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# 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

15 December 2014

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**2014 Meeting**  
**Geneva, 1-5 December 2014**  
Item 14 of the agenda  
**Adoption of the report of the meeting**

## Report of the Meeting of States Parties

### I. Introduction

1. The Final Document of the Seventh 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 (BWC/CONF.VII/7), in the Decisions and Recommendations section, contained the following decision:

“5. Reaffirming the utility of the previous intersessional programmes from 2003–2010, the Conference decides to retain previous structures: annual Meetings of States Parties preceded by annual Meetings of Experts.

6. The purpose of the intersessional programme is to discuss, and promote common understanding and effective action on those issues identified for inclusion in the intersessional programme by this Seventh Review Conference.

7. Recognizing the need to balance an ambition to improve the intersessional programme within the constraints — both financial and human resources — facing States Parties, the Conference decides to continue to allocate ten days each year to the intersessional programme.

8. The Conference decides that the following topics shall be Standing Agenda Items, which will be addressed at meetings of both the Meeting of Experts and Meeting of States Parties in every year from 2012–2015:

(a) Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X;

(b) Review of developments in the field of science and technology related to the Convention;

(c) Strengthening national implementation.

9. The Conference decides that the following other items will be discussed during the intersessional programme in the years indicated:

(a) How to enable fuller participation in the CBMs (2012 and 2013);

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(b) How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties (2014 and 2015).

10. The restructured Meetings of Experts will last five days, and Meetings of States Parties five days.

11. The first year's meetings will be chaired by a representative of the Group of the Non-Aligned Movement and Other States, the second by a representative of the Eastern European Group, the third by a representative of the Western Group, and the fourth by a representative of the Group of the Non-Aligned Movement and Other States. The annual Chair will be supported by two annual vice-chairs, one from each of the other two regional groups.

12. Each Meeting of Experts will prepare for the consideration of the Meeting of States Parties a factual report reflecting its deliberations. This report will reflect work on the three Standing Agenda Items, as well as a report on the other item scheduled for discussion during that year.

13. In addition to the report of the Meeting of Experts, the Meetings of States Parties will also consider — on an annual basis — progress with universalization of the Convention and the annual reports of the Implementation Support Unit. In 2012 and 2013, the Meeting of States Parties will also consider the Meeting of Experts report on CBMs, and in 2014 and 2015, the Meeting of States Parties will consider the Meeting of Experts report on Article VII.

14. All meetings, both of experts and of States Parties, will reach any conclusions or results by consensus.

15. The Eighth Review Conference will consider the work and outcome of these meetings and decide on any further action.”

2. By resolution 68/69, adopted without a vote on 5 December 2013, the General Assembly, *inter alia*, requested the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention, to provide such services as may be required for the implementation of the decisions and recommendations of the review conferences, and to render the necessary assistance and to provide such services as may be required for the meetings of experts and meetings of States Parties during the 2012–2015 intersessional programme.

3. The 2014 Meeting of Experts convened in Geneva from 4 to 8 August 2014. At its closing meeting on 8 August 2014, the Meeting of Experts adopted its Report by consensus (BWC/MSP/2014/MX/3).

## II. Organization of the Meeting of States Parties

4. In accordance with the decision of the Seventh Review Conference, the 2014 Meeting of States Parties was convened at the Palais des Nations in Geneva from 1 to 5 December 2014, under the chairmanship of Mr. Urs Schmid, Ambassador of Switzerland, with Mr. Mazlan Muhammad, Ambassador of Malaysia and Mr. György Molnár, Ambassador and Special Representative of the Minister of Foreign Affairs and Trade for Arms Control, Disarmament and Non-Proliferation of Hungary as Vice-chairs.

5. At its first meeting, on 1 December 2014, the Meeting of States Parties adopted its agenda (BWC/MSP/2014/1) and programme of work (BWC/MSP/2014/2) as proposed by the Chairman. The Meeting also took note of the Report of the Meeting of Experts (BWC/MSP/2014/MX/3). The Chairman drew the attention of delegations to two reports:

the report of the Implementation Support Unit (BWC/MSP/2014/4 and Corr.1) and a report on universalization activities prepared by the Chairman (BWC/MSP/2014/3).

6. At the same meeting, following a suggestion by the Chairman, the Meeting of States Parties adopted as its rules of procedure, *mutatis mutandis*, the rules of procedure of the Seventh Review Conference, as contained in annex III of the Final Document of the Review Conference (BWC/CONF.VII/7).

7. Mr. Daniel Feakes, Chief, Implementation Support Unit, served as Secretary of the Meeting of States Parties. Ms. Ngoc Phuong Van Der Blij, Political Affairs Officer, Implementation Support Unit, served as Deputy Secretary. Ms. Gabriele Kraatz-Wadsack, Chief, Regional Disarmament Branch, Office for Disarmament Affairs, New York and Ms. Katherine Prizeman, Associate Political Affairs Officer, Office for Disarmament Affairs, New York, served in the Secretariat.

