

Strengthening the Biological Weapons Convention

Briefing Paper No 9 (Third Series)

Moving Forward with the Confidence Building Measures (CBMs)

June 2013

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**Graham S. Pearson, Nicholas A. Sims,
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MOVING FORWARD WITH THE CONFIDENCE BUILDING MEASURES (CBMS)

by Filippa Lentzos^{*} and Graham S. Pearson[†]

Introduction

1. The Seventh Review Conference in December 2011 decided¹ that *the following other items will be discussed during the intersessional programme in the years indicated:*

(a) *How to enable fuller participation in the CBMs (2012 and 2013);*

2. In our Briefing Paper No. 3 entitled *How to enable fuller participation in the Confidence Building Measures (CBMs)* in July 2012 we concluded² that:

The Meetings of Experts and Meeting of States Parties in 2012 and 2013 in considering How to enable fuller participation in the CBMs have a real opportunity to improve transparency and build confidence among the States Parties. The opportunity needs to be taken to ensure that the information required for the individual CBMs is unambiguous and also comprehensive. The submitted CBMs should be analysed and the analysis considered during a session of the annual Meeting of States Parties. And the procedures for submitting the CBMs should be reviewed so as to help all States Parties acquire and submit the required information.

3. At the Meeting of Experts in July 2012, a Working Paper (BWC/MSP/2012/MX/WP.4) entitled *Confidence Building Measures*, was submitted³ by the United States of America which noted that:

*3. The Seventh RevCon took steps toward this goal by modestly revising the CBM reporting forms, urging the Implementation Support Unit (ISU) to work with States Parties to further develop options for electronic submission, and renewing the request for National Points of Contact. We welcome the time set aside this year and next for detailed discussions. **A key consideration for increasing participation in all aspects of the CBM process is to ensure that the questions asked by the CBMs are useful, relevant, and result in information that meets the needs of States Parties.** The changes adopted by the Seventh RevCon focused mainly on streamlining the CBMs*

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¹ United Nations, The Seventh Review Conference 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, 5 - 22 December 2011, *Final Document*, BWC/CONF.VII/7, 13 January 2012. Available at <http://unog.ch/bwc> and at <http://www.opbw.org>

² Filippa Lentzos and Graham S. Pearson, *How to enable fuller participation in the Confidence Building Measures (CBMs)*, University of Bradford, Division of Peace Studies, Briefing Paper No. 3, July 2012. Available at http://www.brad.ac.uk/acad/sbtwc/briefing/three_bw_briefing.htm

³ United States of America, *Confidence-Building Measures*, BWC/MSP/2012/MX/WP.4, 16 July 2012. Available at <http://unog.ch/bwc>

and on clarifying certain questions, leaving more fundamental revision to be considered at a later date. [Emphasis added]

It went on to recommend that:

6. The 2012 Meeting of States Parties should:

- (a) Strongly urge all States Parties to acknowledge, and reiterate to others, the importance of participation in the CBM process.*
- (b) Call on all States Parties to designate National CBM Points of Contact as agreed at the Sixth RevCon and reiterated at the Seventh RevCon, and request the Chairman to follow up with those States Parties who have not done so.*
- (c) Call upon the BTWC Chairman to contact States Parties who have not submitted CBMs the previous year, note offers of assistance, and urge submission without delay.*
- (d) Urge States Parties to assist the ISU with efforts to move to a fully electronic CBM system that will simplify both reporting and analysis and make the data more widely available.*
- (e) Urge establishment of CBM assistance network, coordinated by the ISU, to provide expert advice in an accessible manner; update and harmonize CBM handbooks; and post this information on ISU website.*
- (f) Urge States Parties in a position to do so to offer, and coordinate, assistance, training, translations, and workshops in support of national implementation tasks such as compiling and submitting CBMs.*
- (g) Welcome the decision of many States Parties to post submissions on the publically available ISU website to facilitate aggregating and analyzing CBM data.*

