

**2008 Meeting
Geneva, 1-5 December 2008**

**Meeting of Experts
Geneva, 18-22 August 2008**

Item 6 of the agenda

**Consideration of 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 by the Convention**

PREPARING THE GROUND FOR THE CBM CONTENT DEBATE: WHAT INFORMATION BUILDS CONFIDENCE?

Submitted by Switzerland

1. Building on the 2007 study **National Data Collection Processes for CBM Submissions**, Switzerland has initiated a follow-on study to continue its contribution to efforts to facilitate the substantive review of Confidence Building Measures at the Seventh Review Conference in 2011. This Working Paper outlines the aims of this second study and presents some of its initial findings.

Background

2. The Confidence Building Measures (CBMs) of the Biological Weapons Convention were designed to prevent or reduce the occurrence of ambiguities, doubts and suspicions, and to improve international co-operation in the field of peaceful biological activities. Developing out of the crisis of confidence among States Parties that had resulted from the unresolved allegations of non-compliance, rapid developments in science and technology and other pressures in the early 1980s, they were agreed at the Second Review Conference in 1986, elaborated at a meeting of scientific and technical experts in 1987, and modified and considerably expanded at the Third Review Conference in 1991. They have not been modified since, although the Sixth Review Conference in 2006 agreed on various improvements to the mechanisms for submission and distribution.

3. One of the main functions of the CBMs is to allow and encourage States Parties to resolve compliance concerns co-operatively through exchanges of information. The experience of the past years, however, has suggested that the CBM mechanism may benefit from a substantial review to further improve it.
4. A central concern relates to the accuracy and comprehensiveness of the data submitted. To address this it is fundamentally important to understand the particular challenges and needs arising in different national contexts and how this impacts on CBM submissions. In 2007 Switzerland sponsored a study on national data collection processes in order to draw out the experience and perspectives of those tasked with preparing the CBM return and to provide concrete examples of problems and solutions, of models, and of lessons learned in the submission process. The resulting report – **National data collection processes for CBM submissions: Revisiting the Confidence Building Measures for the Biological and Toxin Weapons Convention after twenty years of CBM submissions** – was launched and distributed during the Meeting of States Parties in December 2007. Additional copies are available from the Permanent Mission of Switzerland in Geneva (www.eda.admin.ch/geneva). It is hoped the report has been, and continues to be, constructive not only for States Parties submitting CBMs for the first time, but also for States that have consistently been submitting them for some time and for which a procedural review might be helpful.
5. Another key concern relates to the quality of the data submitted, and whether, in practice, the information supplied enhances transparency and builds the necessary degree of confidence between States Parties that there is no development, production, stockpiling, acquisition or retention of biological and toxin agents in contravention of the Convention. Building on the 2007 study, Switzerland has this year sponsored a second study focusing on the information asked for on the CBM forms and the information submitted by States Parties. More specifically, it examines form A1 on research facilities and form A2 on biodefence programmes, which together constitute some of the most pertinent information regularly exchanged through the CBM mechanism.
6. The aim of the study is to provide novel empirical data addressing the quality of the data submitted in order to sustain the political focus on CBMs and to encourage further debate among States Parties in the lead up to the 2011 Review Conference.

Trends in numbers of facilities and biodefence programmes submitted

7. Since the forms were modified at the Third Review Conference in 1991, there has been an increase both in the number of States Parties declaring maximum containment facilities on Form A1 and in the number of maximum containment facilities declared. Figures 1 and 2 illustrate this graphically at five-year intervals starting in 1992, and Table 1 provides more detailed information in tabular form. Of the facilities declared only a small number are categorised as BSL-4, the majority (around 80 percent) of the facilities have a lower BSL level.

Figure 1: Number of SP Declaring Maximum Containment Facilities

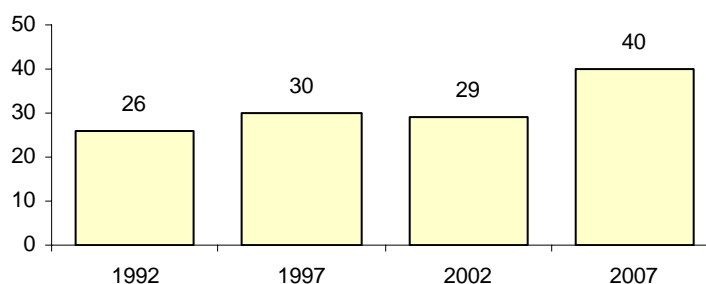


Figure 2: Total Number of Maximum Containment Facilities Declared

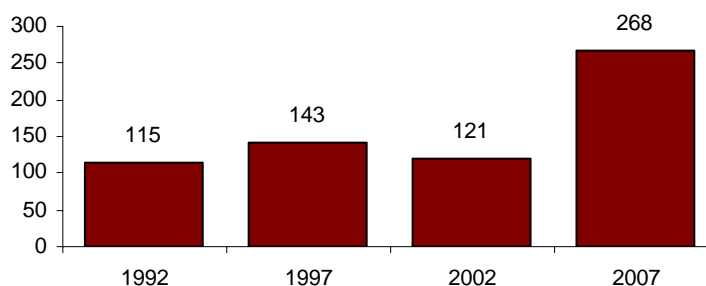


Table 1: Summary information of CBM Form A1 on maximum containment facilities at five-yearly intervals since the current forms were introduced at the Third Review Conference

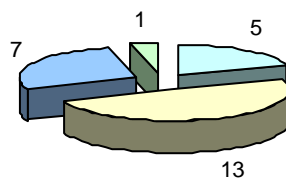
	1992	1997	2002	2007
Number of SP to BWC	127	140	147	159
Number of SP submitting CBMs	43	46	41	64
Number of SP submitting information on Form A1	26	30	29	40
Average number of facilities declared per SP	4.4	4.8	4.2	6.7
Total number of facilities declared	115	143	121	268

