

COMMON UNDERSTANDINGS REACHED DURING THE 2007 – 2010 INTERSESSIONAL PROCESS OF THE BIOLOGICAL WEAPONS CONVENTION

Introduction

The Sixth Review Conference decided “to hold four annual meetings of the States Parties of one week duration each year commencing in 2007, prior to the Seventh Review Conference, to be held not later than the end of 2011, to discuss, and promote common understanding and effective action on:

- (i) Ways and means to enhance national implementation, including enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions;
- (ii) Regional and sub-regional cooperation on implementation of the Convention;
- (iii) National, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins;
- (iv) Oversight, education, awareness raising and adoption and/or development of codes of conduct with the aim of preventing misuse in the context of advances in bio-science and bio-technology research with the potential of use for purposes prohibited by the Convention;
- (v) With a view to enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases: (1) for States Parties in need of assistance, identifying requirements and requests for capacity enhancement; and (2) from States Parties in a position to do so, and international organizations, opportunities for providing assistance related to these fields;
- (vi) Provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems.”¹

¹ Final Document of the Sixth Review Conference, BWC/CONF.VI/6, <http://www.unog.ch/bwc/docs>

During the course of this intersessional work programme, States Parties reached a number of common understandings on these topics. They were included in the respective reports of the relevant Meeting of States Parties. For common understandings on:

- Ways and means to enhance national implementation (*national implementation*), see the Report of the 2007 Meeting of States Parties;²
- Regional and sub-regional cooperation on implementation of the Convention (*regional and sub-regional cooperation*), see the Report of the 2007 Meeting of States Parties;³
- National, regional and international measures to improve biosafety and biosecurity (*biosafety and biosecurity*), see the Report of the 2008 Meeting of States Parties;⁴
- Oversight (*oversight of science*), see the Report of the 2008 Meeting of States Parties;⁵
- Education, awareness raising and adoption and/or development of codes of conduct (*education and outreach*), see the Report of the 2008 Meeting of States Parties;⁶
- Promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases (*dealing with disease*), see the Report of the 2009 Meeting of States Parties;⁷
- Provision of assistance and coordination with relevant organizations in the case of alleged use of biological or toxin weapons (*responding to alleged use*), see the Report of the 2010 Meeting of States Parties.⁸

This document gathers together the common understandings reached on these topics at these meetings.

National Implementation

The Report of the 2007 Meeting of States Parties included:

“19. Having considered ways and means to enhance national implementation of the Convention, and recognising the need to take into account their respective national circumstances and legal and constitutional processes, the States Parties agreed on the fundamental importance of effective

² Report of the 2007 Meeting of States Parties, BWC/MSP/2007/5 <http://www.unog.ch/bwc/docs>

³ Report of the 2007 Meeting of States Parties, BWC/MSP/2007/5 <http://www.unog.ch/bwc/docs>

⁴ Report of the 2008 Meeting of States Parties, BWC/MSP/2008/5 <http://www.unog.ch/bwc/docs>

⁵ Report of the 2008 Meeting of States Parties, BWC/MSP/2008/5 <http://www.unog.ch/bwc/docs>

⁶ Report of the 2008 Meeting of States Parties, BWC/MSP/2008/5 <http://www.unog.ch/bwc/docs>

⁷ Report of the 2009 Meeting of States Parties, BWC/MSP/2009/5 <http://www.unog.ch/bwc/docs>

⁸ Report of the 2010 Meeting of States Parties, BWC/MSP/2010/6 <http://www.unog.ch/bwc/docs>

national measures in implementing the obligations of the Convention. The States Parties further agreed on the need to nationally manage, coordinate, enforce and regularly review the operation of these measures to ensure their effectiveness. It was recognised that full implementation of all the provisions of the Convention should facilitate economic and technological development and international cooperation in the field of peaceful biological activities.