### III. Participation at the Meeting of States Parties

8. 110 States Parties to the Convention participated in the Meeting of States Parties as follows: Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Belarus, Belgium, Bhutan, Bosnia-Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zambia.

9. In addition, three States that had signed the Convention but had not yet ratified it participated in the Meeting of States Parties without taking part in the making of decisions, as provided for in rule 44, paragraph 1, of the rules of procedure: Côte d'Ivoire, Nepal and the United Republic of Tanzania.

10. Two States, Israel and Mauritania, neither parties nor signatories to the Convention, participated in the Meeting of States Parties as observers, in accordance with rule 44, paragraph 2 (a).

11. The United Nations, including the United Nations Interregional Crime and Justice Research Institute and the United Nations Office for Disarmament Affairs, attended the Meeting of States Parties in accordance with rule 44, paragraph 3.

12. The European Union, the International Committee of the Red Cross, the Organization for the Prohibition of Chemical Weapons and the World Organization for Animal Health, were granted observer status to participate in the Meeting of States Parties in accordance with rule 44, paragraph 4.

13. Fifteen non-governmental organizations and research institutes attended the Meeting of States Parties under rule 44, paragraph 5.

14. A list of all participants in the Meeting of States Parties is contained in document BWC/MSP/2014/INF.4.

#### **IV. Work of the Meeting of States Parties**

15. In accordance with the programme of work (BWC/MSP/2014/2), the Meeting of States Parties held a general debate in which the following 42 States Parties made statements: Algeria, Argentina, Australia, Brazil, Bulgaria, Burkina Faso, Canada on behalf of the JACKSNNZ Group, China, Colombia, Cuba, Denmark, Ecuador, Finland, France, Germany, Ghana, India, Indonesia, Iraq, Ireland, Islamic Republic of Iran on behalf of the Group of the Non-Aligned Movement and Other States, Islamic Republic of Iran, Italy, Japan, Jordan, Kenya, Kuwait, Malaysia, Mali, Mexico, Morocco, Netherlands, Pakistan, Republic of Korea, Russian Federation, South Africa, Sweden, Thailand, Turkey, Ukraine, United States of America and Zambia. One observer organization, the European Union, also made a statement in the general debate. Following the general debate, during an informal session the Meeting heard statements from eight non-governmental organizations and research institutes.

16. Between 1 and 5 December 2014, the Meeting of States Parties held sessions devoted to each of the standing agenda items on: 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 (agenda items 7 to 9); and a session devoted to the biennial item 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 (agenda item 10). On 4 December, a session was devoted to progress with universalization of the Convention (agenda item 11) and the annual report of the Implementation Support Unit (agenda item 12). On 5 December, the Meeting considered arrangements for the Meeting of Experts and Meeting of States Parties in 2015 (agenda item 13).

17. In the course of its work, the Meeting of States Parties was able to draw on a number of working papers submitted by States Parties, as well as on statements and presentations made by States Parties, international organizations and the Implementation Support Unit, which were circulated in the Meeting.

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.

##### **A. 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. States Parties reiterated the value of the submission of clear, specific, and timely national reports on implementation of Article X as agreed at the Seventh Review Conference.

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 noted the value of continuing and expanding their use of the database, and using it to reconcile supply and demand for technical assistance, and improving the provision of assistance and cooperation by detailing needs and identifying capacity gaps. States Parties also agreed on the value of actively promoting its use and more prominently featuring the assistance and cooperation database on the main ISU webpage. States Parties noted the value of considering in 2015 reasons for its low usage in order to address potential obstacles.

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

(a) Promoting international cooperation providing for the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes in accordance with Article X of the Convention and not limiting this cooperation to financial resources;

(b) Continuing to work together to target and mobilize resources, including financial resources, to address gaps and needs for assistance and cooperation including in particular from developed to developing States Parties and also exploring different ways of cooperation;

(c) Pursuing a long-term, sustainable and systematic approach to the provision of cooperation and assistance;

(d) Mutuality of benefit from international cooperation to address needs including the need for timely access to affordable drugs and vaccines and related diagnostic, preventative and therapeutic equipment;

(e) The important role of the private sector in the transfer of technology and information and the wide range of organizations within the United Nations system that are already engaged in international cooperation relevant to the Convention; and

(f) Where appropriate, that regional cooperation compliments 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;

(b) Helping requesting countries to provide a thorough explanation of their needs and to define in specific terms the type of support that could best address those needs;

States Parties also noted the value of continuing to consider this topic, including the possible importance of the interoperability of regulatory standards.

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, regional and international efforts to exchange equipment, materials, scientific and technological information, experiences, lessons-learned, best practices, education, technical knowledge, as well as financial resources;

(b) Open-access to scientific publications, reducing possible barriers to access posed by the costs of subscriptions; and

(c) Facilitating the transport, entry, exit, processing and disposal of biological substances and diagnostic specimens and materials, in accordance with national laws and regulations, for public, animal and plant health response and for other peaceful purposes.

