

**MEETING 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**

Geneva, 1-5 December 2014

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To the Permanent Representatives in Geneva of the
States Parties and Signatories to the Convention on the Prohibition
of the Development, Production and Stockpiling of Bacteriological
(Biological) and Toxin Weapons and on their Destruction

19 November 2014

BIOLOGICAL WEAPONS CONVENTION: MEETING OF STATES PARTIES

Excellency,

I am writing once again in my capacity as Chairman of the 2014 meetings of the Biological Weapons Convention, to update you on preparations for the Meeting of States Parties, which will be held at the Palais des Nations from 1 to 5 December 2014.

Annexed to my last letter, dated 7 October 2014, was a copy of the synthesis paper which brought together the various proposals, ideas and recommendations heard during the Meeting of Experts in August. At that time, I indicated that I would like for us all to have greater clarity on: which themes may yield new common understandings; how we can fit together common understandings already identified with the new material; and where we might focus efforts on promoting effective action. I remain committed to providing you with a tool that strikes the needed balance between the substantive areas of our work and is of the most value to the greatest number of States Parties in preparing for the Meeting of States Parties.

The feedback I have received from that letter, as well as my own consultations, has suggested that there is support for beginning to consider possible output from the Meeting of States Parties. As I told the regional groups during our consultations from 7-11 November, I expect, in terms of structure, the Report of the Meeting of States Parties to closely resemble those adopted in 2012 and 2013. I anticipate that the report would include both factual and

substantive sections and will likely cover both previously agreed elements and new common understandings so as to preserve the balance between the standing agenda items and the biennial item, as provided for in the Final Document of the Seventh Review Conference. I am also hoping that we can find a way to capture the part of our mandate to promote effective action.

States Parties from each of the regional groups have suggested to me that we might usefully begin to explore substantive text before we gather in Geneva in December. Without straying from past precedent, I am keen that we explore every opportunity to facilitate our work at the Meeting of States Parties. For this reason, I am providing to you, at an earlier than usual point in the year, the Chairman's draft elements for inclusion in the Report of the Meeting of States Parties, which in the past has not been distributed until the middle of the Meeting of States Parties.

The text attached to this letter represents my approximation as to where consensus may be found on the issues we discussed at the Meeting of Experts and in light of the past two Meetings of States Parties. My text:

- Draws upon the material we heard in August, as refined in the annex to the Report of the Meeting of Experts, and developed in the synthesis paper;
- Focuses on those ideas that either seemed to enjoy broad support at the Meeting of Experts, or to which few objections were raised;
- Reflects the feedback I have received so far on the synthesis paper and how it reflected ideas and proposals introduced at the Meeting of Experts; and
- Introduces elements, present in the reports of the 2012 and 2013 Meetings of States Parties (and from previous intersessional processes in the case of the biennial item to strengthen Article VII), which States Parties may want to retain to help ensure the overall balance and direction of our output this year. Text, which has already been agreed by consensus is not in bold in my draft.

The attached Chairman's Draft Elements for Inclusion in the Report of the Meeting of States Parties is intended to help delegations to identify those elements they would wish to address during the Meeting of States Parties. It will be further consolidated in the light of elements and proposals put forward in December as we firm up the final version of the outcome document. I hope the attached text will be a useful starting point for our discussion and provide more time to reflect on possible content as well as fostering input from capital and relevant experts. In the lead up to the Meeting of States Parties, I remain at your disposal and would be keen to meet with delegations to refine my text and to better understand your views on its content.

In line with efforts to bring more voices to the table, providing you with these ideas earlier should help additional States Parties to play a more active role in determining the outcome of our meeting. I hope that it will also provide us with more time to focus on promoting effective action at the Meeting of States Parties.

I look forward to working with you towards an effective and productive Meeting of States Parties in December, and ask you for your cooperation and support in this endeavour.

Please accept, Excellency, the assurances of my highest consideration.



Urs Schmid
Ambassador and Permanent Representative of
Switzerland to the Conference on Disarmament
Chairman of the Meeting of States Parties

Attachments: (1) Chairman's Draft elements for inclusion in the Report of the Meeting of States Parties

Draft elements for inclusion in the Report of the Meeting of States Parties¹

18. In accordance with the decision of the Seventh Review Conference, and recalling the common understandings reached during the 2003-2005 and 2007-2010 intersessional work programmes and by the Meeting of States Parties in 2012 and 2013, States Parties continued to develop common understandings on each of the three standing agenda items and the biennial item.

I. Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X

19. States Parties recalled their legal obligation to facilitate and their right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and not to hamper the economic and technological development of States Parties.

20. States Parties recalled their agreement on the importance of taking full advantage of the 2012–2015 intersessional process, as well as the other outcomes of the Seventh Review Conference, to strengthen international cooperation and assistance. States Parties recognized the value of elaborating further the existing common understandings related to Article X.

21. Recalling the importance of the reports by States Parties on their implementation of Article X, States Parties noted that to date, a very small number of States Parties have submitted these reports and urged States Parties to submit clear, specific and timely national reports to facilitate ongoing discussion.

22. In order to further enhance the functioning of the database system to facilitate requests for and offers of exchange of assistance and cooperation, States Parties noted the value of assessing its functionality, strengthening its utilization and improving its operation. States Parties agreed on the value of **continuing and expanding their use of the database, and reconciling supply and demand for technical assistance by evaluating existing activities in light of requests for assistance and detailing needs and capacity gaps. States Parties also agreed on the value of more prominently featuring the assistance and cooperation database on the main ISU webpage to promote its use.**

23. To further reinforce efforts to work together to target and mobilize resources, States Parties agreed on the value of ensuring:

- (a) **Offers for cooperation are sustainable, address the needs of the recipient, and include possibilities for the longer-term provision of assistance;**
- (b) **Transparency in needs, challenges to implementation, and the results achieved, as well as being prepared to make substantial commitments when receiving assistance;**
- (c) **Mutuality of benefit, including ensuring adequate and equitable benefits from the sharing of clinical samples;**
- (d) **Full advantage is taken of exchanges of life science-related knowledge, materials and equipment around the world generated by industry, academia and other non-governmental groups, including through public-private partnerships; and**
- (e) **Where appropriate, that regional cooperation complements national efforts, such as for the stockpiling of prophylactics and therapeutics.**

24. To further efforts to address challenges and obstacles to developing international cooperation, assistance and exchange in the biological sciences and technology, including equipment and material for peaceful purposes to their full potential, and possible means of overcoming these, States Parties noted the value of:

- (a) **Avoiding imposing restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials under Article X;**

¹ Text highlighted in bold has not been included in any of the common understandings identified at the 2012 and 2013 Meetings of States Parties. The numbering follows that of the 2012 and 2013 MSP outcome documents.

(b) **Additional information on how States Parties are implementing their obligations and about specific challenges and issues they have observed and identifying specific needs for, and gaps in, cooperation that are currently unmet;**

(c) **Ensuring assistance is transparent, open, honest, and is used for purposes that are fully consistent with the objectives of the Convention; and**

(d) **Ensuring greater interoperability of regulatory standards, such as for emergency use authorizations, and transfers of clinical samples.**

25. **In order to further address a range of specific measures for the full and comprehensive implementation of Article X taking into account all of its provisions, including facilitation of cooperation and assistance, States Parties recognized the value of:**

(a) **Continuing national efforts to exchange information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources;**

(b) **Cooperation and assistance as an incentive for universalization to encourage more states to join the Convention, thereby helping to ensure that biological substances will be used exclusively for peaceful purposes; and**

(c) **Open-access to scientific publications, reducing possible barriers to access posed by the costs of subscriptions.**

26. **In order to further reinforce efforts to develop human resources in the biological sciences and technology relevant to the implementation of the Convention, States Parties recognized the value of:**

(a) **Building a broad base of relevant capacity, including for national implementation, science and technology; biosafety and biosecurity management, as well as dealing with disease;**

(b) **Making full use of train-the-trainer approaches, including local-based training supported by national or regional associations and organizations, to reach a wider group of relevant actors.**

(c) **Opportunities for training and work with cutting edge technology in universities, research institutions and production facilities as well as advanced laboratories;**

27. **In order to further efforts to strengthen national, regional and international capacity through international cooperation to prevent accidental or deliberate releases of biological agents, as well as for detecting and responding to outbreaks of infectious disease or biological weapons attacks, States Parties noted the value of:**

(a) **Making detection, surveillance and response capacity more effective and robust, including through real-time bio-surveillance, more effective diagnostics, as well as emergency operation centres with common standards;**

(b) **Developing and maintaining national regulatory environments conducive to product development of diagnostics, prophylactics, and therapeutics; and**

