Summary Report

Submitted by the Chairman of the Preparatory Committee under his responsibility

1. In accordance with the mandate given by the Meeting of States Parties in December 2015 and without prejudice to the final outcome of the Review Conference, this summary report is intended to be a concise and factual record of the proceedings of the Preparatory Committee with a view to facilitating preparations for the Eighth Review Conference to be held in November 2016.

2. The Chairman would like to express his gratitude to delegations for their active participation in the Preparatory Committee, particularly for the large number of working papers that were submitted and which together with oral statements have served as the basis for this summary report. It was clear from the discussions that there are some areas which have seen a large number of proposals indicating a considerable interest to make progress. At the same time, some States Parties emphasized the need to review the Convention in its entirety with a view to a comprehensive and balanced process and outcome.

3. The following sections summarize and synthesize substantive discussions under agenda items 5 and 7 thematically as many issues cut across different Articles of the Convention and some States Parties frequently highlighted the linkages between Articles.

Science and technology

4. It was noted that science and technology is relevant to most Articles of the Convention and that the Review Conference was specifically mandated by Article XII to “take into account any new scientific and technological developments”. In this regard, it was recognized that developments since the Seventh Review Conference have brought both potential risks and benefits to the Convention. Some States Parties highlighted that common understandings on this subject already exist. As regards the process of reviewing science and technology within the framework of the Convention, some States Parties expressed satisfaction with the existing mechanism which is based upon a standing agenda item considered at the annual meetings of experts and States Parties. Others underlined that the present review process is not effective enough to keep pace with relevant developments and to be responsive to the needs of States Parties. A variety of proposals were made to improve the review mechanism by more frequent, systematic and structured assessment of relevant science and technology developments. To this end, the establishment of a new subsidiary review body to support the work of a future intersessional programme, such as a Scientific Advisory Committee, Group of Governmental Experts or working groups, was suggested. These proposals offered various options on inter alia the composition, scope, costs, guidance and coordination, input and reporting in relation to this new body and provided a basis for further consideration to enable appropriate actions at the Review Conference.
Cooperation and assistance

5. The importance of strengthening international cooperation and assistance under Article X and further elaborating existing common understandings, building upon various decisions of the Seventh Review Conference, through concrete measures to be adopted at the Eighth Review Conference, was highlighted. Some States Parties proposed to develop a mechanism for the full, effective and non-discriminatory implementation of Article X and emphasized that international cooperation and assistance for purposes consistent with the Convention should not be hindered. In this regard, a Standing Committee to follow-up and review the effective and full implementation of the transfer-related issues was proposed. It was highlighted that a range of activities are already conducted within the framework of Article X. Some States Parties noted the role of Article X in strengthening international and national capacities for tackling outbreaks of infectious diseases. The cross-cutting nature of cooperation and assistance was noted, as were the linkages between this Article and others in the Convention, in particular Article VII. Creation of an institutional mechanism for the practical implementation of Articles VI, VII and X was proposed, including the establishment of mobile biomedical units, to enhance the operational capacity of the Convention to investigate alleged use of biological weapons and to assist in the mitigation of epidemics. Further discussions on various aspects could build common ground for strengthening implementation of Article X.

National implementation

6. States Parties noted the value of elaborating further the existing common understandings related to national implementation. Proposals were made for the Eighth Review Conference to take further steps to promote and strengthen the implementation of Articles III and IV of the Convention. With regard to Article III, proposals were advanced on national legislation, national export controls, cooperative activities and on the establishment of a non-proliferation export control and international cooperation regime under the framework of the Convention. Some proposals involved new voluntary initiatives such as peer review mechanisms, voluntary visits and exchanges of information, and voluntary exercises to build confidence and transparency. Some initiatives were related to several provisions of the Convention pertaining to national implementation, international assistance and cooperation, confidence-building and capacity development. It was noted that comprehensive plans at the national level can aid implementation, as well as the identification of requirements for assistance. Proposals also addressed mechanisms for the oversight of scientific research, education about dual-use risks, and by the development of a template for a code of conduct for life scientists.

