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**Report of the Implementation Support Unit
(including report on participation in the
confidence-building measures)**

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

Submitted by Switzerland

1. This Working Paper outlines the key findings of a Swiss study on confidence building measures (CBMs), and complements the working paper BWC/MSP/2008/MX/WP.35 which introduced the study and described its main aims.

Background and Design of Study

2. The study focuses on the content of the CBMs – on the kind and quality of the information exchanged – to explore whether, in practice, the information supplied on CBM returns 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. The study approached the content of the CBMs in three ways:

3. To provide a general context and quantitative framework, the study considered patterns and general trends in the numbers of facilities and current biodefence programmes that have been submitted by States Parties over time. The data was provided by the ISU on request from Switzerland.

4. The study also examined the different types of information and level of detail submitted by States Parties. Narrowing its focus to only one of the seven forms through which information is exchanged, the study focused on CBM A, on biodefence programmes, as this is the information most relevant to the purpose of the CBM mechanism: to resolve compliance concerns with the Convention. To analyse the different types of information and level of detail submitted by States Parties on biodefence programmes the study sampled CBM returns from 23 States Parties, which

roughly equates to half the returns available in any one year. Approximately half the CBM returns sampled were publicly available. The additional CBM returns were requested bilaterally through official channels, asking whether States would agree to participate in the study and make parts of their CBMs available to an outside expert for temporary consultation. The sampled CBMs represented five of the six official UN languages.

5. Finally, the study analysed the information submitted on biodefence programmes through focus group discussions with experts. Three focus groups were conducted; two of these were with Western Group experts, the third was with NAM experts representing seven different States Parties. The groups each contained between five and ten experts reflecting different backgrounds (arms control and nonproliferation, defence, health, security, life sciences). In addition to the focus groups, a small number of one-to-one interviews were carried out with arms control experts and ex-biological weapons inspectors.

Key findings

6. Since the current forms were introduced in 1991, there has been an increase both in the number of States Parties declaring maximum containment facilities on CBM A Part 1 and in the number of maximum containment facilities declared. In 2007, 40 States Parties declared a total of 268 facilities, up from 26 States Parties declaring 115 facilities in 1992. Of the facilities declared only a small number are categorised as BSL4, the majority (around 80 percent) of the facilities have a lower BSL level.

7. There has also been a gradual increase in the number of biodefence programmes declared on CBM A Part 2, from 13 programmes in 1992 to 25 programmes in 2007.

8. National biodefence programmes can be categorised as small, medium and large as a helpful way to discuss the typical kinds of information and level of detail submitted by States Parties on their CBM returns.

9. To properly interpret CBM returns, it is useful to contextualise the information provided in terms of the particular state structures and funding sources, the organisations involved and their locations, the level of infrastructure, the institutional affiliation of the facilities, and the level of involvement of contractors and manufacturers.

10. There is not one piece of information that by itself can provide confidence that programmes and activities are not in contravention of the Convention. Individual pieces of information are only “part of the puzzle.”

11. Additional information does not necessarily give more insight, but it provides more opportunities to corroborate and cross-check information.

12. Key to improving transparency and strengthening confidence between States Parties is to increase the level of participation in the CBM mechanism. CBM requirements are not constraints on action but declarations of openness, and a failure to honour commitments under the

mechanism indicates either a lack of interest in openness or a lack of belief in the regime of compliance.

13. The regular exchange of data on current activities strengthens the regime of compliance by maximising the transparency of national patterns of normal activity. Complete, accurate and annual declarations are of the utmost importance so that deviations from the norm can be identified and information can be compared over time.

14. Experts call for a review of the questions asked on the CBM forms and a modernisation of the reporting process.

Outlook

15. While States Parties agreed on steps to improve the institutional, ISU-related context of the CBM submission mechanism at the 2006 Review Conference, the next Review Conference, in 2011, will give States Parties an opportunity to further revise the content and operation of the mechanism. Switzerland believes the preparatory process for such a debate should take place on three levels:

16. First and foremost, it is important that States Parties have a common understanding of the challenges ahead. Discussions at the 2006 Review Conference showed how difficult it was to agree on solutions during an already packed agenda. In 2006 it was clear that there was no common understanding of what the challenges with the CBM mechanism were. Switzerland believes that providing key findings like the ones in the study described in this Working Paper as well as the ones from our 2007 study on CBMs (BWC/MSP/2007/MX/WP.10 and BWC/MSP/2008/MX/WP.5) is essential for preparing the debate to come.

17. Second, in order to prepare for 2011, it will be essential to involve a wide range of States Parties to generate the political will to approach the challenges of the CBM mechanism. It is therefore important to sound out the views and concerns that States Party may have as soon as possible. The study has been a useful way of including and interacting with States of different sizes and in different regions. Switzerland tried to find an uncontroversial way to talk about the content of the CBMs, and through this process prepare common ground for consensus solutions.

18. Lastly, Switzerland believes that national experts dealing with both the collation and analysis of CBMs must be included in the preparatory process from the very beginning. Their views are crucial to understanding the operational strengths and weaknesses of how the CBM mechanism functions today.
