
**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**

10 November 2016

English only

Geneva, 7-25 November 2016

Agenda Item 10 (b)

Review of the operation of the Convention

as provided for in its article XII

Articles I-XV

**Building confidence through voluntary transparency
exercises**

**Submitted by Belgium, Canada, Chile, Czech Republic, France, Ghana,
Germany, Luxembourg, Mexico, the Netherlands, Spain, Switzerland
and the United States of America**

1. Since the Seventh Review Conference, various voluntary exercises have successfully taken place with the aim of improving transparency and coordination at the national level regarding the implementation of the Convention, which can in principle contribute to enhancing confidence in compliance with the BTWC and further international cooperation. All those exercises were meant to be concrete and innovative. Albeit with different names and modalities – “peer review”, “implementation review”, “compliance assessment”, “transparency visits” – those initiatives all share a similar pattern and general objectives.

2. The aim of this paper is to: (1) present the scope and nature of those initiatives, (2) further explain the structure they have in common, (3) show their relevance to the Convention, (4) respond to some of the questions raised regarding those exercises and (5) encourage the 8th Review Conference to take appropriate steps.

I. What is a voluntary transparency exercise?

3. One of the purposes of the exercises organized so far was to provide exploratory ways to share information and gain transparency regarding the implementation of the Convention. The aim of the exercise is to explore how the BTWC can progress in a workable, pragmatic way. It aims at developing tools for further discussions on the issue of confidence in compliance among States Parties.

Canada, Czech Republic, Switzerland (2011-2012)

4. Canada and Switzerland jointly presented a paper on a “Compliance Assessment” pilot project at the Seventh Review Conference, with follow-up at the 2012 Meeting of

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Experts. The Czech Republic joined the project in time for the 2012 Meeting of States Parties. Compliance Assessment aimed to examine a country's national legislation and implementation program, as well as how that program operated. If a State Party is assessed to be effectively regulating facilities on its territory that handle pathogens, this would enhance confidence that the State Party is in compliance with its non-proliferation obligations under Articles I, III, and IV of the Convention. National legislation and implementation systems were examined through written submissions. Given the diversity of methods to implement the Convention, participating States' submissions did not follow a common template.

France (2013)

5. France presented in 2014 the lessons learned from a pilot "peer review" exercise organized in December 2013 in Paris. Several topics related to the national implementation were presented: the national system of biosafety and biosecurity; the national export control system; and the awareness raising policy. Those topics were illustrated with two on-site visits (Institut Pasteur and Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail). A large panel of experts, coming from nine countries actively participated in the review.

Belgium, Luxembourg, the Netherlands (2015)

6. The Benelux countries decided to conduct a peer review exercise among themselves based on a mutually developed and agreed format. They decided to give the CBMs a central role in the peer review exercise to form the basis of the respective national implementation evaluation: form A and form E in particular. The Benelux peer review consisted of two phases: a first phase during which written consultation took place between the three States; a second phase during which each individual Benelux-country organized an event and hosted the other two States (visiting peers) for a review through presentations and on-site visits. National biosafety and biosecurity systems were underlined as crucial elements of the respective national implementation efforts.

Germany (2016)

7. Germany decided to conduct a peer review exercise in August 2016 at the Bundeswehr Institute of Microbiology, a military facility relevant to the BTWC and covered by the Confidence-Building Measures (CBM). During the visit, the conformity of the facility – which includes a Biosafety Level 3 (BSL3) laboratory – to the rules of the BTWC was reviewed by an international team of experts, including participants from 20 countries. The visit included a tour of the facility, a visit to the laboratories, conversations with staff, presentation and discussion of research activities, access to the BSL3 laboratory and an assessment meeting as well as a closing session including discussion, summary, and a final assessment.

Chile, Spain (2015 - 2016)

8. Spain along with Chile and other Latin American countries, launched a series of "voluntary visits" with the aim of exploring the strengths and weaknesses in matters related to biosafety and, in particular to biosecurity, at the national level in each one of the participating countries. In each country, a variable number of bio-facilities were visited and seminars organised. To follow up the process, workshops were run in Madrid with the ultimate goal of fostering regional cooperation to help Latin American countries in matters related to biosafety and biosecurity.