3. Then, following the Meeting of Experts, at the Meeting of States Parties in December 2012, a Working Paper (BWC/MSP/2012/WP.1) entitled *Next steps on the CBMs: some key questions for 2013*, was submitted⁴ by the United Kingdom which proposed that the Meeting of Experts in 2013 should address:

- (a) Lessons learned from national compilation of CBM returns; issues and problems encountered and possible solutions. How does the information submitted in annual returns contribute to the stated goals of the CBMs? How do we demonstrate the value added?*
- (b) What assistance do States Parties need to improve the quantity and quality of returns?*
- (c) What further technical changes are required to help improve returns?*
- (d) How should the CBM regime evolve? Do we have clarity in the underlying purpose and how does this impact on return rate and on quality of returns?*

4. The report of MSP/2012 stated⁵ that

⁴ United Kingdom, *Next steps on the CBMs: some key questions for 2013*, BWC/MSP/2012/WP.1, 12 November 2012. Available at <http://unog.ch/bwc>

⁵ United Nations, 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, 10 - 14 December 2012, *Report of the Meeting of States Parties*, BWC/MSP/2012/5, 19 December 2012. Available at <http://unog.ch/bwc>

41. *States Parties recognized the importance of annual exchanges of information to provide transparency and build mutual trust among States Parties.*

42. *Taking into account the technical difficulties experienced by some States Parties in completing full and timely CBM submissions, States Parties agreed to work to:*

(a) Find ways to improve participation, including through raising awareness and training;

(b) Make the CBM submissions more user-friendly;

(c) Promote their possible utility in improving domestic coordination and in enhancing domestic understanding of national activity to be reported in the CBMs;

(d) Provide technical assistance and support to States Parties, on request, for preparing and submitting CBM submissions;

(e) Further develop electronic means of submission; and

(f) Improve access by States Parties to the information submitted in CBMs, including through the provision of voluntary, informal translations of CBM submissions.

43. *States Parties agreed to continue discussing in 2013, including in the light of various proposals made by States Parties, how to enable fuller participation in the CBMs, focusing on the practical difficulties experienced by some States Parties in completing full and timely submissions.*

44. *States Parties agreed on the importance of all States Parties participating in, and reiterating to others the importance of, the CBMs. States Parties recalled that they are to designate a National Point of Contact as agreed at the Sixth Review Conference and reiterated at the Seventh Review Conference.*

45. *States Parties recognised the value of the Chairman writing each year to all States Parties to remind them of the call by the Seventh Review Conference to participate annually in the CBMs.*

5. Unfortunately, it became evident at the Meeting of Experts in July 2012 and subsequently at the Meeting of States Parties in December 2012 that the States Parties had not used the available time to consider CBMs and in our report⁶ on MSP/2012 we noted in our reflections that:

Looking back on the Meeting of Experts and the Meeting of States Parties it was evident that some States Parties seemed to consider that they had put their efforts into the Seventh Review Conference in December 2011, and consequently it would suffice to simply examine the implementation of the decisions reached at the Review Conference rather than to recognize that the Intersessional Process had been given a new structure and impetus that needed to be worked on in order to maximize the benefits for the Convention. This was particularly evident in some of the discussions

⁶ Graham S. Pearson & Nicholas A. Sims, *Reports from Geneva: The Biological Weapons Convention Meeting of States Parties December 2012*, Review No. 37, March 2013. Available at: <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva.html>

on the biennial topic how to enable fuller participation in the Confidence-building Measures (CBMs) when the available time was not used, and there appeared to be little recognition that the consideration of this biennial topic will finish in 2013.

6. This Briefing Paper recognises that the consideration of the biennial topic *How to enable fuller participation in the CBMs (2012 and 2013)* will conclude in 2013 and that States Parties need to consider how best to take forward CBMs to the Eighth Review Conference in 2016 and what decisions should then be taken. It also recognizes that the questions posed in the Working Paper (BWC/MSP/2012/WP.1)⁷ at MSP/2012 do indeed need to be addressed at the Meeting of Experts in August 2013 and sets out some responses to these questions.