(c) **Sharing relevant information on, *inter alia*, opportunities and challenges resulting from advances in the life sciences and biotechnology, disease outbreaks, biosafety, and health care.**

28. **In order to further efforts to strengthen international cooperation to ensure all States Parties have access to the benefits of developments in the life sciences, States Parties noted the value of harnessing recent advances, including in enabling technologies, vaccine development and production, biological production technologies, equipment and training for high containment laboratories, in order to strengthen the sustainable development of States Parties, taking into account the needs of developing countries in meeting health-related challenges.**

29. **Recognizing the importance of coordination with relevant international and regional organizations and other relevant stakeholders, and taking into account the mandates of existing mechanisms established by those organizations, States Parties noted the value of:**

(a) **Promoting broader recognition of the unique central role of the Convention in dealing with preventing the development and production of biological and toxin weapons; and**

(b) **Identifying assistance provided in other settings which could be useful in achieving the aims of the Convention and ensuring that such assistance is consistent with these aims.**

30. Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for the full and effective implementation of Article X obligations. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.

II. Review of developments in the field of science and technology related to the Convention

31. States Parties identified certain advances in science and technology that have potential benefits for the Convention and agreed on the need to share information on these developments, **including on the improved understanding of, and technologies to investigate:**

- (a) **Rational design of attenuated vaccines, making vaccine and drug production simpler, faster, cheaper and more efficient;**
- (b) **Virulence mechanisms, resulting from advances in enabling technologies;**
- (c) **Pathogenesis, enabling more rapid response to, and the development of countermeasures against, new or re-emerging pathogens;**
- (d) **Host-pathogen interactions, offering new opportunities for: disease surveillance, detection, and diagnosis; the identification of targets to treat or prevent disease; negating the mechanisms that pathogens use to evade or disrupt the host immune system; identifying virulence factors in emerging pathogens; and the development of more specific vaccines, therapeutics and diagnostics; and**
- (e) **Toxins, providing new avenues for treatments for neuromuscular disorders, toxin detection and diagnosis, and post exposure therapy, including through the development of standardised methodologies for detection and identification.**

32. States Parties reviewed various enabling technologies, including, for example, **genome editing tools including those derived from bacterial 'immune systems', and continuing progress in synthetic biology.** These enabling technologies can affect how science is conducted and applied and will have many benefits in **faster, cheaper, and easier application of biological science and technology for both public health and security purposes.** These enabling technologies will bring both benefits and challenges for the Convention which may require action by States Parties.

33. States Parties reviewed advances derived from the convergence of scientific disciplines, including **biology, chemistry and nanotechnology.** These advances are leading to improvements in **defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures, as well as for detection and diagnosis.**

34. States Parties agreed that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including: **the creation of novel, highly-contagious, virulent pathogens; programming cells to produce toxins or viruses which could cause harm; and decreasing 'tacit-knowledge' associated with activities relevant to the Convention.** States Parties also agreed on the importance of facilitating the fullest possible exchange of dual-use technologies where their use is fully consistent with the peaceful object and purpose of the Convention.

35. States Parties noted the potential relevance, both beneficial and for purposes contrary to the provisions of the Convention, of techniques designed to confer new characteristics to existing pathogens or to confer pathogenicity on non-pathogenic organisms. States Parties agreed on the value of continuing to consider such gain-of-function work in future meetings.

36. Research that is identified as being of dual-use concern is often vitally important to science, public health and agriculture, and its findings often contribute meaningfully to the broader base of knowledge that advances scientific and public health objectives. States Parties recognised that identifying research as being of dual-use concern does not, in itself, provide sufficient justification for proscribing or restricting its availability, or for preventing its pursuit. Identifying research as being of dual-use concern does necessitate greater oversight, and for a collaborative and informed assessment of the potential benefits and risks of the research. In order to further seize opportunities for maximizing benefits from advances in science and technology while minimizing the risk of their application for prohibited purposes, States Parties noted the value of enhancing national oversight of dual-use research of concern without

hampering the fullest possible exchange of knowledge and technology for peaceful purposes, **including, where appropriate, the early publication of relevant research to generate a window for effective policy engagement after proof-of-principle but prior to the existence of a mature technology.** States Parties **reiterated** the value of promoting appropriate oversight measures to identify and manage such risks ensuring that they proportional to the assessed risk, take into account both risks and benefits, and avoid hampering legitimate peaceful activities. **States Parties noted the value of these measures:**

