

**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

7 October 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.

I would like to begin by thanking you for your cooperation and active support during the Meeting of Experts held from 4-8 August. On this occasion, we held a rich discussion on the three standing agenda items and the biennial topic. A compilation of the many ideas and proposals put forward by delegations in the course of these discussions was annexed to the Report of the Meeting of Experts (BWC/MSP/2014/MX/3, currently available on the ISU website in three UN languages).

Our task now is to take this wealth of information and ideas and consider how we might transform it into common understandings and effective action at the Meeting of States Parties.

Synthesis paper

As promised, to help us prepare for the Meeting of States Parties, I have under my own responsibility distilled the ideas and proposals made at the Meeting of Experts into a synthesis paper. This document is attached for your consideration. Naturally, not every detail

of every proposal has been included, but I have tried to cover the main themes and capture at least the essence of the various ideas put forward.

I hope you will find the synthesis paper useful for your preparations for the Meeting of States Parties. As in 2013, I have focused on identifying new material contributed at this year's Meeting of Experts. I have tried to avoid repeating ideas and proposals on which we have already identified a common understanding. Please read the attached synthesis paper in conjunction with the reports of the 2012 and 2013 Meetings of States Parties (BWC/MSP/2012/5 and BWC/MSP/2013/5), which should also be seen as an input to the 2014 Meeting of States Parties. I hope you will find these materials useful during your preparations over the coming months.

In line with past practice and as captured in the reports of the 2012 and 2013 Meetings of States Parties, this document is submitted under the sole responsibility of the Chair. However, I was wondering whether it may be useful to continue to work on this document prior to our December meeting, especially in light of feedback from States Parties. I am keen to provide 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.

Before we gather in Geneva, 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. In light of your views, which I hope to hear through consultations with the regional groups and bilaterally, I will assess whether there is value in revising my synthesis paper to provide a better stepping stone towards the Meeting of States Parties.

Agenda and programme of work

I have also prepared a provisional agenda and programme of work, both closely based on those from 2012 and 2013, updated to reflect the change in biennial topic in accordance with the decision of the Seventh Review Conference. The provisional agenda is already available on the ISU website; the provisional programme of work is attached. I trust that both these documents are acceptable to delegations.

Change of Vice-chair

As we heard at the Meeting of Experts, one of the two Vice-chairs, Ms. Judit Körömi of Hungary, Special Representative of the Minister of Foreign Affairs and Trade for Arms Control, Disarmament and Non Proliferation, has indicated that she will not be able to continue as Vice-chair. I have written a letter on 29 September to inform you of the nomination of Ambassador György Molnár of Hungary, Special Representative of the Minister of Foreign Affairs and Trade for Arms Control, Disarmament and Non Proliferation, to be approved by States Parties through a silence procedure in the standard manner.

I would like to thank Ms. Körömi for her important work as Vice-chair, and in particular for her collaboration, support and valuable advice before and during the Meeting of Experts. I am also looking forward to collaborating with Ambassador Molnár.

Updates and submissions

As part of the preparations for the Meeting of States Parties, I would like to encourage delegations to submit their Confidence-building Measures (CBMs) for 2014 if they have not already done so (a late submission is much better than no submission); to consider supporting the BWC sponsorship programme and coordinate with the ISU in this regard, to check and update if necessary their national contact point for the BWC; to submit any offers or requests for assistance to the database maintained by the ISU; to provide, or update, their report on the implementation of Article X; and to submit any information or feedback on contacts with states not party to the Convention, in the interest of promoting universality. The ISU can provide further information and guidance on any of these matters.

ISU related matters

(Related information has been submitted to States Parties and Signatories only)

Outcome of the Meeting of States Parties

In accordance with our mandate, we will be working together to promote common understanding and effective action on the substantive items of the agenda. Importantly, we will be building upon the common understandings we reached in 2012 and in 2013. Whilst I have focused my synthesis paper on new material identified at the Meeting of Experts, I would expect the Report of the Meeting of States Parties to closely resemble that adopted last year and include both elements from the past, as well as new common understandings. I believe that this approach offers the best opportunity to preserve the appropriate balance between our substantive agenda items, provide us with a platform for effective action, and will help us attain the most substantive outcome possible.

Next steps

I would like to meet each of the regional groups in the first week of November. I am also looking forward to bilateral consultations with delegations, and I invite you to contact me if you would like to discuss any aspect of the preparations for the Meeting of States Parties. I am particularly interested in hearing **specific feedback on the attached synthesis paper** so that I can revise it in a timely manner.

Thank you again for your collaboration and support; I look forward to working with you to reach common understandings and promote effective action at the Meeting of States Parties in December.

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) synthesis paper
(2) provisional programme of work for the Meeting of States Parties

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

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

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.

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

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

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

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

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

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;

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

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.

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

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

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.
- 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

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 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.

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

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

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

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

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.

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.

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

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;
 - (i) organising 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.

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

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
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

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

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.

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

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 Party 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.

States Parties recognised 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.

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) 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.

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 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 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.

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.

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 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.

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.

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

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 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.

Provisional programme of work

Submitted by the Chairman

<i>Day</i>	<i>AM (10:00-13:00)</i>	<i>PM (15:00-18:00)</i>
Mon 1/12	Opening formalities (agenda items 1-4). Consideration of the report of the Meeting of Experts (agenda item 5) General debate (agenda item 6)	General debate (agenda item 6 – continued) Informal session for NGO statements
Tue 2/12	Standing agenda item: Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X (agenda item 7)	Standing agenda item: Review of developments in the field of science and technology related to the Convention (agenda item 8)
Wed 3/12	Standing agenda item: Strengthening national implementation (agenda item 9)	Biennial item: 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)
Thu 4/12	Standing agenda items and biennial item (agenda items 7-10 – continued)	Progress with universalization of the Convention (agenda item 11) – Reports from the Chairman and States Parties on universalization activities Annual report of the Implementation Support Unit (agenda item 12)
Fri 5/12	Arrangements for the Meeting of Experts and Meeting of States Parties in 2015 (agenda item 13) – Nomination of the Chairman and Vice-chairs for 2015. – Dates for the Meeting of Experts and Meeting of States Parties in 2015 Informal consultations on the report of the meeting	Adoption of the report of the meeting (agenda item 14) Closing of the meeting (agenda item 15)