20. The States Parties recognised the value of ensuring that national implementation measures:
- (i) penalize and prevent activities that breach any of the prohibitions of the Convention, and are sufficient for prosecuting prohibited activities;
 - (ii) prohibit assisting, encouraging or inducing others to breach any of the prohibitions of the Convention;
 - (iii) are not limited to enacting relevant laws, but also strengthen their national capacities, including the development of necessary human and technological resources;
 - (iv) include an effective system of export/import controls, adapted to national circumstances and regulatory systems;
 - (v) avoid hampering the economic and technological development of States Parties, or international cooperation in the field of peaceful uses of biological science and technology.

21. Recognising the importance of developing a coordinated and harmonised domestic mechanism to implement the obligations of the Convention, the States Parties agreed on the value of moving from adjacency to synergy, with their governments taking the lead by promoting cooperation and coordination among domestic agencies; of clearly defining the roles and responsibilities of each; and of raising awareness of the Convention among all relevant stakeholders, including policy makers, the scientific community, industry, academia, media and the public in general, and improving dialogue and communication among them. The States Parties noted that, where appropriate, the establishment of a central body or lead organisation and the creation of a national implementation plan may be useful in this regard.

22. The States Parties agreed on the value of ensuring effective enforcement of their legislative and regulatory measures, including through building capacity to collect evidence, to develop early-warning systems, to coordinate between relevant agencies, to train law-enforcement personnel, and to provide enforcement agencies with the necessary scientific and technological support.

23. Recognising that implementing the Convention is a continuing process, the States Parties agreed on the importance of regular national reviews of the adopted measures, including by ensuring the continued relevance of their national measures in light of scientific and technological developments; by updating lists of agents and equipment relevant to safety, security and transfer regimes; and by implementing additional measures as required.”

Regional and Sub-Regional Cooperation

The Report of the 2007 Meeting of States Parties included:

“24. Having considered regional and sub-regional cooperation on implementation of the Convention, the States Parties agreed that such cooperation can complement and reinforce national measures, which remain the obligation of States Parties. In this context, the States Parties agreed on the value of regional and sub-regional efforts to, where appropriate:

- (i) develop common approaches to implementing the Convention and provide relevant assistance and support, building upon shared languages and legal traditions where appropriate;
- (ii) engage regional resources (such as those concerned with police, customs, public health or agriculture) which may have relevant expertise or technical knowledge;
- (iii) include implementation of the Convention on the agendas of regional meetings and activities, including ministerial and high-level regional consultations.

25. The States Parties recognised that adequate resources are necessary for pursuing both effective national implementation measures and regional and sub-regional cooperation, and in this context called on States Parties in a position to do so to provide technical assistance and support to States Parties requesting it. In this context, the States Parties agreed on the value of the Implementation Support Unit, and of making full use of resources and expertise available from other States Parties and relevant international and regional organizations.

26. The States Parties agreed on the value of promoting international cooperation at all levels, in order to exchange experiences and best practices on the implementation of the Convention. To facilitate the sharing of information on national implementation and regional cooperation, States Parties are urged to nominate a national point of contact in accordance with the decision of the Sixth Review Conference, and to inform the Implementation Support Unit of their national measures and any updates or changes to them (for example, through the submission of confidence-building measures), and of any relevant regional or sub-regional activities.”

Biosafety and Biosecurity

The Report of the 2008 Meeting of States Parties included:

“19. With respect to both topics of the Meeting, States Parties recognised the need for proportional measures, for carefully assessing risks, for balancing security concerns against the need to avoid hampering the peaceful development of biological science and technology, and for taking national and local circumstances into account.

20. Having considered national, regional and international measures to improve biosafety and biosecurity, and recognising the need to take into account respective national circumstances and legal and regulatory processes, States Parties noted their common understanding that in the context

of the Convention, *biosafety* refers to principles, technologies, practices and measures implemented to prevent the accidental release of, or unintentional exposure to, biological agents and toxins, and *biosecurity* refers to the protection, control and accountability measures implemented to prevent the loss, theft, misuse, diversion or intentional release of biological agents and toxins and related resources as well as unauthorized access to, retention or transfer of such material.⁹

21. Recognising that biosafety and biosecurity measures contribute to preventing the development, acquisition or use of biological and toxin weapons and are an appropriate means of implementing the Convention, States Parties agreed on the value of:

- (i) National authorities defining and implementing biosafety and biosecurity concepts in accordance with relevant national laws, regulations and policies, consistent with the provisions of the Convention and taking advantage of relevant guidance and standards, such as those produced by the FAO, OIE and WHO;
- (ii) National governments taking the leading role, including by nominating a lead agency (or focal point), specifying mandates for participating departments or agencies, ensuring effective enforcement and regular review of relevant measures, and integrating such measures into relevant existing arrangements at the national, regional and international level;
- (iii) National governments, supported by other relevant organisations as appropriate, using tools such as: accreditation, certification, audit or licensing for facilities, organizations or individuals; requirements for staff members to have appropriate training in biosafety and biosecurity; mechanisms to check qualifications, expertise and training of individuals; national criteria for relevant activities; and national lists of relevant agents, equipment and other resources.
- (iv) Ensuring measures adopted are practical, sustainable, enforceable, are readily understood and are developed in concert with national stakeholders¹⁰, avoid unduly restricting the pursuit of the biological sciences for peaceful purposes, are adapted for local needs, and appropriate for the agents being handled and the work being undertaken, including through applying appropriate risk assessment and risk management strategies.
- (v) Building networks between scientific communities and academic institutions and increasing interaction with professional associations and working groups at the national regional and international level, including through dedicated workshops, seminars, meetings and other events, as well as using modern information technologies and appropriate risk communication strategies and tools;

⁹ This constitutes an understanding and is not a definition of biosafety and biosecurity. It is not binding on States Parties.

¹⁰ In this report, the term “stakeholders” refers, as appropriate according to national circumstances, to relevant actors such as scientists, researchers and other professionals in the life sciences; editors and publishers of life science publications and websites; and organizations, institutions, government agencies, and private companies acting in life sciences research or education, and any other legal entity that is involved in the stockpiling, transport or use of biological agents, toxins or other resources relevant to the Convention.

- (vi) International cooperation on biosafety and biosecurity at the bilateral, regional and international levels, in particular to overcome difficulties encountered by some States Parties where additional resources, improved infrastructure, additional technical expertise, appropriate equipment and increased financial resources are needed to build capacity.
- (vii) The Implementation Support Unit, in accordance with its mandate, facilitating networking activities, maintaining lists of relevant contacts, and acting as a clearing house for opportunities for international cooperation and assistance on biosafety and biosecurity, including through tools such as a database containing information on such opportunities for international cooperation and assistance.

22. States Parties noted that pursuing biosafety and biosecurity measures could also contribute to the fulfilment of their other respective international obligations and agreements, such as the revised International Health Regulations of the WHO, and relevant codes of the World Organisation for Animal Health (OIE). The States Parties recalled United Nations Security Council Resolution 1540 (2004) that places obligations on all states and is consistent with the provisions of the Convention¹¹.

23. Recalling that the Sixth Review Conference stressed the legal obligation to facilitate and have the 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, States Parties recognised the value of cooperation and assistance to build biosafety and biosecurity capacity, particularly in States Parties in need of assistance in the fields of disease surveillance, detection, diagnosis and combating of infectious diseases and related research.

24. States Parties encouraged those States Parties in a position to do so to provide assistance, upon request, to other States Parties to enact and improve national legislation to implement biosafety and biosecurity; to strengthen laboratory infrastructure, technology, security and management; to conduct courses and provide training; and to help incorporate biosafety and biosecurity in existing efforts to address emerging or re-emerging diseases. States Parties noted that where relevant assistance is currently available bilaterally and regionally, as well as through international organisations, those seeking assistance are encouraged, as appropriate, to make use of existing offers to the fullest extent possible.”

Oversight of Science

The Report of the 2008 Meeting of States Parties included:

“19. With respect to both topics of the Meeting, States Parties recognised the need for proportional measures, for carefully assessing risks, for balancing security concerns against the need to avoid hampering the peaceful development of biological science and technology, and for taking national and local circumstances into account....

¹¹ See BWC/CONF.VI/6, Part II, paragraph 17.