- (a) **Being transparent and providing for the frequent assessment of science and technology;**
- (b) **Taking advantage of flexible approaches that leverage existing review processes, consider good practices and available methodologies to measure risks and benefits of relevant activities; and**
- (c) **Addressing the safety and security risks associated with the conduct of research as well as the possible misuse of research results and products.**

States Parties agreed on the value of continued discussion under the Convention, on oversight of dual use research of concern, **including specific approaches to identifying relevant activities, as well as systems for assessing and mitigating relevant risks and benefits.**

37. **States Parties recognised that codes of conduct, whilst being the prerogative of States Parties, encourage responsible scientific conduct by helping to address risks that knowledge, information, products or technologies generated from life science research which could be used for harm. Relevant codes of conduct should avoid placing any restrictions on the exchange of scientific discoveries consistent with the objectives of the Convention.**

38. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties agreed on the value of:

- (a) **Continuing to support, collectively and individually, the promotion of a culture of responsibility and security among life scientists;**
- (b) **Ensuring coverage of all relevant work, which is being undertaken in a more diverse, broader range of institutions; and**
- (c) **Making full use, at the national level, of scientists targeted by education and awareness-raising efforts, to identify relevant advances and related dual-use issues, and to keep national legal and regulatory frameworks up to date.**

39. In light of the continuing importance of the convergence between the fields of biology and chemistry, States agreed on the value of **fostering closer cooperation between the communities supporting the Chemical Weapons Convention and the Convention, bringing scientific experts and policy makers together for greater interaction, as well as exploring ways that States Parties could leverage relevant work of the OPCW's Scientific Advisory Board.**

40. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, of keeping pace with rapid changes in a wide range of fields, **and in exploring opportunities for enhanced cooperation and sharing of technology identified by such reviews,** States Parties **reiterated** the value of **continuing to consider, in future meetings, possible ways of further strengthening scientific review. In this context, the important role played by national technical experts in the Meeting of Experts was emphasised.**

41. **Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for reviewing developments in science and technology related to the Convention. In this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.**

III. Strengthening national implementation

42. States Parties recalled their legal obligation, in accordance with their constitutional processes, to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition, or retention of biological weapons and to prevent their transfer to any recipient whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of States or international organizations to manufacture or otherwise acquire them.

43. States Parties recalled their agreement to continue to work to strengthen national implementation, taking into account differences in national circumstances and legal and constitutional processes. States Parties agreed on the need to pursue national implementation through the current intersessional programme to foster regional and sub-regional cooperation to promote awareness of the Convention and strengthen regional discussions on the topics of the current intersessional programme. States Parties **reiterated** the value of elaborating further the existing common understandings related to national implementation.

44. To further address a range of specific measures for the full and comprehensive implementation of the Convention, especially Articles III and IV, States Parties agreed on the value of, depending on national needs and circumstances and in accordance with national laws and regulations:

(a) **Strengthening implementation of all provisions of the Convention** by continuously updating and enforcing national measures, including: legislation, regulations and administrative measures; national biosafety, biosecurity and control mechanisms; national export controls; disease surveillance and outbreak response capacity; arrangements for the oversight of science and for reviewing developments in science and technology; educational efforts and awareness-raising; assistance and protection capacity for responding to the alleged use of biological and toxin weapons; exchanging information and providing reports established by review conferences, such as participating in the CBMs; and provisions for building capacity for peaceful use.

(b) Strengthening the national institutions which play a role in national implementation by **adopting a whole-of-government approach to implementation, including: the identification of a central point of contact and coordination; mechanisms for regular communication amongst key stakeholders; and using the CBMs to provide a clear domestic overview of the current status of national implementation and identify cooperation and assistance needs; as well as organising awareness-raising workshops and training for establishing efficient communication and coordination;**

(c) **Exchanging ideas as to what further measures and initiatives could be adopted by States Parties at the national level, such as;**

(i) **efforts to create a greater awareness and understanding of the Convention among government agencies, parliamentarians, law enforcement and border control officials, scientists and civil society, including through the identification of support of relevant national champions;**

(ii) **developing better cooperation and capacity for local, state and federal (or equivalent) authorities to deal with disease;**

(iii) **improving and amending laws and regulations dealing with hazardous waste and strengthening capacity for handling toxic and bio-hazardous waste; and**

