

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Friday 21st August 2015

The final day: Article VII, adoption of the report and some reflections

The 2015 Meeting of Experts (MX) of the Biological and Toxin Weapons Convention (BWC/BTWC) completed its programme of work with a further discussion, during the morning session, on ‘How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties’ (following on from the presentations on Monday) and, in the afternoon, adoption of the report of the Meeting. There were no side events on Friday.

The report is uncontroversial, essentially saying that the meeting was convened, was presented with papers and that a number of ideas and suggestions were made. The list of ideas and suggestions is a useful output of the MX. As with past practice, the Chair will prepare a ‘synthesis paper’ for the Meeting of States Parties (MSP) in December.

Article VII

Interventions from states parties were given in the following order: Iran (for the non-aligned), Russia, France, India, UK, South Africa, Canada, Switzerland, Philippines, Cuba, China, Pakistan, USA, Australia, Iran (national), Belarus, and the Netherlands. At the end of the morning session, a presentation was given by the UN Office for Disarmament Affairs on the UN Secretary-General’s mechanism that could be used to investigate alleged uses of biological weapons.

Many links or overlaps between Article VII and Article X were identified, not least because effective response to a deliberately induced outbreak of disease would require further capacity building – a key lesson cited from responses to the recent Ebola cases. Practical concerns were raised about how to implement Article VII – not least questions of whether a request for assistance should be the same as a request for an investigation. The text of Article VII includes reference to a decision by the UN Security Council which presumably would have to be based on some evidence. South Africa spoke to its working paper (WP.10) which included a suggested checklist of information to be included in a request for assistance. Suggestions were made that governments could outline in advance what assistance they might be able to provide in an emergency situation. France and India spoke to their joint working paper (WP.7) on a proposal for an Article VII database along the lines of the existing Article X database. Concerns were raised about duplication of activities with other international bodies such as the World Health Organization and on the concept of ‘command and control’ (see below).

Reflections

A conscious effort is taken in writing these daily summaries to report the facts and not give opinion. However, there are times that this style of reporting does not convey some of the atmosphere of meetings. The following are some personal reflections that do not necessarily represent anyone’s views other than the author’s own.

The terminology of ‘command and control’ in relation to Article VII assistance highlighted many sensitivities about the government receiving assistance remaining in

control of the situation. The term clearly carries with it some overtones of external control, but it does not seem that this is intended in these circumstances. This is an area where clearer definitions would be helpful to ensure that discussion is not inadvertently diverted through unintended differing meanings being associated with terms being used.

With this the final Meeting of Experts in the current inter-sessional process, thoughts have turned to how the knowledge generated within the meetings should be handled by the Eighth BWC Review Conference to be held in 2016 and what form of inter-sessional process should follow. There are clear limits to the current arrangements but it is not clear whether improvements could be made that would attract consensus. A key issue is the cost of getting people into Geneva for the annual meetings.

The further elaboration of the proposal by Russia (WP.14) to open up a new forum for negotiations on a legally binding instrument that would cover key issues to strengthen the Convention, but not including verification issues, was the subject of a side event on Tuesday evening. By the end of that evening the Russian delegation had generated a considerable amount of goodwill, especially amongst delegations with doubts about the proposal, because of the open manner the issues had been dealt with. Possible advantages and disadvantages of the proposed approach were freely discussed. One of the challenges will be that the costs of supporting a new forum could rule out a further inter-sessional process on the existing model as many countries may not wish to sustain the costs for both. On Friday, Russia placed in the room an unofficial translation of its intervention on Wednesday in relation to Ukraine, seemingly to ensure that their words were understood to be more than simply questioning the legality of the Kiev administration (which is how it was summarized in these reports for reasons of space, for example) but were focused on suggestions of a collapsing biosecurity situation in Ukraine. The exchanges on Wednesday took up considerable time and dispersed much of the goodwill generated the evening before. Acceptance of the Russian proposal may hinge on whether delegations believe that any negotiations established would be carried out in a productive manner.

This inter-sessional process is the first to have a review of science and technology (S&T) developments as part of its topics for discussion each year. There have been useful interactions regarding the rapidly changing S&T context that the BWC operates within. However, the number of delegations getting deeply involved in these interactions has been relatively small. This may simply be a reflection of the general problem of science advice – processes and procedures for science advice within governments are a challenge across the world. The different perspectives that policy practitioners and S&T practitioners bring to discussions can bring enlightenment to many contemporary issues; yet those same differences can hinder discussions as well as enlighten them. While non-specialist higher-ups within governments can easily conceive the benefits their country can get from learning the lessons of other countries' national implementation experiences, for example, it is not clear that there is a similar understanding of the benefits that can be drawn from the S&T exchanges. This may be an area that needs further work.

The current inter-sessional process has developed a long way from the 'lowest common denominator' agreement that was adopted at the resumed Fifth BWC Review Conference in 2002, yet there is still a lack of 'common understanding and effective action' that is meant to be the cornerstone of the meetings. The meetings have benefited from greater openness and a willingness to engage with external expertise. [On this point, it is worth noting that discussions with members of the US delegation indicated that their briefing event on Thursday was inadvertently held under closed conditions.] There are lessons to be learned and improvements that could be made to the inter-sessional arrangements. It is important that early consideration is given to what form of work programme may be the most suitable for the post-2016 Review Conference period.

This is the sixth and final report from the Meeting of Experts for the Biological and Toxin Weapons Convention which was held from 10 to 14 August 2015 in Geneva.

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