Confidence Building Measures

7. The confidence building measures (CBMs) of the Biological and Toxin Weapons Convention (BTWC) are a key tool by which States Parties can affirm their on-going commitment to obligations under the Convention. Their primary aim is to enhance transparency about permitted activities, but they also provide a means enabling States Parties to provide information on how they implement the Convention nationally, and serve as an opportunity for them to demonstrate that they take their Convention-derived responsibilities seriously. On a more national level, the process of collecting and submitting the required information serves to draw domestic stakeholders together, contributes to internal inter-agency coordination, and increases government awareness and oversight of relevant biological activities within the State Party.

8. At the Seventh Review Conference, the States Parties in their consideration of CBMs under Article V of the Convention agreed⁸ that:

22. The Conference emphasises the importance of the exchange of information among States Parties through the confidence-building measures (CBMs) agreed at the Second and Third Review Conferences. The Conference welcomes the exchange of information carried out under these measures and notes that this has contributed to enhancing transparency and building confidence.

23. The Conference recognises the urgent need to increase the number of States Parties participating in CBMs and calls upon all States Parties to participate annually. The Conference notes that since the Sixth Review Conference, there has only been a slight increase in the percentage of State Parties submitting their CBMs. The Conference emphasises the importance of increasing and continuing participation in the CBMs.

24. The Conference recognises the technical difficulties experienced by some States Parties in completing full and timely submissions. The Conference urges those States Parties, in a position to do so, to provide technical assistance and support, through training for instance, to those States Parties requesting it to assist them to complete

⁷ United Kingdom, *Next steps on the CBMs: some key questions for 2013*, BWC/MSP/2012/WP.1, 12 November 2012. Available at <http://unog.ch/bwc>

⁸ United Nations, *The Seventh Review Conference 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, 5 - 22 December 2011, *Final Document*, BWC/CONF.VII/7, 13 January 2012. Available at <http://unog.ch/bwc> and at <http://www.opbw.org>

their annual CBM submissions. The Conference notes the decision to update the CBM forms.

25. The Conference notes the desirability of making the CBMs more user-friendly and stresses the need to ensure that they provide relevant and appropriate information to States Parties.

26. The Conference recalls that the Third Review Conference agreed, “that the exchange of information and data, using the revised forms, be sent to the United Nations Department for Disarmament Affairs no later than 15 April on an annual basis”. The Conference reaffirms that the data submitted in the framework of the annual exchange of information should be provided to the Implementation Support Unit within the United Nations Office for Disarmament Affairs and promptly made available electronically by it to all States Parties according to the updated modalities and forms in Annex I. The Conference recalls that information supplied by a State Party must not be further circulated or made available without the express permission of that State Party. The Conference notes the fact that certain States Parties made the information they provide publicly available.

9. It was evident that the Seventh Review Conference limited its discussion of the CBMs to technical revisions of the current reporting forms. The Review Conference decided that further collective discussion in the intersessional period leading up to the Eighth Review Conference should address how to enable fuller participation in the CBM regime, and that this would be carried out as a biennial agenda item for the 2012 and 2013 Meetings of Experts (MX) and States Parties (MSP).

10. The UK Working Paper to MSP/2012 setting out key questions on CBMs for 2013 is a useful proposal and one that should be addressed at MX/2013 and taken further forward at MSP/2013. These questions are set out as:

(a) Lessons learned from national compilation of CBM returns; issues and problems encountered and possible solutions. How does the information submitted in annual returns contribute to the stated goals of the CBMs? How do we demonstrate the value added?

(b) What assistance do States Parties need to improve the quantity and quality of returns?

(c) What further technical changes are required to help improve returns?

(d) How should the CBM regime evolve? Do we have clarity in the underlying purpose and how does this impact on return rate and on quality of returns?

Each is considered in turn here.