(iv) **opportunities to exchange best practice with regional countries and relevant international organizations.**

45. Recalling that the Seventh Review Conference called for appropriate measures, including effective national export controls, by all States Parties to implement Article III, States Parties **noted the importance of such measures in reducing levels of concern and enhancing international exchange of life science-related knowledge, equipment and materials. States Parties recognised the value of such measures:**

(a) **Neither favouring the commercial development of industries, nor hindering legitimate economic development of other countries;**

(b) **Affecting only a very few cases where there is an unacceptable risk of diversion for prohibited activities,**

(c) **Addressing transfers of tangible and intangible goods;**

(d) **Including laws and regulations that establish legal authorities and appropriate penalties, procedures and mechanisms for implementation and enforcement, a list of items subject to control, controls on technology directly associated with listed items, a catch-all provision, and regular outreach to life science researchers and the biotechnology industry; and**

(e) **Taking into account proliferation-related information, the significance of the transfer in terms of the appropriateness of the stated end-use, an assessment of the end-use, the role of distributors, brokers, or other intermediaries, the extent and effectiveness of national non-proliferation laws and regulations in the recipient States and any intermediaries, and the applicability of relevant multilateral agreements.**

46. In order to further efforts to strengthen national implementation, continue to share **good** practices and experiences, taking into account differences in national circumstances and legal and constitutional processes, States Parties noted the value of:

- (a) **Political support for the Convention and its implementation;**
- (b) **Collaborative efforts to strengthen or complement existing national frameworks and action plans;**
- (c) **Cooperation and assistance to provide the necessary technological, financial and human resources for effective implementation, including;**
 - (i) **gathering better information about what measures States Parties have in place and what capacity gaps they face;**
 - (ii) **the ISU exploring means of making the information collected more readily searchable;**
 - (iii) **developing clearer and more specific common understandings to provide better guidance on the issues that need to be considered and approaches that have been shown to be effective; and**
 - (iv) **bringing resources to bear in a targeted way to build capacity and strengthen implementation;**
- (d) **Exploring ways to strengthen the reporting of laboratory exposures or laboratory acquired infections including common definitions, standards, and data collection systems; and**
- (e) **Continuing to work to increase participation in, and the utility of, the CBMs, including through a voluntary step-by-step approach.**

47. States Parties recognized the importance of regional and sub-regional cooperation in assisting national implementation by **sharing experiences of, and by identifying additional ways and means to strengthen national implementation. States Parties noted the value of exchanging good practice with relevant regional and sub-regional organizations and using them, as appropriate and in accordance with their mandates, to promote networking, collaboration and coordination, and capacity-building as well as to support national and local training and human capacity-building. States Parties commended those States which have engaged in such cooperation and noted the value of, where possible, supporting financially or otherwise promoting such cooperation.**

48. In order to further efforts to mitigate biological risks, States Parties noted the value of, in accordance with national laws and regulations:

- (a) **Developing national plans, including: regulations on accreditation and registration of relevant facilities; a balance between hard measures and soft measures; and a multi-sector and interdisciplinary platform to promote discussion;**
- (b) **Gathering data on laboratory exposures or laboratory acquired infections, so as to improve risk assessment, biosafety and biosecurity training and practices, policies, intervention and prevention measures, and prevention of future incidents;**
- (c) **Ensuring the presence of sufficient trained practitioners who are trustworthy, responsible, stable, and can competently perform their duties;**
- (d) **Raising awareness amongst a broader set of stakeholders, including regional authorities, governors, farmers, academia and the public; and**
- (e) **Identifying the characteristics of facilities that handle biological agents which may be relevant to the Convention.**

49. States Parties recalled that reservations to the 1925 Geneva Protocol concerning retaliation, through the use of any of the objects prohibited by the Convention, even conditional, are totally incompatible with the absolute and universal prohibition of the development, production, stockpiling, acquisition and retention of bacteriological (biological) and toxin weapons, with the aim to exclude completely and forever the possibility of their use. States Parties **reiterated** the importance of the withdrawal of all reservations to the 1925 Geneva Protocol related to the Convention and **reiterated** their call for those States Parties that continue to maintain pertinent reservations to the 1925 Geneva Protocol to withdraw those reservations, and to notify the Depository of the 1925 Geneva Protocol accordingly, without delay.