Table 2: Breakdown of number of States Parties declaring maximum containment facilities

	1992	1997	2002	2007
Number of SP declaring a single facility	5	12	10	16
Number of SP declaring between two and five facilities	13	10	10	13
Number of SP declaring between six and ten facilities	7	5	7	6
Number of SP declaring more than ten facilities	1	3	2	5

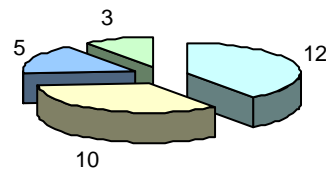
8. Table 2 provides a breakdown of the number of States Parties submitting information on Form A1 (in Table 1) into those declaring (1) a single maximum containment facility, (2) between two and five facilities, (3) between six and ten facilities, and (4) more than ten facilities, at the five-yearly intervals. This data is displayed graphically in Figures 3-6 below.

Figure 3: Breakdown of Number of SP Declaring Maximum Containment Facilities in 1992



□ 1 facility □ 2-5 facilities □ 6-10 facilities □ >10 facilities

Figure 4: Breakdown of Number of SP Declaring Maximum Containment Facilities in 1997



□ 1 facility □ 2-5 facilities □ 6-10 facilities □ >10 facilities

Figure 5: Breakdown of Number of SP Declaring Maximum Containment Facilities in 2002

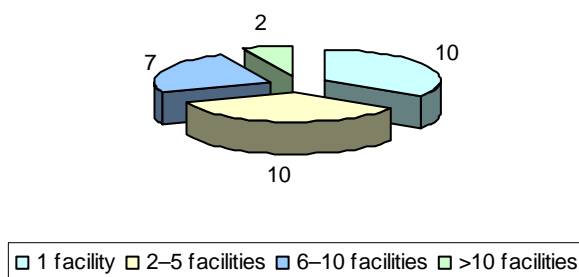
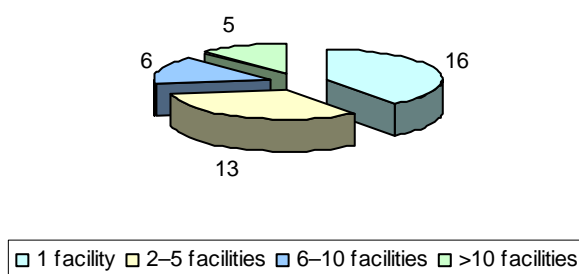


Figure 6: Breakdown of Number of SP Declaring Maximum Containment Facilities in 2007

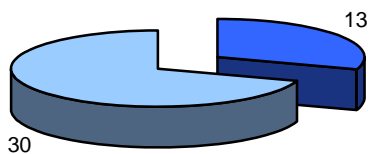


9. Table 3 and Figures 7-10 show that there has also been an increase in the number of biodefence programmes declared on Form A2 over the time period 1992-2007.

Table 3: Summary information of CBM Form A2 on biological defence programmes at five-yearly intervals since the current forms were introduced at the Third Review Conference

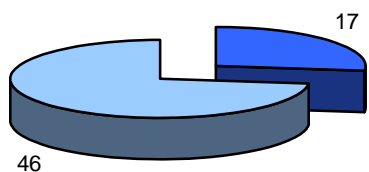
	1992	1997	2002	2007
Number of SP submitting CBMs	43	46	41	59
Number of SP providing information on biodefence programmes	13	17	18	25

Figure 7: 1992



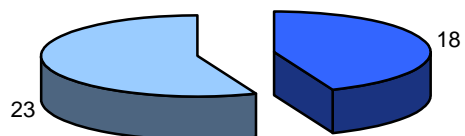
■ Biodefence programme declared ■ No biodefence programme declared

Figure 8: 1997

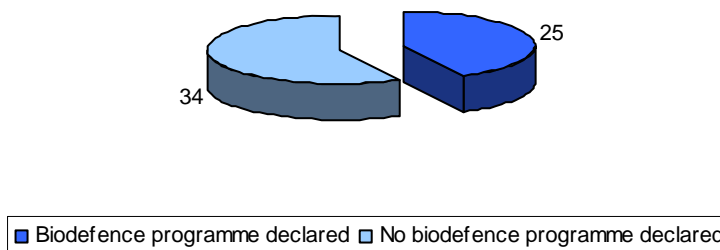


■ Biodefence programme declared ■ No biodefence programme declared

Figure 9: 2002



■ Biodefence programme declared ■ No biodefence programme declared

Figure 10: 2007

The quality of the information submitted

10. To facilitate dialogue at the Seventh Review Conference about the quality of the data asked for and submitted on CBMs, the study is bringing together small groups of national experts with different backgrounds (defence scientists, academic scientists, security specialist, health experts) to discuss a set of “mock CBMs” that contain descriptions of fictitious biodefence programmes.

11. The mock CBMs have been drawn together on the basis of information in actual CBM returns submitted by States Parties. Some of the CBM returns sampled were publicly available, either on the public section of the BTWC website or on national websites. Others were requested bilaterally asking whether States would agree to participate in the study and make parts of their CBMs available to an outside expert for temporary consultation. There has been a positive response to date to this request, and the study has so far been able to draw on CBM returns in five of the six official UN languages.

12. The aim of the group discussions is to explore what experts can conclude from the information provided, whether the information provided demonstrates transparency, and what additional information would help build more confidence that the programmes described are not in contravention of the Convention. The results of these discussions, and of the study more generally, will be published in advance of the BTWC Meeting of States Parties in December 2008.