11. The first question is on *Lessons learned from national compilation of CBM returns; issues and problems encountered and possible solutions. How does the information submitted in annual returns contribute to the stated goals of the CBMs? How do we demonstrate the value added?* It is expected that States Parties would respond to this by describing how they nationally compile the information that is submitted in their national CBMs and recognizing the benefits that accrue from making contact with other government departments who are engaged in relevant activities such as those which are reported under CBM ‘A’ Part 1 *Exchange of data on research centres and laboratories*. Such contacts help to ensure that

national measures to implement the BTWC are being effectively implemented and are being understood by the different government departments. Any ambiguities or uncertainties in national legislation and regulations can be identified and corrective action taken nationally. Sharing such information with other States Parties is mutually beneficial as it helps to ensure that a common approach is being adopted by States Parties and consequently that the enhanced confidence gained from the exchange of CBMs is soundly based.

12. The next question is *What assistance do States Parties need to improve the quantity and quality of returns?* It would be expected that States Parties that have never submitted CBMs or have only submitted CBMs intermittently would take the opportunity to say what the difficulties are nationally that make it hard to submit CBMs annually. It would also be an opportunity for States Parties to indicate where they see difficulties in maintaining the quality of their CBMs. Is there some information that is difficult to obtain? Are there some government departments or other agencies which may be in government, academia or industry from which it is difficult to obtain the consistent and reliable information needed to compile the annual CBMs. By States Parties discussing the difficulties that they encounter, the opportunity is created whereby other States Parties can respond and advise how they have dealt with similar difficulties or avoided them successfully.

13. The third question is *What further technical changes are required to help improve returns?* The answer to this question may well emerge from the discussion of the answers to the second question – but also from consideration of the fourth question which focuses on *Do we have clarity in the underlying purpose* and thus on whether the information being sought in the CBMs is that which is most effective at building confidence. One example where clarification would be helpful is in regard to CBM ‘A’ Part 2 *Exchange of information on national biological defence research and development programmes* as it is clear that in order to increase transparency and build confidence between States Parties, it should be agreed – following on from the proposal in Working Paper BWC/CONF.VII/WP.9 entitled *Review and update of the Confidence-Building Measures* submitted⁹ by Germany, Norway and Switzerland to the Seventh Review Conference – that the declarations under CBM ‘A’ Part 2 should be of *programmes to counter outbreaks of disease in humans, animals or plants whether occurring naturally, accidentally or deliberately*. This would improve clarity in what information is provided and at the same time would enhance transparency and build confidence between States Parties.

14. The fourth and final question is *How should the CBM regime evolve? Do we have clarity in the underlying purpose and how does this impact on return rate and on quality of returns?* Although some States Parties may try to argue that it is too soon to discuss how the CBM should evolve after the technical changes agreed at the Seventh Review Conference have only been in effect for a year, it will be evident on reflection that it is vital to address the question of *How should the CBM regime evolve?* in order to make progress through consideration of the biennial topic for 2012 & 2013. The failure to make good use of the allotted time to consider the biennial topic in 2012 was a missed opportunity to help move the BTWC regime forward and to enhance transparency and increase confidence between States Parties.

⁹ Germany, Norway and Switzerland, *Review and update of the Confidence-Building Measures*, Working Paper, BWC/CONF.VII/WP.9, 14 October 2011. Available at <http://unog.ch/bwc> and at <http://www.opbw.org>

15. It is strongly urged that States Parties should prepare Working Papers for the Meeting of Experts in 2013 that addresses *How should the CBM regime evolve?* – and, in so doing, should set out what that State Party sees as *the underlying purpose* of the CBM regime. States Parties need to recall that at the Seventh Review Conference in 2011 they agreed in their *Final Declaration* that:

22. The Conference **emphasises the importance** of the exchange of information among States Parties through the confidence-building measures (CBMs) agreed at the Second and Third Review Conferences. The Conference welcomes the exchange of information carried out under these measures and notes that **this has contributed to enhancing transparency and building confidence**. [Emphasis added]

There should therefore be no doubt about the importance of the CBMs and that their purpose is to enhance transparency and build confidence between States Parties. Consequently, States Parties in their Working Papers for the Meeting of Experts should set out what information they find is most helpful in enhancing transparency and building confidence between States Parties.