25. Having considered the oversight of science, States Parties recognised the value of developing national frameworks to prohibit and prevent the possibility of biological agents or toxins being used as weapons, including measures to oversee relevant people, materials, knowledge and information, in the private and public sectors and throughout the scientific life cycle. Recognising the need to ensure that such measures are proportional to risk, do not cause unnecessary burdens, are practical and usable and do not unduly restrict permitted biological activities, States Parties agreed on the importance of involving national stakeholders in all stages of the design and implementation of oversight frameworks. States Parties also noted the value of harmonizing, where possible and appropriate, national, regional and international oversight efforts.”

Education and Outreach

The Report of the 2008 Meeting of States Parties included:

“19. With respect to both topics of the Meeting, States Parties recognised the need for proportional measures, for carefully assessing risks, for balancing security concerns against the need to avoid hampering the peaceful development of biological science and technology, and for taking national and local circumstances into account....

26. States Parties recognized the importance of ensuring that those working in the biological sciences are aware of their obligations under the Convention and relevant national legislation and guidelines, have a clear understanding of the content, purpose and foreseeable social, environmental, health and security consequences of their activities, and are encouraged to take an active role in addressing the threats posed by the potential misuse of biological agents and toxins as weapons, including for bioterrorism. States Parties noted that formal requirements for seminars, modules or courses, including possible mandatory components, in relevant scientific and engineering training programmes and continuing professional education could assist in raising awareness and in implementing the Convention.

27. States Parties agreed on the value of education and awareness programmes:

- (i) Explaining the risks associated with the potential misuse of the biological sciences and biotechnology;
- (ii) Covering the moral and ethical obligations incumbent on those using the biological sciences;
- (iii) Providing guidance on the types of activities which could be contrary to the aims of the Convention and relevant national laws and regulations and international law;
- (iv) Being supported by accessible teaching materials, train-the-trainer programmes, seminars, workshops, publications, and audio-visual materials;
- (v) Addressing leading scientists and those with responsibility for oversight of research or for evaluation of projects or publications at a senior level, as well as future generations of scientists, with the aim of building a culture of responsibility;
- (vi) Being integrated into existing efforts at the international, regional and national levels.

28. Having considered codes of conduct, States Parties agreed that such codes can complement national legislative, regulatory and oversight frameworks and help guide science so that it is not misused for prohibited purposes. States Parties recognised the need to further develop strategies to encourage national stakeholders to voluntarily develop, adopt and promulgate codes of conduct in line with the common understandings reached by the 2005 Meeting of States Parties and taking into account discussions at the 2008 Meeting of Experts.

29. States Parties noted the importance of balancing "top-down" government or institutional controls with "bottom-up" oversight by scientific establishments and scientists themselves. Within the framework of oversight, States Parties recognised the value of being informed about advances in bio-science and bio-technology research with the potential of use for purposes prohibited by the Convention and the necessity of strengthening ties with the scientific community. States Parties welcomed the important contributions made to their work by the scientific community and academia, including national and international academies of science and professional associations, as well as industry-led initiatives to address recent developments in science and technology, and encouraged greater cooperation between scientific bodies in various States Parties.”

Dealing with Disease

The Report of the 2009 Meeting of States Parties included:

“20. Recognizing the fundamental importance of enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, in the interests of achieving comprehensive implementation of the Convention, States Parties agreed on the value of working together to promote capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases. States Parties affirmed that building such capacity would directly support the objectives of the Convention.

21. In this connection, States Parties recalled that the Sixth Review Conference stressed the importance of implementation of Article X and recalled that the States Parties have a legal obligation to facilitate and have the 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. States Parties recognized that the Convention is a useful and appropriate platform for collaboration and that through the full implementation of the Convention, including Article X, States Parties can complement the activities of other forums and promote maximum cooperation and assistance in areas concerning disease surveillance, detection, diagnosis, and containment of infectious diseases.

22. States Parties agreed that although disease surveillance, mitigation and response are primarily national responsibilities, infectious diseases know no geographic boundaries and neither should efforts to combat them. States Parties noted that international organizations, such as the FAO, IPPC, OIE and WHO, within their respective mandates, have a fundamental role to play in addressing disease and recognized the importance of these intergovernmental organizations in supporting and financing relevant national activities. States Parties recognized the value of enhancing the capabilities and coordinating role of these organizations.

