

# **Joint NGO Statement to the Biological Weapons Convention Meeting of States Parties Geneva 5 December 2017**

## *Introduction*

Mr Chair, Distinguished Representatives:

Thank you for the opportunity to speak before you today. I am pleased to have taken over the role as NGO Coordinator from Graham Pearson who so ably carried out this task for 20 years. This year, the NGO community offers a joint statement, to more powerfully focus our key messages to you. I am speaking on behalf of 19 organizations and 40 individuals, the full list of which is attached to the written copy of this statement. The joint statement will be followed by short, individual statements from those who would like to elaborate on points made in the joint statement, emphasise other important areas, express alternate views, or highlight contributions to BWC-relevant initiatives.

## *Statement*

Mr Chair,

The BWC stands at a crossroads following the outcome of the last Review Conference. We, the NGO community, believe States Parties can and should come together to achieve meaningful progress to strengthen the Convention at this critical time. There are four priority areas we would like to highlight in our joint statement: Intersessional process restructuring, unprecedented advances in science and technology, reassurance and transparency initiatives, and resourcing.

## **Restructuring the Intersessional Process**

We welcome the Depositaries statement of 2 November 2017. Ensuring agreement on a new programme of work that will provide for substantive discussion and meaningful action to address today's biosecurity challenges is crucial. We fully support the proposed open-ended working groups on (1) science and technology, (2) national implementation, (3) international cooperation, and (4) preparedness, response and assistance, as well as the role envisaged for the annual Meetings of States Parties (MSPs). Restructuring the intersessional process in this fashion can produce a pattern of meetings more fit for purpose. Adding a Steering Committee that includes the Chairs and Vice-Chairs of the annual meetings, the Chairs of the working groups and representatives of the Depositaries, would strengthen States Parties' oversight of the work programme.

It is crucial that the working groups are open ended; so that they can benefit from a full range of expertise, from outside as well as inside governments.

We agree with the Depositaries that the working groups could usefully prepare reports and recommendations for consideration by the MSPs. We also agree that the MSPs should provide guidance for follow-up work. However, some flexibility of focus must be built into the working groups. States Parties should be able to set topics, questions or themes on an ongoing basis. The working group Chairs should also be able to add elements to their work.

Going further, we believe MSPs should also be authorized, should consensus be found, to make recommendations for action to States Parties prior to the next review conference.

### **Advances in Science & Technology**

The rate and scale of progress in biotechnology and the life sciences are developing at an unprecedented rate. Discipline convergence is accelerating, and the ways in which science and technology are being developed and used are changing rapidly. The character of bioscience is evolving with greater focus on sophisticated genetic manipulation, biological engineering, rational design and more flexible production. Advances with direct relevance to the Convention are appearing more frequently, and States Parties have already agreed that five-yearly reviews at review conferences are insufficient.

Reviews of life science developments and novel delivery technologies are critical to ensure the relevance, effectiveness and sustainability of the BWC. Understanding the positive and negative implications of these advances for the Convention requires careful and regular consideration.

Science and technology review was one of the key priorities of States Parties and the NGO community going into the Eighth Review Conference, and rightly so. A great deal of work by a swathe of stakeholders went into thinking how best the BWC community could collectively improve the current S&T review process. There was near consensus that an annual review process was needed and broad agreement on models that could be used.

Establishing an open-ended working group on science and technology would be a significant step in the right direction. Through regular reviews of overarching trends relevant to the BWC and in-depth focus on particular developments and technologies, the working group should highlight possible risks and benefits for the Convention and make recommendations to States Parties as to how best they might be respectively mitigated and maximized.

The working group must have a Chair who is familiar with technical materials and is seen as a credible authority in the eyes of technical experts. The working group should be professionally serviced by a Scientific Officer in the ISU, to bridge the gap between science, security and policy; to act as a day-to-day focal point; to assist in preparing meeting outputs; and to help maintain the focus and momentum of the process between meetings. This could be complemented by a position actively pursuing opportunities for international cooperation in science and technology through the Convention.

The S&T working group review process is meant to contribute significant advice, but, importantly, it is not meant to be the sole source of advice. States Parties and the international scientific community should continue to conduct their own reviews and assessments, and to feed the results into the BWC.

### **Reassurance and Transparency Initiatives**

We continue to attach high importance to issues of confidence, transparency and reassurance. These three concepts are closely connected. Each State Party needs to find ways to reassure everyone else that it is complying fully with its obligations. This will involve a critical examination of the existing CBMs, to identify measures that really build confidence and collectively make better use of the information provided. Equally, it will involve encouraging transparency in activities relevant to implementation of the BWC. We commend those States Parties which have taken initiatives in this area, whether as compliance assurance, implementation review, peer review or other transparency measures. We encourage more States Parties to join in these initiatives or develop their own. The value of these initiatives increases when their outcomes are fully reported, lessons shared, and best practice disseminated, always on a voluntary basis and adapted to the circumstances of each State Party. This cannot wait until the next Review Conference.

This Meeting of States Parties should ensure that these issues are taken forward from 2018 in a robust intersessional work programme. Much of the material to take them forward is already to be found in the documentation of the Eighth Review Conference. What is missing is momentum: the determination to move forward purposefully in this area. Often in the history of the BWC there has been damaging uncertainty over compliance, and over how to demonstrate compliance; suspicions fester, unresolved, and the credibility of the Convention suffers. The options for consultation permissible under Article V merit further examination. For the health of the BWC it is vital to explore and use all means of reassurance.

It is time to take a fresh look, approaching the issues of confidence, transparency and reassurance without preconceptions. Inclusion of these issues within the open-ended working group on national implementation can prepare the ground for the next Review Conference and, through a systematic sharing of experience, will benefit the health of the Convention even sooner.

### **Resourcing**

The ISU is held back from making a more sustainable contribution by under-resourcing. Its staff is too small and it is run on an inadequate budget. The Seventh Review Conference added new tasks to the ISU but in effect, at the last minute, refused to pay for them. As a result, the ISU has had to draw attention in each of its annual reports to the work it has not been able to do, for lack of resources. To fund a staff of five would merely restore the ISU to where it ought to have been throughout the last intersessional period. States Parties should

therefore treat five, rather than three, as the baseline from which to calculate the staff needed to adequately support the new intersessional process.

Finally, we welcome the payments of assessed contributions made to date, but remind States Parties that, as of the end of October 2017, over \$84,600 USD remains outstanding in assessed contributions for BWC conferences. 82 States Parties (46%) owe various arrears to the BWC, of which 70% owe multiple annual arrears, some dating back as far as 2001.

States Parties have managed to ensure sufficient funds are available to allow the 2017 MSP to take place; only because of overpayment by a limited number of States Parties. Failure to pay assessed contributions on time and in full threatens the Convention's ability to work – a situation to which the BWC came perilously close this year.

Each State Party must take its financial obligation seriously: the BWC cannot endure on good intentions alone. We therefore urge States Parties to settle their arrears in full at the earliest possible date and to ensure that payments are processed as soon as assessment notices are received.

## **Conclusion**

To conclude, Mr Chair, we wish you and the Meeting every success at this difficult, and exceptionally important, crossroads for the Convention in steering us all onto a constructive path ahead.

We thank you for your attention to this joint NGO statement.

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Article 36

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