The Importance of the Meeting of Experts

16. The importance of States Parties preparing Working Papers **for the Meeting of Experts** in 2013 – and of preparing their contributions for the sessions at which the biennial topic will be discussed **at the Meeting of Experts** – needs to be stressed as it has become very evident in 2012 – and at the previous Intersessional Process – that it **is the information that is presented at the Meeting of Experts** that will be captured in the Annex to the Report of the Meeting of Experts. As we noted in our report¹⁰ on the Meeting of States Parties in 2012:

In addition, in looking forward to the Intersessional Process it is evident that all participants – whether States Parties, guests of the meeting, or international organizations – can help to ensure that the points that they make are indeed captured in Annex I Considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions on the topics under discussion at the Meeting to the report of the Meeting of Experts, by ensuring that their working papers, presentations or statements conclude by explicitly stating what they recommend that the Meeting of States Parties should do about the topic that they are discussing. Some States Parties are to be commended for already providing explicit proposals in their Working Papers regarding what the Meeting of States Parties should do. In addition, all participants need to ensure that they review the draft Annex I to the Meeting of Experts when that is made available, and provide any amendments to the ISU within the allotted time for such amendments. This increases the likelihood that the points made will be taken forward into the Chairman’s synthesis paper that provides the starting point for the substantive language in the report of the Meeting of States Parties.

¹⁰ Graham S. Pearson & Nicholas A. Sims, *Reports from Geneva: The Biological Weapons Convention Meeting of States Parties December 2012*, Review No. 37, March 2013. Available at: <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva.html>

Information presented in Working Papers to the Meeting of States Parties is unlikely to be taken into the language being considered for substantive paragraphs of the Report of the Meeting of States Parties.

Further points to be considered at the Meeting of Experts

17. Consideration needs to be given at the Meeting of Experts in 2013 as to what further steps are to be taken in regard to enhancing the CBM regime between 2014 and the Eight Review Conference in 2016. Unless the States Parties consider what these further steps should be at the Meeting of Experts with a view to agreement being reached at the Meeting of States Parties, there is a very real probability that no further attention will be given to the CBM regime until the Eighth Review Conference – and that is likely to be as unsatisfactory as the Seventh Review Conference when, despite the extensive preparatory discussion prior to the Review Conference, there was a failure to deal with the CBM process. States Parties seemed to not recollect that earlier in the history of the CBMs, they had been content at the Second Review Conference to agree *to hold an ad hoc meeting of scientific and technical experts from States Parties to finalise the modalities for the exchange of information and data by working out, inter alia, appropriate forms to be used by States Parties for the exchange of information agreed to in this Final Declaration, thus enabling States Parties to follow a standardised procedure*. This two-week meeting took place the following year, in spring 1987, and agreed the modalities of the CBM process which were then implemented by the States Parties to submit their annual CBMs.

18. Whilst States Parties should ensure that the available time in 2013 for consideration of the biennial item on CBMs is utilized fully and the outcome contained in the substantive paragraphs of the Report of the Meeting of States Parties in 2013 should set out clearly the common understandings and also the effective action to be taken by the States Parties to further enhance the effectiveness of the CBM process and thereby enable fuller participation, the fact that the Eighth Review Conference will not be held until 2016 should be recognised.

Looking ahead to the Eighth Review Conference in 2016

19. States Parties should recognise that the arrangements for the Intersessional Process between the Seventh and Eighth Review Conferences with the appointment of a Chair and two Vice-Chairs does provide them with the opportunity to make the best use of the available time and expertise. Although the biennial topic *How to enable fuller participation in the CBMs* is only being considered in sessions at the 2012 and 2013 meetings, it would be entirely appropriate and would demonstrate that States Parties are making the best use of the available resources, if States Parties were to agree in 2013 that one of the Chair or Vice-Chairs would undertake to provide a report to the Meetings of States Parties in 2014 and 2015 and also to the Eighth Review Conference in 2016 on further developments in regard to the CBM process. Such reports would help to ensure that the Eighth Review Conference was able to build upon not only the outcome of the biennial topic in 2012 and 2013 but also any subsequent developments.

