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Biological weapon arms control and disarmament

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I. Biological weapon arms control and disarmament

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The principal activity in 2012 in the biological arms control field was work carried out in connection with the meeting of experts (16–20 July) and the meeting of parties (10–14 December) to the Third Intersessional Process of the 1972 Biological and Toxin Weapons Convention (BTWC).¹ The three standing agenda items for the meetings are (a) cooperation and assistance, (b) science and technology review, and (c) strengthening national implementation.² The 2012 and 2013 meetings were mandated to consider ‘fuller participation’ in the long-standing annual, politically binding information exchanges that are meant to serve as confidence-building measures (CBMs).³

One new party joined the convention in 2012: the Marshall Islands. An additional 12 states had signed but not ratified the convention as of 31 December 2012.⁴

The BTWC Implementation Support Unit (ISU) continued to establish a database with offers and requests for assistance in accordance with a decision by the Seventh BTWC Review Conference in 2011.⁵ As of 7 November 2012 only 11 offers of assistance had been made, all by one party, while another party had made a single request for assistance. In addition, no matches of offers and requests had been communicated to the ISU.⁶ In its assessment of the intersessional process, South Africa called on the meeting of experts to have more in-depth ‘technical discussions’ that make full use of the time available (which was arguably not the case in the 2012 meetings). South Africa also noted the absence of ‘substantive engagement’ by the parties on science and technology reviews and that ‘no effort was made to discuss’ strengthening national implementation, CBMs and pro-

¹ For a summary and other details of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction see annex A in this volume. Documents related to the BTWC are available at <<http://www.unog.ch/bwc>>. For daily summaries of the meetings see BioWeapons Prevention Project (BWPP), ‘Daily reports from BWC meetings’, <<http://bwpp.org/reports.html>>.

² Seventh BTWC Review Conference, Final document, BWC/CONF.VII/7, 13 Jan. 2012, para. 8.

³ Seventh BTWC Review Conference, BWC/CONF.VII/7 (note 2), para. 9.

⁴ The states that had signed but not ratified the BTWC were Central African Republic, Côte d’Ivoire, Egypt, Guyana, Haiti, Liberia, Malawi, Myanmar, Nepal, Somalia, Syria and Tanzania. In addition, 17 UN member states had neither signed nor ratified the convention: Andorra, Angola, Cameroon, Chad, Comoros, Djibouti, Eritrea, Guinea, Israel, Kiribati, Mauritania, Micronesia, Namibia, Nauru, Samoa, South Sudan and Tuvalu. See annex A for a full list of parties.

⁵ Seventh BTWC Review Conference, BWC/CONF.VII/7 (note 2), para. 20.

⁶ Implementation Support Unit (ISU), ‘Report of the Implementation Support Unit’, [n.d.], para. 28. The report was submitted to the parties prior to the Dec. 2012 Meeting of the States Parties and is available on the ISU website, <[http://www.unog.ch/_80256ee600585943.nsf/\(httpPages\)/f837b6e7a401a21cc1257a150050cb2a?OpenDocument&ExpandSection=1#_Section1](http://www.unog.ch/_80256ee600585943.nsf/(httpPages)/f837b6e7a401a21cc1257a150050cb2a?OpenDocument&ExpandSection=1#_Section1)>.

motion of universalization ‘from a technical point of view’.⁷ During the 2012 meeting of parties the participants also considered proposals for self-assessment of national implementation and peer review of scientific research.⁸ Five parties called for a conceptual discussion on compliance during the intersessional process, but the final document of the meeting of parties excluded draft language for such a discussion.⁹ The experts and parties meetings were both marked by unwillingness to agree substantive text in accordance with the mandate of the final document of the Seventh Review Conference.

The final document of the meeting of parties compiled extracts from the parties’ national papers that, among other things, identified seven measures to further national implementation of obligations to facilitate peaceful uses of the life sciences; six types of national measure to increase awareness among life science practitioners of the dual-purpose nature of equipment, technology and know-how; five approaches to strengthen national biorisk-management capacity; and six measures to facilitate submission of data to the ISU.¹⁰ Because the intersessional meetings lack decision-making powers, individual parties are able to decide whether and how to implement the measures discussed.

Discussions of science and technology, for example, offer a potential mechanism for the parties to reach a common understanding on whether and how to ensure that research of concern is used exclusively for peaceful purposes. The World Health Organization (WHO) committee that examined the 2011 H5N1 avian influenza research consisted of scientists who were generally opposed to restrictions.¹¹ Although the BTWC regime has an inherent security emphasis, the political and technical scope for reaching common understanding on oversight and control of life sciences research remains limited.¹²

⁷ BTWC, Meeting of the States Parties, ‘South Africa: the intersessional process: comments and proposals’, BWC/MSP/2012/WP.7, 5 Dec. 2012.

⁸ E.g. Revill, J., *A Peer-Review Mechanism for the Biological and Toxin Weapons Convention* (United Nations Institute for Disarmament Research: Geneva, 2013).

⁹ BTWC, Meeting of the States Parties, ‘Australia, Canada, Japan, New Zealand and Switzerland: We need to talk about compliance’, BWC/MSP/2012/WP.11, 12 Dec. 2012.

¹⁰ BTWC, Meeting of the States Parties, ‘Report of the Meeting of States Parties’, BWC/MSP/2012/5, 19 Dec. 2012; and United Nations Office at Geneva (UNOG), ‘Meeting of states parties to Biological Weapons Convention concludes in Geneva’, Press Release DC12/038E, 17 Dec. 2012, <[http://www.unog.ch/unog/website/news_media.nsf/\(httpNewsByYear_en\)/D0AF5AE959D406C1C1257AD7005419B5](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/D0AF5AE959D406C1C1257AD7005419B5)>.

¹¹ World Health Organization (WHO), ‘Technical consultation on H5N1 research issues: consensus points’, 16–17 Feb. 2012, <http://www.who.int/influenza/human_animal_interface/consensus_points/en>.

¹² For useful background paper see BTWC, Meeting of the States Parties, ‘Making avian influenza aerosol-transmissible in mammals’, BWC/MSP/2012/MX/INF.2, 11 June 2012.