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 international cooperation, upon request:

(a) Building a broader range of human capacity, including, *inter alia* for national implementation of all the provisions of the Convention, science and technology; biosafety and biosecurity management, as well as dealing with disease;

(b) Making full use of train-the-trainer approaches, including, as appropriate, local-based training supported by national or regional associations and organizations; and

(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, at the request of the recipient State and in accordance with their needs:

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

(c) The availability of cost-effective, affordable and quality assured medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes.

States Parties also noted the value of continuing to consider this topic, including environments conducive to development of diagnostics, prophylactics and therapeutics.

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 technical, practical and theoretical training, including for maintenance, occupational health and safety, 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 role of the Convention; and
- (b) Closer cooperation and coordination between States Parties and relevant international organizations in accordance with their respective mandates.

30. States Parties recalled their agreement on the importance of continuing discussions on full and effective implementation of Article X obligations, including in light of various proposals made by States Parties.

## **B. 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) Virulence mechanisms;
- (b) Pathogenesis, which should enable more rapid responses to, and the development of countermeasures against, new or re-emerging pathogens;
- (c) Host-pathogen interactions, offering new opportunities for: disease surveillance, detection, and diagnosis, including making vaccine and drug production simpler, faster, cheaper and more efficient; 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
- (d) Toxins, providing new avenues for medicine and research, such as treatments for neuromuscular disorders and post exposure therapy, as well as toxin detection and diagnosis.

32. States Parties reviewed various enabling technologies, including, for example, genome editing tools including those derived from bacterial “immune systems”, such as CRISPR/CAS9, as well as those related to continuing progress in synthetic biology.

33. States Parties reviewed advances derived from the convergence of scientific disciplines, including biology, chemistry and nanotechnology. States Parties noted the value of continuing to consider how these advances might be applied to defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures, as well as for detection and diagnosis.

34. States Parties noted 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; and programming cells to produce toxins, viruses or other biological materials which could cause harm. States Parties also agreed on the importance of facilitating the fullest possible exchange of relevant technologies where their use is fully consistent with the peaceful object and purpose of the Convention.

35. States Parties also noted the value of continuing to review gain-of-function work and consider the possible implications for the Convention 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 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 national oversight, and for a collaborative and informed assessment of the potential benefits and risks of the research. States Parties noted the value of addressing associated safety and security risks as well as the possible misuse of research results and products. States Parties also noted the value of continued discussion at future meetings on oversight of dual-use research of concern, including specific approaches to: identifying relevant criteria; assessing both risks and possible benefits; and mitigating identified risks.

37. States Parties noted the value of model voluntary codes of conduct. States Parties recognised that codes of conduct, whilst being the prerogative of States Parties, encourage responsible scientific conduct by helping to address risks that life science research output could be used for harm. Codes of conduct, including those developed and used by scientific organizations and institutions, help to support the responsibility of individual scientists to consider the potential consequences, both positive and negative, of their work. Relevant codes of conduct should avoid placing any undue restrictions on the exchange of scientific discoveries consistent with the objectives of the Convention and justified for protective, prophylactic or other peaceful purposes.

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

(a) Continuing to support, collectively and individually, the promotion of a culture of responsibility and biosecurity among life scientists; and

(b) Making full use, at the national level, of scientists engaged in education and awareness-raising efforts, to identify relevant advances and related issues, and to keep national legal and regulatory frameworks up to date.

39. States Parties noted the value of continued discussion at future meetings of the convergence between the fields of biology and chemistry, and other scientific disciplines.

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 experts in the Meeting of Experts was emphasized as well as the value of contributions to the sponsorship programme to facilitate such participation.

### **C. Strengthening national implementation**

41. 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.

42. 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 noted 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 noted the value of elaborating further the existing common understandings related to national implementation.

43. States Parties noted the value of continuing to develop measures for, and taking advantage of, international cooperation in accordance with Article X to strengthen implementation of the Convention. States Parties noted the value of such international cooperation including public health, socio-economic development, biological safety and security, as well as national capacities to prevent, detect and respond to biological threats.

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 noted the value of, depending on national needs and circumstances and in accordance with national laws and regulations:

(a) 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; and provisions for building capacity for peaceful use;

(b) Strengthening the national institutions which play a role in national implementation; and

(c) Exchanging ideas as to what further measures and initiatives could be adopted by States Parties at the national level to increase awareness and understanding, improve domestic cooperation and capacity, and utilization of best practices.

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 discussed measures, including, *inter alia*:

(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, and the role of intermediaries.

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

(a) Information on the current status of implementation efforts through the sharing of up-to-date information on their legislative, administrative and other national measures;

- (b) Continuing to improve and update data handling of information provided by States Parties on their national implementation;
- (c) Continuing to strengthen the national institutions which play a role in national implementation;
- (d) Enhancing national coordination between law enforcement institutions; and
- (e) Continuing to work to increase participation in the CBMs, including through a voluntary step-by-step approach seeking to identify impediments and difficulties to participation, as appropriate, as well as by identifying assistance opportunities and packages available to help States Parties participate.