CBMs, consultation and cooperation

7. It was noted that in the absence of verification it is important to build confidence in compliance and enhance information sharing between States Parties. To this end, proposals were made to enhance the consultation process under Article V of the Convention by further elaborating possible ways to develop bilateral and multilateral consultation mechanisms in
order to provide a framework to address implementation challenges that may affect States Parties. Further proposals were made to enhance the utility and use of CBMs by States Parties, as well as to increase participation through a step-by-step approach, while some States Parties noted that CBMs are neither declarations nor a substitute for verification of compliance with the Convention. Proposals related to CBMs included a CBM assistance network, operationalizing the electronic platform and technical refinements to the type and range of information requested in CBM forms.

**Investigating alleged use**

8. It was noted that in investigating a disease outbreak, taking into account the particular circumstances, the measures taken may differ on the technical and organisational levels depending on whether the outbreak was deliberate or natural. Some States Parties proposed that the operational capabilities of the United Nations Secretary-General’s mechanism to investigate the alleged use of chemical, biological and toxin weapons should be enhanced. The importance of commitments in advance to cooperate with an investigation was also highlighted. Other States Parties underlined the necessity of clarifying some definitions and the scope of Article VI, along with clarification of the relationship between the Convention and the Secretary-General’s Mechanism. Some views were expressed on establishing a verification/investigation mechanism within the Convention.

**Provision of assistance**

9. It was noted that while providing or supporting assistance to any State Party exposed to danger as a result of violation of the Convention is a key obligation under Article VII, there is a lack of detailed procedures and mechanisms for its implementation. The creation of a database open to all States Parties was proposed for matching specific offers and requests for assistance, while noting that the implementation of other Articles was also relevant in this context. Guidelines were also suggested to aid a State Party when submitting a request for assistance under Article VII to the United Nations Security Council. The establishment of a working group on cooperation and assistance was also proposed, as was cooperation with other relevant international organizations.

**Geneva Protocol and universalization**

10. The Preparatory Committee also discussed the relationship between the Convention and the 1925 Geneva Protocol. Some States Parties noted the disparity in membership between the two instruments. Proposals were submitted for action at the Eighth Review Conference to promote the universalization of the Protocol and to encourage States with reservations to the Protocol to withdraw them as soon as possible.

11. Adopting an Action Plan for the universalization of the Convention was also proposed. Its implementation should be regularly reviewed at dedicated sessions or working group meetings.
Follow-on action after the Review Conference

12. The Preparatory Committee also considered possible follow-on action after the Eighth Review Conference. These proposals addressed the future programme of work and the Implementation Support Unit.

(a) It was noted that the intersessional programme had been useful in discussing and promoting common understandings on those issues identified for inclusion by the Seventh Review Conference. Some States Parties showed satisfaction with the present arrangements consisting of Review Conferences, Meetings of States Parties and Meetings of Experts. Others expressed the view that the previous intersessional programme had not been as effective as had been hoped with regard to promoting “effective action”. Emphasizing first and foremost the importance of finding common ground on substance, various options for a future intersessional programme were discussed. It was underlined that any such future programme would have to allow for balanced consideration of issues relating to all provisions of the Convention. Some States Parties suggested to set up working groups or groups of governmental experts to address specific issues as needed, as well as a steering committee to manage the process. While some States Parties emphasized the supremacy of the Review Conferences, others proposed to give the annual meetings of States Parties of a future intersessional programme carefully delegated decision-making authority. Any such changes could be formalized by the Eighth Review Conference in relation to Article XII of the Convention. Alternatively, some States Parties proposed to establish an open-ended working group to negotiate a legally-binding instrument strengthening the Convention, while others called for concluding an appropriate multilateral verification agreement. Several proposals involved more meetings per year than had been the case since 2011, and it was noted that this would have consequent financial implications.

(b) Some States Parties proposed a modest reinforcement of the Implementation Support Unit commensurate to any possible expanded mandate to be agreed by the Eighth Review Conference. Suggested additional tasks included, inter alia, science and technology, cooperation and assistance, universalization, capacity-building or the CBM system. It was noted that any such expansion would need to be properly discussed and planned. The issue of selection criteria for staff members of the ISU was also discussed. It was also noted that any expansion would have consequent financial implications for all States Parties which would need to be properly considered.