20. There are at least two activities that could usefully be carried out in 2014 and 2015 additional to the ongoing intersessional process. One would be to hold a two-day workshop in Geneva ideally before the Meeting of Experts in 2014 and again in 2015. The theme for these workshops could be:

A Future Vision of CBMs: two-day workshops in 2014 and 2015

The collective discussion in 2012 on improving participation in the CBM regime can be characterised as short and flat. Although there have been some commendable efforts to broaden the debate – notably the US working paper to the 2012 MX and the UK working paper to the 2012 MSP – it seems unlikely whether any proper preparatory work on CBMs for the next Review Conference can be achieved within the confines of the Conference Room in the Palais des Nations in which the States Parties are meeting for MX/2013 and MSP/2013.

21. To prepare for a considered discussion on the CBM process and to facilitate decision-making at the Eighth Review Conference in 2016, it is urged that two-day workshops should be held immediately before the 2014 and 2015 Meetings of Experts to develop a future vision of CBMs and their role in the BTWC. The meetings should bring together as broad a range of experts and views as possible from States Parties, UN agencies and other stakeholders.

22. Questions to be explored should include: How should the CBM regime evolve? Do we have clarity in the underlying purpose and how does this impact on return rate and on quality of returns? Are we looking for transparency in the right places? What sort of information do we need to know – both individually and collectively – that will help prevent or reduce the occurrence of ambiguities, doubts and suspicions?

23. The workshops would also function to build a network across regional groups actively involved in the CBM debate, to foster cooperation and help capacity-building, and to sustain the political focus on CBMs in the lead up to the Eighth Review Conference, as well as contribute to raising awareness about CBMs and stimulate greater involvement in the regime.

24. Reports on the workshops could be prepared by the Implementation Support Unit for the Chair or Vice-Chair of the intersessional process and submitted to and discussed at the 2014 and 2015 Meetings of States Parties.

25. A second activity that could usefully be carried out in 2014 and 2015 is an analysis of CBM submissions by an ad hoc group of stakeholder experts to provide factual material for the collective discussions on what information is needed to reduce ambiguities, doubts and suspicions:

Maximising transparency: Analysis of CBMs

The primary aim of the CBMs is to enhance transparency and thereby build confidence between States Parties. To maximise transparency – or to disseminate the relevant information as widely as possible – many States Parties are now making their CBM returns available on the <http://www.unog/bwc> website. In 2012 when CBMs were submitted by 69 States Parties, 22 of these were made publicly available. In 2013, when, as of 9 June, CBMs have been submitted by 47 States Parties, 21 of these have been made publicly available.

26. Transparency, however, is about something more than just the availability of relevant information. It is also about usefulness. It is about taking note, reflecting, analyzing and assessing the information exchanged, and ensuring that any outstanding and emerging questions are answered. While individual States Parties can carry out their own analysis of CBM submissions, there is no mechanism for collective analysis and consideration in which experiences can be shared, feedback offered, answers and concerns clarified in an open and

cooperative manner, collaborations encouraged, and good practices developed in relation to the CBM process.

27. Other stake-holders can start to fill this gap. It is proposed that an ad hoc group of stakeholder experts, from different national and disciplinary backgrounds, analyse the set of publicly available CBMs submitted in 2013, and develop an objective and accessible report for consideration at the two day workshop prior to the Meeting of Experts in 2014. The group could repeat the exercise in 2015 using all CBMs publicly available and taking on board feedback from the two-day workshop.