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 best 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 Parties 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, raising awareness amongst all relevant personnel and organizations.

49. States Parties noted the value of continuing discussion on measures to strengthen national implementation of the Convention, including in light of various proposals made by States Parties.

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

50. States Parties reiterated that States Parties bear the responsibility for providing assistance and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons. States Parties reaffirmed the undertaking made by each State Party to provide or support assistance in accordance with the Charter of the United Nations to any State Party which so requests, if the Security Council decides that such State Party has been exposed to danger as a result of a violation of the Convention.

51. Having considered relevant agreements reached at past review conferences and common understandings identified at previous Meetings of States Parties related to Article VII, including that in view of the humanitarian imperative, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties, if requested, States Parties noted that State Parties' national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons.

52. States Parties recognised that, without preconditions to the use of Article VII, there are a number of challenges to strengthening its implementation. States Parties recognized the value of continuing to consider in 2015 these challenges and ways to address them.

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 noted the value of discussing in 2015 what assistance might be needed.

54. Recalling that a State Party's 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 noted 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 organizations and identifying who could provide it, as well as identifying any challenges to its provision;

(b) Ensuring effective national capabilities, including through the use, as appropriate, of gap analyses and national plans;

(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 cross-governmental planning and response as well as multi-agency assets during the life cycle of response efforts; and

(e) Regular training activities to strengthen national capacities.

55. Recalling the importance of enhancing relevant capabilities, strengthening human resources, and sharing appropriate and effective practices, States Parties noted 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;

(d) Working with relevant international organizations to build relevant national capacity; and

(e) That national preparedness contributes to international capabilities for response, investigation and mitigation of outbreaks of disease, including those due to alleged use of biological or toxin weapons. States Parties noted that there are differences among States Parties in terms of their level of development, national capabilities and resources, and that these differences affect national and international capacity to respond effectively to an alleged use of a biological or toxin weapon. States Parties encouraged States Parties, in a position to do so, to assist other States Parties, upon request, to build relevant capacity.

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

(a) That in the event that this Article might be invoked, the United Nations could play a coordinating role in providing assistance, with the help of States Parties, as well as the appropriate intergovernmental organizations, in accordance with their respective

mandates, such as the World Health Organization (WHO), the World Organisation for Animal Health (OIE), the Food and Agriculture Organization of the United Nations (FAO), and the International Plant Protection Convention (IPPC). States Parties noted the value of further dialogue regarding appropriate means of coordination between States Parties and relevant international organizations; and

(b) Ensuring effective coordination and cooperation with and between relevant international organizations, in accordance with their mandates and upon request by a State Party.

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 noted the value of considering in 2015, *inter alia*, what information might be provided.

58. States Parties also agreed on the value of continuing in 2015 to explore strengthening the procedures and mechanisms for the provision of assistance, including, *inter alia*:

(a) Information on, and the feasibility of an inventory of, the types of assistance that States Parties could provide;

(b) A data bank containing publicly available information on means of protection against, and responses to, biological and toxin weapons;

(c) Procedures, or codes 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;

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

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

59. States Parties reiterated the value of continuing discussions on strengthening Article VII, and taking into consideration lessons learned from combatting infectious disease, such as Ebola.

## **E. Further steps**

60. States Parties further considered that in pursuing the above understandings and actions, States Parties could, according to their respective circumstances and constitutional and legal processes, take into account the considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions made by delegations on the topics under discussion at the Meeting of Experts, as contained in annex I of the Report of the Meeting of Experts (BWC/MSP/2014/MX/3), as well as the synthesis of these considerations, lessons, perspectives, recommendations, conclusions and proposals contained in BWC/MSP/2014/L.1, which is attached to this report as annex I. This annex was not proposed for adoption as an outcome of the Meeting, and therefore was not discussed with that aim. Thus, the annex was not agreed upon and consequently has no status.

61. States Parties are encouraged to continue sharing information at subsequent meetings of the intersessional programme on any actions, measures or other steps that they may have taken on issues under consideration in the intersessional programme, in order to further promote common understanding and effective action and to facilitate the Eighth

Review Conference's consideration of the work and outcome of these meetings and its decision on any further action, in accordance with the decision of the Seventh Review Conference (BWC/CONF.VII/7, Part III, paragraph 15).

62. The Meeting of States Parties reviewed progress towards obtaining universality for the Convention and considered the Report from the Chairman on universalization activities (BWC/MSP/2014/3 and Add.1), as well as reports from States Parties on their activities to promote universalization. The Meeting welcomed the deposit of its instrument of ratification by Myanmar, which brought the number of States Parties to the Convention to 171. The States Parties reaffirmed the particular importance of the universality of the Convention and in this regard urged signatory States to ratify the Convention without delay and also urged those states that have not signed the Convention to accede without delay. In this context, the Meeting took note of the reports from States Parties, and called on all States Parties to continue to promote universalization, and to support the universalization activities of the Chairman with support from the Implementation Support Unit, in accordance with the decision of the Seventh Review Conference.