50. **Looking forward to the Eighth Review Conference in 2016, States Parties reiterated the value of continuing discussions on potential further measures relevant for implementation of the Convention. In**

this context, specific proposals were made with a view to being considered, discussed and refined in the remaining time so that, should a broad agreement emerge in that regard, appropriate action may be taken at the next Review Conference to strengthen the Convention and improve its implementation in a sustainable manner.

IV. How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties

51. Recognizing a need to strengthen the international community's capacity to effectively provide assistance related to Article VII and having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, States Parties agreed on the value of:

- (a) The primary responsibility for assisting its population resting with the State Party;
- (b) Assistance, or the provision of support, being provided promptly and efficiently and only upon the request of the affected States Party when:
 - (i) biological or toxin weapons have been used, or are suspected of being used by any States(s) or other entity against a States Party;
 - (ii) A States Party is threatened by actions or activities of any State or other entity that are prohibited for States Parties by Article I;
- (c) Preparations being made in advance of this Article being invoked, including:
 - (i) a coordinated government approach to emergency management;
 - (ii) addressing the full range of possible implications;
 - (iii) establishing clear channels of communication;
 - (iv) accessing relevant expert advice; and
 - (v) working to improve effective cooperation between the law enforcement and health sectors;
- (d) Emergency **human, animal and plant health and humanitarian** assistance pending consideration of a decision by the Security Council, so as to ensure efficient, effective response to an outbreak at the earliest possible point, and ensuring that transition to formal activation of Article VII provisions is seamless and complementary.

52. States Parties recognised that there were a number of challenges to strengthening implementation of Article VII, including:

- (a) The complexity of mounting an effective international response to assist victims of a biological weapon;
- (b) Possible delays in the deployment of humanitarian or health responses given the difficulties of operating in an area in which a biological weapon may have been used;
- (c) The potential political or security implications for humanitarian or health organizations of information coming into their possession that could help determine if an event is relevant to Article VII;
- (d) The implication of providing emergency humanitarian or health assistance on perceptions of the origins of an unusual event;
- (e) Potential difficulties in transporting clinical samples relevant to the Convention and in obtaining relevant reference material; and
- (f) Legal, regulatory and logistical challenges to providing and receiving international assistance, including; recognition or waiver of medical credentials, licences, and professional certifications of personnel by the recipient country; liability protections for medical providers or those who manufacture, distribute or administer medical countermeasures; regulatory clearance to import or use medical products in a host country; as well as mission funding.

53. Recognizing the possibility that, following danger to a State Party resulting from activities prohibited by the Convention, national means and resources could be overwhelmed and that assistance may be required, States Parties agreed on the value of such assistance covering, as necessary:

- (a) **Specialised personnel and equipment such as detection, protection, containment and decontamination capability, aircraft, helicopters, ships, field hospitals and water purification units;**
- (b) **Direct and indirect provision of goods and services to the affected population, including prophylactics and therapeutics and associated materials and equipment;**
- (c) **Support for public, animal and plant health, environmental, food security, or logistical aspects of the response;**
- (d) **Support for needs assessment, mapping population movements, coordinating incoming relief, improving communication, and coordination between military and civil defence and protection assets; and**
- (e) **Exchange of best practice, information and technology regarding assistance.**

54. Recalling that a States Parties' national preparedness contributes to international capabilities for response, investigations and mitigation of outbreaks of disease due to alleged use of biological or toxin weapons, States Parties agreed on the value, at the national level, of:

- (a) **Considering what might be done to deal with a threat or actual use of biological or toxin weapons, determining the sorts of assistance that might be required from other States Parties and international organisations and identifying who could provide it, as well as identifying any challenges to its provision;**
- (b) **Prior evaluation and assessment of national capabilities, a gap analysis, and the development and implementation of national action plans to prevent, detect and respond to threats;**
- (c) **Strong detection capabilities, including for disease surveillance, primed health communities, cost-effective rapid diagnostic tests, and accurate disease mapping, as well as appropriate countermeasures and recovery and decontamination options;**
- (d) **Appropriate command, control and coordination of multi-agency assets during the life cycle of response efforts; and**
- (e) **Regular training activities to strengthen national capacities.**

55. Recalling the importance of assisting other States Parties by, *inter alia*, enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties agreed on the value of collaborating to build relevant national capacity, including:

- (a) **Facilitating, and having the right to participate in the fullest possible exchange of equipment, material and scientific and technological information to protect against, and respond to, the use of biological and toxin weapons;**
- (b) **Avoiding duplicating existing efforts and capacity and taking into account the differences in national laws, regulations, and constitutional procedures;**
- (c) **Sharing experiences, expertise, technology and resources to build capacity to protect against biological and toxin weapons and for purposes not prohibited under the Convention; and**
- (d) **Working with relevant international organizations to build relevant national capacity, such as core capacities of public and animal health systems, or those to address toxins, as well as command, control and coordination arrangements.**

56. Recognizing that an event relevant to Article VII is more than a humanitarian or animal, plant or public health emergency, and in recognition that there is no institutional mechanism under the Convention to undertake relevant activities, States Parties agreed on the value of:

- (a) **Ensuring effective coordination and cooperation with relevant international health and humanitarian organizations, such as WHO, FAO, OIE, IPPC, OCHA and the ICRC, in accordance with their mandates;**
- (b) **Identifying issue areas where efforts under the Convention can complement other global efforts and make real progress towards improving preparedness and response capacity, for example, improving access to medical countermeasures during emergencies;**
- (c) **Encouraging the international humanitarian community to consider the practical and policy challenges of an events relevant to Article VII to the humanitarian response system and to strengthen operational preparedness, so as to minimize impediments to a rapid response;**

- (d) **Effective coordination and cooperation with relevant international organizations, such as the OPCW, that also provide assistance in the case of use of toxins;**
- (e) **Effective coordination and cooperation with relevant international mechanisms, such as the UN Secretary-General's Mechanism that could be investigating the alleged use of a biological or toxin weapon;**
- (f) **Further development of international mechanisms for the forensic investigation of the cause of an event; and**
- (g) **National, regional and international networks of relevant laboratories, including tools to identify potentially relevant facilities.**

57. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties recalled the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons. States Parties agreed when requesting assistance:

- (a) **A State Party should provide the following information:**
 - (i) **name of the State Party;**
 - (ii) **date and place of first reported case, indication if there was a related event, a description of the event, to the extent possible, the date and time, when the alleged event(s) took place and/or became apparent to the requesting State Party and, if possible, the duration of the alleged event(s);**
 - (iii) **severity of the event, number of cases and the number of fatalities, if any;**
 - (iv) **symptoms and signs – diagnosis if possible, information on the initial treatment and the preliminary results of the treatment of the disease;**
 - (v) **a description of the area involved;**
 - (vi) **all available epidemiological information;**
 - (vii) **actions taken to manage the outbreak;**
 - (viii) **international organisations already involved in providing assistance;**
 - (ix) **States already involved in providing assistance;**
 - (x) **indications of why the outbreak is considered to be the result of a biological attack;**
 - (xi) **characteristics of the agent involved, if available;**
 - (xii) **types and scope of assistance required;**
 - (xiii) **indication of any investigations conducted or being conducted;**
- (b) **The request is to be submitted to the United Nations Secretary General for forwarding to the United Nations Security Council as an urgent matter. It can simultaneously be submitted to one of the Depositories as an urgent matter or shared with all States Parties through the ISU; and**
- (c) **Upon request, advice being provided by the ISU.**

58. States Parties also agreed on the value of working together to ensure that an assistance mechanism includes

- (a) **Information on, and an inventory of, the types of assistance that States Parties could provide, such an inventory should:**
 - (i) **be separate from the existing assistance and cooperation database; and established by the ISU in the restricted access section of the website;**
 - (ii) **not be linked with procedures for requesting investigation of alleged use; and**
 - (iii) **include: agreed procedures for States Parties to seek assistance; offers of assistance made by other States Parties, such as for material, equipment, advice, technology and finance; contact points within States Parties and relevant international organizations;**
- (b) **A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;**

(d) **Procedures, or code of conduct, for the provision of means of protection against, and responses to, the use of biological and toxin weapons to the requesting State Party, including consideration of what assistance can be requested and in what volumes, who will coordinate the provision of assistance, how it will be sent and how duplication will be avoided, including with assistance being provided by other international organizations;**

(e) **A fund for assistance to affected States Parties; and**

(f) **Capacity building for international regional and sub-regional organizations that have relevant mandates, such as by joint exercise, workshops and training, including by the use of e-learning modules.**

59. **States Parties reiterated the value of continuing discussions on strengthening Article VII, including in light of various proposals made by States Parties.**