23. States Parties recognized the importance of developing effective infrastructure for disease surveillance, detection, diagnosis and containment.

- (i) Such infrastructure could include:
 - (a) Surveillance systems which are sensitive, specific, representative, timely, simple, flexible and acceptable, and which have capabilities for continuously collecting and analyzing data from various sources;
 - (b) Capacity for rapid detection and identification of pathogens, including improved access to high quality diagnostics and expertise;
 - (c) Primary health care services and veterinary and phytosanitary services, such as laboratory systems and disease management and treatment capacity;
 - (d) Emergency and epidemiological response capabilities;
 - (e) Communication capabilities, including for public information and professional collaboration;
 - (f) An appropriate national regulatory framework, including available resources for its implementation and surveillance activities;
 - (g) Facilitation of treatment of diseases, including availability of diagnostic equipment, vaccines and medicines.
- (ii) States Parties noted that developing such infrastructure could also contribute to the fulfilment of their other respective international obligations and agreements, such as the revised International Health Regulations (2005).

24. Recognizing that infrastructure, equipment and technology is of little use if there are not appropriately trained individuals to use it, States Parties agreed on the value of developing human resources for disease surveillance, detection, diagnosis and containment, including by:

- (i) Making use of workshops, training courses and conferences at the national, regional and international levels;
- (ii) Ensuring that training materials are available in native languages;
- (iii) Taking advantage of both computer-based and hands-on training;
- (iv) Fostering an interdisciplinary approach to infectious disease problems, incorporating traditional biomedical science with economics, social sciences, demographics and agricultural science;

- (v) Engaging with all relevant human resources, including technicians, managers, policy makers, health professionals and academia;
- (vi) Identifying ways to reduce "brain-drain";
- (vii) Providing the political leadership needed to ensure training and personnel issues are given adequate attention at the national level; and
- (viii) If in a position to do so, providing sponsorship for training, exchange visits, and travel to expert meetings.

25. Recognizing the opportunities for building capacity through sharing practices and procedures, States Parties agreed on the value of implementing standard operating procedures, taking into account their national needs and circumstances, including through:

- (i) Using standard operating procedures to enhance sustainability, improve trust, build confidence, contribute to quality control, and foster the highest standards of professional performance;
- (ii) Working at the national level with ministries of health and agriculture and other relevant agencies to develop relevant legislation, standards and guidelines;
- (iii) Developing and using best practices for surveillance, management, laboratory practice, manufacturing, safety, security, diagnostics, trade in animals and products, as well as associated procedures;
- (iv) Strengthening international protocols for the rapid sharing of information; and
- (v) Using case studies of biosecurity considerations, risk assessment and the transportation of dangerous goods and disease management to improve existing practices and procedures.

26. States Parties agreed on the value of ensuring the sustainability of capacity building in the fields of disease surveillance, detection, diagnosis and containment, including through: pooling resources; making funding processes longer-term and more predictable (including through the use of mutually-agreed exit strategies); ensuring ownership by the receiving country and the involvement of all relevant stakeholders; addressing needs for day-to-day maintenance of core health capacity; tailoring activities to meet the differing circumstances of each recipient state; taking full advantage of existing resources, networks and institutional arrangements; utilising twinning programmes to strengthen networks of reference laboratories; and using collaborative projects to develop biosafety, biosecurity, basic science, tools and core technologies thereby increasing motivation and support.

27. States Parties agreed on the value of improving integration of capacity-building activities so that scarce resources are used effectively to combat disease irrespective of its cause, including through: ensuring effective communication and coordination among human, animal and plant health

sectors; using an inter-disciplinary, all-hazards approach drawing on all relevant disciplines; and improving how government departments and agencies work with the private sector, academia and non-governmental experts. States Parties also noted the utility of public-private partnerships in dealing with disease.

28. States Parties recognized the importance of ensuring that there is effective coordination among relevant activities to minimise duplication and ensure a more comprehensive approach to building capacity, including through: improved coordination and information sharing among assistance providers both internationally and among national departments; enhanced communication among States Parties and with international efforts to tackle infectious disease, such as those undertaken by the FAO, IPPC, OIE and WHO, within their respective mandates; taking advantage of all appropriate routes for assistance – bilateral, regional, international and multilateral, including the Convention – to forge North-South, South-South and North-North partnerships; and improving cooperation, communication and networking among national institutions, departments, agencies and other stakeholders.