63. The Meeting of States Parties considered the report of the Implementation Support Unit (BWC/MSP/2014/4 and Corr.1). The Meeting took note of the Report, and expressed its satisfaction with the work of the Unit. The Meeting called on States Parties to continue working closely with the Implementation Support Unit in fulfilling its mandate, in accordance with the decision of the Seventh Review Conference.

64. The Meeting of States Parties considered the arrangements for the Meeting of Experts and Meeting of States Parties in 2015. The Meeting decided that the Meeting of Experts would be held in Geneva from 10 to 14 August 2015 and that the Meeting of States Parties would be held in Geneva from 14 to 18 December 2015. The Meeting approved the nomination by the Group of the Non-Aligned Movement and Other States of Mr. Mazlan Muhammad, Ambassador of Malaysia, as Chairman of the Meeting of Experts and Meeting of States Parties in 2015, and the nominations by the Western Group of Mr. Henk Cor van der Kwast, Ambassador and Permanent Representative of the Netherlands to the Conference on Disarmament and by the Eastern European Group of Mr. György Molnár, Ambassador and Special Representative of the Foreign Minister for Arms Control, Disarmament and Non-Proliferation of Hungary, as the two Vice-chairs.

## **V. Documentation**

65. A list of official documents of the Meeting of States Parties, including the working papers submitted by States Parties, is contained in annex II to this report. All documents on this list are available on the Implementation Support Unit website at <http://www.unog.ch/bwc> and through the United Nations Official Document System (ODS), at <http://documents.un.org>.

## **VI. Conclusion of the Meeting of States Parties**

66. The Meeting of States Parties started its closing session on 5 December 2014 at 6:00 p.m. with interpretation into all official languages of the United Nations. The adoption of its report started at 6:30 p.m. During the adoption of the report, only English was used as a working language. Interpretation in the other official languages of the United Nations was not provided.

67. At its closing meeting on 5 December 2014, the Meeting of States Parties adopted its report by consensus, as contained in documents BWC/MSP/2014/CRP.4, as orally amended, to be issued as document BWC/MSP/2014/5.

## Annex I

### **Synthesis of considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting of Experts**

1. To avoid repetition, this document focuses on new material introduced at the 2014 Meeting of Experts, and does not include concepts that appeared in the 2013 synthesis (see BWC/MSP/2013/5, annex I) and in the 2012 synthesis (see BWC/MSP/2012/5, annex I).

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

##### **A. Reports by States Parties on their implementation of Article X, and reports by the ISU on the operation of the database system to facilitate assistance requests and offers**

2. 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 more States Parties to submit clear, specific and timely national reports.

3. 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 should:

- (a) Continue and expand their use of the database;
- (b) Explore more effective means of bringing assistance offers to the attention of potentially interested States Parties; and
- (c) Reconcile supply and demand for technical assistance by evaluating existing activities and checking them against requests for assistance.

##### **B. Challenges and obstacles to developing international cooperation, assistance and exchange in the biological sciences and technology**

4. 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 should:

- (a) Avoid 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;
- (b) Ensure assistance is transparent, open, honest, and is fully consistent with the objectives of the Convention; and

(c) Ensure greater interoperability of regulatory standards, such as for emergency use authorizations, and transfers of clinical samples.

### **C. Measures for the full and comprehensive implementation of Article X taking into account all of its provisions**

5. 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 should ensure that cooperation and assistance:

(a) Is a continuing process and an essential part of compliance with the Convention;

(b) Is used as an incentive for universalization thereby guaranteeing that biological substances will be used exclusively for peaceful purposes;

(c) Includes, as well as financial resources, exchanges of information, experiences, lessons-learned, best practices, education and exchange of technical knowledge;

(d) Benefits from open-access to scientific publications, thereby reducing barriers to access that might be posed by the costs of subscriptions; and

(e) Is supported by an action plan by which States Parties facilitate international cooperation and ensure the unhindered flow of scientific information, knowledge and technology.

### **D. Ways and means to target and mobilize resources**

6. To further reinforce efforts to work together to target and mobilize resources, States Parties should ensure:

(a) Offers for cooperation are sustainable, systematic, and include possibilities for the long-term provision of assistance;

(b) Transparency in their needs, challenges to implementation, and the results achieved, and when receiving assistance, be prepared to make substantial commitments;

(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 compliments national efforts, such as for the stockpiling of prophylactics and therapeutics.