Canada, Chile, Ghana, Mexico, the United States of America (2016)

9. Canada, Chile, Ghana, Mexico, and the United States have partnered in an “Implementation Review” initiative, drawing in part on the above initiatives, for the purposes of improving implementation of the BWC, increasing transparency, and providing a model that other BWC States Parties may wish to adopt in their own efforts. The exercise involved the following steps: 1) jointly developing an agreed format for reports on measures to implement the BWC’s obligations; 2) each partner’s preparing, exchanging, and reviewing such reports; 3) visiting each other’s capitals to discuss the reports; 4) preparing reports on each country visit; and 5) preparing a joint working paper for the Eighth Review Conference describing the entire process, assessing strengths and limitations, and making recommendations.

II. What do all these voluntary exercises have in common?

10. Despite the different modalities, the exercises organized so far mostly share a similar pattern:

(a) **Participation of foreign highly qualified experts**, which allow for a substantive exchange among practitioners and the construction of a network of qualified experts, which can be further developed in the future;

(b) **On-site visits of facilities with opportunities to share experience with local staff**, which are essential for other States Parties to compare approaches in a way that goes beyond examining the text of laws and regulations and to see what the implications are in the field;

(c) **Involvement of various national agencies in the participating States Parties**, which can help to foster interagency efforts within the host nation, inform the relevant agencies about BTWC related issues, and demonstrate how agencies work together to implement the BTWC;

(d) **Feedback from participants** with a view to enhancing the way the Convention can be implemented by the host country and to informing the other participating States Parties about how the host country implements the Convention.

11. These core elements allow for the exercise to be concrete, inclusive, interactive and further add real value to States Parties’ consideration of national implementation.

III. What is the value of organizing these voluntary exercises?

12. These exercises entail several benefits which relate to different articles of the Convention.

Article IV

Further enhancing and improving national implementation: the exercise provide a good opportunity to share best practices through the feedbacks provided by foreign qualified experts and also to raise national stakeholders’ awareness about the BTWC.

Article V

Building confidence in compliance and dispelling concerns amongst States Parties through increased transparency: the exercises are voluntary and could contribute toward better understanding through information shared.

Article X

Providing the opportunity to develop international cooperation: voluntary exercises provide a good opportunity to establish smooth and flexible contacts between different stakeholders in respective countries. They allow countries to better identify their needs and may lead to further concrete cooperation and projects.

IV. What voluntary transparency exercises are not

13. **Voluntary exercises are not a substitute for verification.** They are not aimed at distracting the attention of States Parties away from the debate on verification, which is clearly distinct. They are an improvement of transparency, mainly through the exchange of best practices at the expert level.

14. **The voluntary exercises are not intended to become mandatory.** They are a purely national and voluntary commitments aimed at strengthening transparency by the exchange of good practices which can, in principle, contribute to building confidence in compliance with the BTWC.

15. **Voluntary exercises are not discriminatory.** Any country can decide to organize an exercise and decide upon the participants. So far, **34 countries have participated in one or several of the exercises** listed above. The cost of organizing an exercise is relatively modest – around 35 000 €. The creation of a voluntary trust fund, run by the ISU, to help financially developing countries in organizing voluntary exercises could be usefully considered.

V. How is it relevant to the Eighth Review Conference?

16. Thirteen countries have organized six exercises involving 34 countries.

17. These exercises were all designed to “think outside the box” of the traditional BTWC debate, that is, to pursue common objectives in a new way. The voluntary, concrete and flexible nature of the concept enables State Parties to achieve progress by the exchange of best practices and gaining transparency about the implementation of the Convention by others. Using this concept, there is a wide variety of topics of interest to the practical implementation of the BTWC from which States Parties can choose as a way to allow their experts to work with others on implementation of relevant provisions of the BTWC. We believe that this type of exercise can be relevant to numerous provisions of the Convention.

18. Therefore, we would recommend that the Eighth Review Conference, include the following language in its final report:

“Takes note of voluntary transparency initiatives and exercises from States Parties to promote confidence building under the Convention and invites States Parties to share information, as appropriate, on actions taken;

Welcomes such initiatives and exercises, noting that reports by participating countries show these were aimed at increasing transparency, improving national implementation, building confidence in compliance and developing international cooperation through the exchange of experiences and best practices;

Encourages additional States Parties to organize or participate in future voluntary transparency initiatives.”