29. States Parties recognized the range of bilateral, regional and multilateral assistance, cooperation and partnerships already in place to support States Parties in meeting their national obligations under the Convention and in enhancing their disease surveillance, detection, diagnosis and containment capabilities. States Parties also recognized, however, that there remain challenges to be overcome in developing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes to their full potential, and that addressing such problems, challenges, needs and restrictions will help States Parties to build sufficient capacity for disease surveillance, detection, diagnosis and containment. Keeping in mind Article X, States Parties agreed on the value of mobilizing resources, including financial resources, to facilitate the widest possible exchange of equipment, material and scientific and technological information to help overcome challenges to disease surveillance, detection, diagnosis and containment. Recognizing that all States Parties have a role to play, States Parties stressed that those States Parties seeking to build their capacity should identify their specific needs and requirements and seek partnerships with others, and that those States Parties in a position to do so should provide assistance and support.

30. Recalling the agreements on Article X and Article III reached at the Sixth Review Conference, States Parties recalled that the Conference had emphasized that in the interest of facilitating the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxin agents for peaceful purposes, States Parties should not use the provisions of the Convention to impose restrictions and/or limitations on transfers for purposes consistent with the objectives and provisions of the Convention of scientific knowledge, technology, equipment and materials. States Parties noted in this respect that full implementation of Article III of the Convention would help to facilitate the exchange of equipment, materials and scientific and technological information in accordance with Article X.

31. States Parties affirmed the role of the Implementation Support Unit, consistent with its mandate, in supporting the capacity-building activities of the States Parties by facilitating communication and partnerships, and acting as a clearing-house for information on needs for and sources of assistance and cooperation. In this context, the States Parties recalled that the Sixth

Review Conference had encouraged States Parties to provide appropriate information to the Implementation Support Unit on their implementation of Article X, and welcomed the reports on cooperation activities that were submitted by States Parties during this meeting.

32. Recognizing the need to sustain progress on capacity-building in the fields of disease surveillance, detection, diagnosis and containment, with a view to enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, States Parties noted that the Seventh Review Conference could consider current and future proposals on means of better identifying needs, overcoming challenges to capacity-building, mobilizing financial resources, facilitating the development of human resources, supporting the participation of developing States Parties in the meetings and other activities of the Convention, and coordinating cooperation with other relevant international and regional organizations.”

Responding to an Alleged Use

The Report of the 2010 Meeting of States Parties included:

“19. On the provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, States Parties recognized that this is an issue that has health and security components, at both the national and international levels. States Parties highlighted the importance of pursuing initiatives in this area through effective cooperation and sustainable partnerships. States Parties noted the importance of ensuring that efforts undertaken are effective irrespective of whether a disease outbreak is naturally occurring or deliberately caused, and cover diseases and toxins that could harm humans, animals, plants or the environment. States Parties also recognised that capabilities to detect, quickly and effectively respond to, and recover from the alleged use of a biological or toxin weapon need to be in place before they are required.

20. Recognising that developing effective measures for the provision of assistance and coordination with relevant international organizations to respond to the use of a biological or toxin weapon is a complex task, States Parties noted the following challenges:

- (a) the need for clear procedures for submitting requests for assistance or for responding to a case of alleged use of biological or toxin weapons;
- (b) the need for additional resources in the human and animal health fields, and most acutely in the area of plant health, particularly in developing countries;
- (c) the potentially complex and sensitive interface between an international public health response and international security issues; and
- (d) the public health and humanitarian imperatives of a prompt and timely response.

21. 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, taking into account their commitments under Articles VII and X, emphasised the value of assisting other States Parties, including by:

- (a) enhancing relevant capabilities, including through promoting and facilitating the generation, transfer, and acquisition upon agreed terms, of new knowledge and technologies, consistent with national law and international agreements, as well as of materials and equipment;
- (b) strengthening human resources; identifying opportunities for collaborative research and sharing advances in science and technology;
- (c) sharing appropriate and effective practices for biorisk standards in laboratories handling biological agents and toxins.