### **E. Education, training, exchange and twinning programmes, and other means of developing human resources**

7. To further reinforce efforts to develop human resources in the biological sciences and technology relevant to the implementation of the Convention, States Parties should:

(a) Provide opportunities for training and working in universities, research institutions and production facilities;

- (b) Build human capacity for:
  - (i) National implementation;
  - (ii) Science and technology;
  - (iii) Biosafety management, and
  - (iv) Dealing with disease, including characterization of the disease burden, responding to outbreaks, providing diagnostic capacity; and addressing locally-identified public health challenges;
- (c) Make 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.

## **F. Capacity-building through international cooperation**

8. 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 should:

- (a) Enhance prevention of infectious disease threats, both naturally occurring and man-made;
- (b) Make detection and surveillance more robust, including through real-time bio-surveillance and more effective diagnostics;
- (c) Make response capacity more effective, including through emergency operation centres with common standards;
- (d) Ensure the existence of national regulatory environments conducive to product development of diagnostics, prophylactics, and therapeutics;
- (e) Strengthen information sharing in areas, such as the opportunities and challenges resulting from advances in the life sciences and biotechnology, disease outbreaks, biosafety, and health care;

9. 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.

## **G. Coordination of cooperation with other relevant international and regional organizations, and other relevant stakeholders**

10. 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 should:

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

(b) Further efforts to strengthen the coordination of cooperation and assistance under the Convention; and

(c) Identify assistance provided in other initiatives that could be useful in achieving the aims of the Convention and ensuring that such assistance is consistent with these aims.

11. States Parties recalled their agreement on the importance of continuing discussions on full and effective implementation of Article X obligations, including in light of various proposals made by States Parties.

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

### **Focusing in 2014 on advances in the understanding of pathogenicity, virulence, toxicology, immunology and related issues**

#### **A. New science and technology developments that have potential benefits for the Convention**

12. States Parties identified certain advances in the understanding of pathogenicity, virulence, toxicology, immunology and related issues that have potential benefits for the Convention and agreed on the need to share information on these developments, including:

(a) Advances in technologies that make vaccine and drug production simpler, faster, cheaper and more efficient, resulting from advances in the understanding of host-pathogen interactions, and the rational design of attenuated vaccines;

(b) An improved understanding of virulence mechanisms resulting from advances in enabling technologies;

(c) An improved understanding of pathogenesis, which should enable more rapid responses to, and the development of countermeasures against, new or re-emerging pathogens;

(d) An improved understanding of, and technologies to investigate, host-pathogen interactions, which provides new opportunities:

(i) For disease surveillance, detection, and diagnosis;

(ii) For the identification of targets to treat or prevent disease;

(iii) To negate the mechanisms that pathogens use to evade or disrupt the host immune system;

(iv) To identify virulence factors in emerging pathogens;

(v) For more specific vaccines, therapeutics and diagnostics;

(e) An improved understanding of toxins, which provides new avenues for treatments for neuromuscular disorders, toxin detection and diagnosis, and post exposure therapy;

(f) The identification of opportunities to enhance existing diagnostic capabilities, such as through the development of standardised methodologies for the detection and identification of toxins;

(g) Enabling technologies which have many benefits in faster, cheaper, and easier application of biological science and technology for both public health and security purposes, such as genome editing tools including those derived from bacterial “immune systems”, and continuing progress in synthetic biology; and

(h) Those derived from the convergence of scientific disciplines, including biology, chemistry and nanotechnology, leading to improvements in defensive countermeasures, protective clothing and equipment, decontamination, medical countermeasures, and detection and diagnosis.

## **B. New science and technology developments that have potential for uses contrary to the provisions of the Convention**

13. States Parties agreed that some of the developments reviewed have the potential for uses contrary to the provisions of the Convention, including:

(a) The creation of novel, highly-contagious, virulent pathogens;

(b) Programming cells to produce toxins, viruses or other cells which could cause harm; and

(c) Decreasing “tacit-knowledge” associated with activities relevant to the Convention.

14. 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.

## **C. Possible measures for strengthening national biological risk management**

15. 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.

16. 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 by 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 should ensure that national measures:

(a) Provide for the frequent assessment of science and technology;

(b) Minimize, to the extent possible, adverse impact on legitimate research;

(c) Are transparent and commensurate with the risk;

(d) Include flexible approaches that leverage existing review processes; and

(e) Preserve and foster the benefits of research.

17. States Parties agreed on the value of continuing to consider, at future meetings, how to address research that is identified as being of dual-use concern and pursue possible common understandings on a system for assessing relevant risks.

**D. Voluntary codes of conduct and other measures to encourage responsible conduct**

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

**E. Education and awareness-raising about risks and benefits of life sciences and biotechnology**

19. In order to further efforts on education and awareness-raising about risks and benefits of life sciences and biotechnology, States Parties should:

(a) Continue to support, collectively and individually, the promotion of a culture of responsibility and security among life scientists;

(b) Ensure coverage of all relevant work, which is being increasingly undertaken in a more diverse, broader range of institutions; and

(c) Make full use, at the national level, of scientists targeted by education and awareness-raising efforts, to maintain awareness of relevant advances and related dual-use issues, and to keep national legal and regulatory frameworks up to date.