28. The process could include:

1. Developing an objective trend analysis that would highlight qualitative and quantitative aspects without making reference to individual countries;
2. Assessing whether the right questions are asked in light of modern technological capabilities and standards, whether we need more or less information in any of the forms, and whether there are emerging areas of activities in the life sciences that could benefit from further transparency; and
3. Preparing a set of recommendations for improving the CBM regime.

This would provide helpful, factual material that could be used in the discussions about the information needed to prevent or reduce the occurrence of ambiguities, doubts and suspicions in today's world. To those States Parties still sceptical about involving other stakeholders, it would demonstrate the value of stakeholder engagement and the knowledge, experience and expertise stakeholders can contribute to the CBM communication process and to enhancing transparency between States Parties and between stakeholders in the larger BWC community.

29. The Chair or Vice-Chair of the Intersessional Process and the ISU could be invited to the two-day roundtables with a view to involving the ISU in the analysis process and, in particular, to the ISU issuing the objective and accessible report as an information document prior to the Meeting of Experts in 2014 and again in 2015.

Conclusions

30. The consideration of the biennial topic *How to enable fuller participation in the CBMs (2012 and 2013)* will conclude in 2013 and States Parties need to consider in 2013 how best to take forward CBMs to the Eighth Review Conference in 2016 and what decisions should then be taken.

31. At the Meeting of Experts in 2013 consideration needs to be given to what further steps need to be taken in regard to enhancing the CBM regime between 2014 and the Eight Review Conference in 2016. Unless the States Parties consider what these further steps should be at the Meeting of Experts with a view to agreement being reached at the Meeting of States Parties, there is a very real probability that no further attention will be given to the CBM regime until the Eighth Review Conference – and that is likely to be as unsatisfactory as the Seventh Review Conference when, despite the extensive preparatory discussion prior to the Review Conference, there was a failure to deal with the CBM process.

32. States Parties should recognise that the arrangements for the Intersessional Process between the Seventh and Eighth Review Conferences with the appointment of a Chair and two Vice-Chairs does provide them with the opportunity to make the best use of the available time and expertise. Although the biennial topic *How to enable fuller participation in the CBMs* is only being considered in sessions at the 2012 and 2013 meetings, it would be entirely appropriate and would demonstrate that States Parties are making the best use of the available resources, if States Parties were to agree in 2013 that one of the Chair or Vice-Chairs would undertake to provide a report to the Meetings of States Parties in 2014 and 2015 and also to the Eighth Review Conference in 2016 on further developments in regard to the CBM process. Such reports would help to ensure that the Eighth Review Conference was able to build upon not only the outcome of the biennial topic in 2012 and 2013 but also any subsequent developments.

33. States Parties are encouraged to take forward at least two activities that could usefully be carried out in 2014 and 2015 additional to the ongoing intersessional process. **One** would be to hold a two-day workshop in Geneva ideally before the Meeting of Experts in 2014 and again in 2015. The theme for these workshops could be **A Future Vision of CBMs** with the aim of exploring questions such as: How should the CBM regime evolve? Do we have clarity in the underlying purpose and how does this impact on return rate and on quality of returns? Are we looking for transparency in the right places? What sort of information do we need to know – both individually and collectively – that will help prevent or reduce the occurrence of ambiguities, doubts and suspicions?

34. A **second** activity would be to carry out an analysis of CBM submissions – **Maximising transparency** – by an ad hoc group of stakeholder experts to provide factual material for the collective discussions on what information is needed to reduce ambiguities, doubts and suspicions. Such a process could develop an objective trend analysis that would highlight qualitative and quantitative aspects without making reference to individual countries, assess whether the right questions are being asked in light of modern technological capabilities and standards, whether we need more or less information in any of the forms, and whether there are emerging areas of activities in the life sciences that could benefit from further transparency; and prepare a set of recommendations for improving the CBM regime.

35. The proposals made in this Briefing Paper are designed to help enable States Parties to move forward on the CBM regime, maximise the benefits from the biennial topic *How to enable fuller participation in the CBMs* and thus prepare effectively for informed decisions to be taken at the Eighth Review Conference in 2016.