22. Given their commitments under the Convention, in particular under Article VII, States Parties recognized that they bear the primary responsibility for providing assistance and coordinating with relevant organizations in the case of alleged use of biological or toxin weapons. States Parties underlined the importance of assistance being provided promptly, upon request, to any State Party that has been exposed to a danger as a result of violation of the Convention. As national preparedness contributes to international capabilities and cooperation, States Parties recognised the importance of working to build their national capacities according to their specific needs and circumstances.

23. Recognizing the importance of disease surveillance and detection efforts for identifying and confirming the cause of outbreaks, States Parties recognized the need to work, in accordance with their respective circumstances, national laws and regulations, to improve their own capacities in this area, and cooperating, upon request, to build the capacity of other States Parties. This could include the development of:

- (a) diagnostic capacity for relevant diseases;
- (b) tools for sampling, epidemiological intelligence and investigation;
- (c) diagnostic and detection techniques, tools and equipment;
- (d) adequate technical expertise;
- (e) international, regional and national laboratory networks;
- (f) relevant standards, standard operating procedures and best practices;
- (g) effective information-sharing; and
- (h) cooperation, especially with developing countries, on research and development of vaccines and diagnostic reagents, and between international reference laboratories and research institutions.

24. Given the importance of investigating, and mitigating the potential impact of, an alleged use of biological or toxin weapons, States Parties noted the value of, in accordance with national laws and regulations: a coordinated government approach in emergency management; addressing the full range of possible implications; establishing clear channels of communication and command;

accessing expert advice; training and exercises; adopting a communication strategy; as well as enabling coordination across sectors through the provision of sufficient financing.

25. Noting that an effective response requires efficient coordination among relevant actors, States Parties recognised the particular importance of ensuring a coordinated response from the law enforcement and health sectors. States Parties agreed on the value of working, in accordance with their national laws and regulations, to improve effective cooperation between these sectors, including by fostering mutual awareness, understanding, and improved information exchange, and by undertaking joint training activities.

26. On the role to be played by the Convention in the provision of assistance and coordination with relevant organizations, affirming the consultation procedures agreed at previous Review Conferences, States Parties noted that the Convention is an appropriate and capable instrument for:

- (a) bilateral, regional or multilateral consultations for the provision of prompt and timely assistance, prior to an allegation of use being presented to the Security Council;
- (b) developing clearer and more detailed procedures for submitting requests for assistance, and for promptly providing assistance following an allegation of use; and
- (c) developing a comprehensive range of information on sources of assistance, and/or a mechanism to request assistance.

27. The States Parties recalled that the Sixth Review Conference took note of desires expressed that, should a request for assistance be made, it be promptly considered and an appropriate response provided, and that in this context, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties if requested.

28. States Parties noted the role played by relevant international organisations, in close cooperation and coordination with the States Parties under the provisions of the Convention, in the provision of assistance and coordination, including, inter alia, the United Nations, the World Health Organization, the Food and Agriculture Organization, the World Organization for Animal Health, the World Customs Organization, and the International Criminal Police Organization. States Parties noted the value of encouraging these organizations to work together more closely, strictly within their respective mandates, to address specific relevant aspects of the threats posed by the use of biological and toxin weapons, and to assist States Parties to build their national capacities.

29. The States Parties noted the importance of effectively investigating cases of alleged use of biological or toxin weapons, using appropriate expertise, both from experts and laboratories, and taking into account developments in biological science and technology. The States Parties reaffirmed the relevant mechanism established by Article VI of the Convention and noted that the Secretary-General's investigation mechanism, set out in A/44/561 and endorsed by the General Assembly in its resolution 45/57, represents an international institutional mechanism for investigating cases of alleged use of biological or toxin weapons. Recognizing the various views on this issue, the States Parties noted that the Seventh Review Conference would consider it further.

30. The States Parties noted that the International Health Regulations (2005) are important for building capacity to prevent, protect against, control and respond to the international spread of disease. The States Parties noted that such aims are complementary with the objectives of the Convention.”