**F. Science- and technology-related developments relevant to the activities of multilateral organizations**

20. In light of the continuing importance of the convergence between the fields of biology and chemistry, States should foster closer cooperation between the communities supporting the Chemical Weapons Convention and the Convention, bringing together 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.

**G. Any other science and technology developments of relevance to the Convention**

21. States Parties noted the potential relevance of techniques in the life sciences to explore the function of specific genes, by adding a new feature to an existing organism. Such gain-of-function work has direct implications on recent advances in the generation of potential pandemic pathogens which could have both potential benefits and uses contrary to the Convention. States Parties agreed on the value of continuing to consider such developments in future meetings.

22. 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 establishing a more systematic and comprehensive means of review.

23. States Parties noted the value of reviewing when developments trigger Article I or Article XII of the Convention, for example, seeking greater clarity on aspects of range of types and quantities of such agents and toxins, whether naturally occurring or altered, which potentially could pose a risk to the Convention.

### **III. Strengthening national implementation**

#### **A. Specific measures**

24. 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, including those in Article X;

(b) Continuing to develop and adapt national implementation measures and enforcement mechanisms, which might include:

(i) Legislation, regulations and administrative measures;

(ii) National biosafety, biosecurity and control mechanisms;

(iii) National export controls;

(iv) Disease surveillance and outbreak response capacity;

(v) Arrangements for the oversight of science and for reviewing developments in science and technology;

(vi) Educational efforts and awareness-raising;

(vii) Assistance and protection capacity for responding to the alleged use of biological and toxin weapons;

(viii) Exchanging information and providing reports established by review conferences, such as participating in the CBMs; and

(ix) Provisions for building capacity for peaceful use;

(c) Adopting a whole-of-government approach to implementation needs, including by: a central point of contact and coordination; mechanisms for regular communication amongst key stakeholders; and using these mechanisms for regular and timely participation in the CBMs which can provide a clear domestic overview of the current status of national implementation and identify cooperation and assistance needs;

- Organizing awareness-raising workshops and training for establishing of efficient communication and coordination;

(d) 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.

25. 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 that such measures should:

- (a) Neither favour the commercial development of industries, nor hinder legitimate economic development of other countries;
- (b) Affect only a very few cases where there is a nationally determined unacceptable risk of diversion for prohibited activities,
- (c) Address transfers of tangible and intangible goods;
- (d) Include 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) Take into account information about proliferation related to and use of biological weapons, 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.

## **B. Ways and means to enhance national implementation, sharing best practices and experiences**

26. To further reinforce efforts to enhance national implementation and sharing of best practice and experiences, States Parties agreed on the value of:

- (a) Sufficient domestic 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) 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
- (iii) Bringing resources to bear in a targeted way to build capacity and strengthen implementation;
- (d) Exploring possible common understandings on definitions, standards, and data collection systems for reporting of laboratory exposures or laboratory acquired infections; and
- (e) Continuing to work to increase participation in, and the utility of, the CBMs, including through a voluntary step-by-step approach.

**C. Regional and sub-regional cooperation that can assist national implementation of the Convention**

27. States Parties agreed on the value of regional and sub-regional cooperation that can assist national implementation:

- (a) By sharing experiences of, and by identifying additional ways and means to enhance, national implementation;
- (b) Through the exchange of best practice with relevant international organizations;
- (c) Through networking, collaboration and coordination, to promote capacity-building; and
- (d) By supporting national and local training and human capacity-building.

**D. National, regional and international measures to improve laboratory biosafety and security of pathogens and toxins**

28. 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:
  - (i) Regulations on accreditation and registration of relevant facilities;
  - (ii) A balance between hard measures and soft measures; and
  - (iii) A multi-sectorial and interdisciplinary platform to promote discussion;
- (b) Gathering data on laboratory exposure incidents 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 stakeholders, including engaging regional authorities, such as governors, farmers, academia and the public;
- (e) Exploring possible common understandings on the characteristics of facilities that handle biological agents relevant to the Convention;

#### **E. Any potential further measures, as appropriate, relevant for implementation of the Convention**

29. 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 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 Depositary of the 1925 Geneva Protocol accordingly, without delay.

30. States Parties reiterated the value of continuing discussion on measures to strengthen national implementation of the Convention, including in light of various proposals made by States Parties.

#### **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**

31. 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) Humanitarian assistance in cases of the threat of the use of a biological weapon; and
- (e) Emergency human, animal and plant health and humanitarian responses prior to a decision being taken by the Security Council which would formally trigger Article VII, 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.

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

(a) The complexity of mounting an international response to assist victims of a biological weapon and the potentially limited impact of such a response;

(b) Possible delays in the deployment of humanitarian or health responses given the specifics 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 implications of providing emergency humanitarian or health assistance for perceptions on the origins of an unusual event;

(e) Potential difficulties in transporting clinical samples relevant to the Convention and in obtaining relevant reference material;

(f) Legal, regulatory and logistical challenges to providing and receiving international assistance, including:

(i) Recognition or waiver of medical credentials, licences, and professional certifications of personnel by the recipient country;

(ii) Liability protections for medical providers or those who manufacture, distribute or administer medical countermeasures;

(iii) Regulatory clearance to import or use medical products in a host country; and

(iv) Mission funding.

33. Recognizing the possibility that, following danger to a State Party resulting from the development, production, stockpiling or use of a biological or toxin weapon, 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) Specialized 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.

34. Recognizing that for the implementation of Article VII national preparedness contributes to international capabilities, States Parties agreed on the value, at the national level, of:

(a) Considering what could and should be done nationally 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 organizations 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 detections and 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.

35. 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.

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

(a) 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 event 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.

37. When considering a mechanism for the provision of assistance relevant to Article VII, States Parties agreed on the value of:

(a) Guidelines to aid a State Party in submitting a request for assistance, supplemented, upon request, by advice from the ISU;

(b) 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;

(c) 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, without restrictions, 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.

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

39. 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 organizations 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 application is to be submitted to the UNSG for forwarding to the UNSC 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.

## Annex II

### List of documents

<i>Symbol</i>	<i>Title</i>
BWC/MSP/2014/1	Provisional agenda. Submitted by the Chairman
BWC/MSP/2014/2	Provisional programme of work. Submitted by the Chairman
BWC/MSP/2014/3	Report on universalization activities. Submitted by the Chairman
BWC/MSP/2014/4, Corr.1 and Corr.2	2014 Report of the Implementation Support Unit. Submitted by the Implementation Support Unit
BWC/MSP/2014/INF.1 [English only]	Information for States parties, observer States, intergovernmental organizations and non-governmental organizations. Note by the Secretariat
BWC/MSP/2014/INF.2	International organizations that may be involved in the provision of and coordination of assistance relevant to Article VII. Submitted by the Implementation Support Unit
BWC/MSP/2014/INF.3 [English only]	Confidence and compliance with the Biological and Toxin Weapons Convention: Workshop Report. Submitted by the United Kingdom of Great Britain and Northern Ireland
BWC/MSP/2014/INF.4 [English/French/Spanish only]	List of participants
BWC/MSP/2014/INF.5 [English only]	Update on Australia's Implementation of BWC Article X. Submitted by Australia

<i>Symbol</i>	<i>Title</i>
BWC/MSP/2014/L.1 [English only]	Synthesis of considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting of Experts. Submitted by the Chairman
BWC/MSP/2014/WP.1 and Corr.1 [English only]	Article VII: Analysis of existing resources and gaps, and recommendations for future actions. Submitted by the United States of America
BWC/MSP/2014/WP.2 and Add.1 [English only]	Strengthening national implementation: elements of an effective national export control system. Submitted by Australia, Austria, Belgium, Bulgaria, Canada, Chile, Czech Republic, Denmark, Estonia, Hungary, Ireland, Finland, France, Germany, Japan, Latvia, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Sweden, Spain, Ukraine, the United Kingdom of Great Britain and Northern Ireland, and the United States of America
BWC/MSP/2014/WP.3 <sup>1</sup> [Français seulement]	Exercice pilote de revue par les pairs tenu du 4 au 6 décembre 2013 à Paris. Présenté par la France
BWC/MSP/2014/WP.4 <sup>1</sup> [Chinese only]	China's efforts in assisting West African countries combating Ebola epidemic. Submitted by China

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<sup>1</sup> English unofficial translation available at the end of the document.

<i>Symbol</i>	<i>Title</i>
BWC/MSP/2014/WP.5 <sup>1</sup> [Spanish only]	Mecanismos para la gestión de la aplicación de la Convención. Presentado por Canadá, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Estados Unidos de América y México
BWC/MSP/2014/WP.6 <sup>1</sup> [Spanish only]	“Código de Conducta para Científicos”. Presentado por Chile, Colombia, Costa Rica, Ecuador, El Salvador, España, Guatemala, Italia y México
BWC/MSP/2014/WP.7 [English only]	Perspectives on article VII. Submitted by South Africa
BWC/MSP/2014/WP.8 [English only]	National Implementation of the Biological Weapons Convention. Submitted by Australia, Chile, Costa Rica, Ghana, Japan, Malaysia, Republic of Korea and Thailand
BWC/MSP/2014/WP.9 [English only]	Exercise and training for investigation of alleged use of biological weapons with special consideration of the functional subunits approach (Berlin, 10 - 19 November 2014). Submitted by Germany
BWC/MSP/2014/WP.10 [English only]	Updated report on Germany’s implementation of Article X (with special focus on the German Partnership Programme for Excellence in Biological and Health Security). Submitted by Germany
BWC/MSP/2014/CRP.4 [English only]	Draft report
BWC/MSP/2014/MISC.1 [English/French/Spanish only]	Provisional list of participants

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