Joint NGO Statement to Biological Weapons Convention
Meeting of States Parties
Geneva
22 November 2021

Mr Chair, Distinguished Representatives:

Covid-19 continues to starkly illustrate the damaging effects that infectious disease can have on societies. The multiple impacts of the pandemic underscore the continuing relevance of the Biological Weapons Convention (BWC). Yet, the BWC community has been absent in the vast majority of discussions around the pandemic, including on its origins and in planning for future threats. We strongly urge States Parties to engage in, and contribute to, these deliberations.

As a community, we must ensure that the norm remains strong against biological weapons and the deliberate use of diseases and toxins to cause harm, and that the BWC retains its relevance as a key instrument of contemporary international biosecurity policy.

For the Meeting of States Parties, this means first and foremost reaffirming commitments to the BWC, and reporting on measures taken to implement and strengthen BWC provisions. It also means agreeing on a substantive outcome document from the constructive and substantive discussions at this year's Meetings of Experts. Each of the Meetings of Experts covered topics that will form contributions to the Review Conference, but none stand alone. A productive approach would be to consider how the subject matter in each Meetings of Experts overlaps or enhances that in others. For example, effective science and technology review can enhance implementation of Article X, and capacity-building under Article X can enhance response under Article VII.

Mr Chair,

We welcome the first Youth Declaration for Biosecurity at this meeting. Integrating youth voices into BWC dialogues is an essential part of sustaining the relevance of the BWC.

Mr Chair,

Preparations for a successful Ninth Review Conference next year, and the subsequent intersessional process, must commence now. There are three areas we wish to highlight as particularly critical to strengthening the BWC.

First, the BWC needs a mechanism to systematically monitor and review developments in science and technology. While there are merits to both a limited-participation model and an open-ended model, we urge States Parties to instead focus their deliberations on combining elements of the two. A hybrid process of reviewing science and technology could mitigate

some of the concerns around both the limited-participation and open-ended models while taking full advantage of the benefits the two approaches offer.[1]

Second, compliance assessment remains a fundamental challenge for the BWC. Here too, there are perceived dichotomous approaches: a legally binding agreement or series of agreements versus incremental and on-going enhancements. But these approaches are not necessarily mutually exclusive. A stepping-stone approach to strengthening the BWC can be reflective of both the historical realities of the BWC and the proposals that have emerged since 2001. At its core, compliance assessment in the BWC is about building confidence and fostering trust. In this regard, there are six key stepping-stones that need further development: (1) information-sharing under the confidence-building measures; (2) peer review visits; (3) means to identify scientific and technological advances of benefit to compliance monitoring, investigations and attribution; (4) consultation and clarification procedures under Article V; (5) an agreed investigation procedure to rapidly respond to suspected use of biological or toxin weapons; and (6) measures to enhance peaceful cooperation and capacity building among States Parties.

Third, systematic and sustained awareness-raising and education in biorisk management are crucial to building a culture of safe, secure and responsible research. As part of this effort, we welcome the "Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists" and call on States Parties to share these guidelines with scientific communities in their countries and regions. We further encourage States Parties to develop and share model approaches to national science policy that enable effective awareness-raising of the security dimensions of life sciences research; promote research integrity and the responsible use of science; enhance accountability practices among practitioners; and foster access to emerging capabilities.

Mr Chair,

There are two recent successes we wish to recognise. We are pleased to note that more States Parties have submitted confidence-building measures this year than ever before, and that additional submissions are expected before the end of the year. This is a positive and encouraging trend. We also welcome the clear signal from the UN General Assembly's First Committee that states want to protect the integrity of the UN Secretary-General's Mechanism and the independent authority of the Secretary-General to launch an investigation into the alleged use of biological weapons. We are concerned by the apparent erosion of key arms control instruments in recent years and the First Committee vote is an important course correction.

Mr Chair,

Beyond the BWC and existing disarmament frameworks, the COVID-19 experience also demands additional action. BWC States Parties must seriously consider how to make the

[1] For examples see: Revill R, Anand A & Persi Paoli G, Exploring Science & Technology Review Mechanisms under the BWC, UNIDIR, 15 June 2021, https://unidir.org/exploring-science-and-tech; and Federation of American Scientists, Findings of the workshops on modalities of a scientific advisory process for the BWC, BWC/MSP/2020/MX.2/WP.7

broader biological disarmament and non-proliferation architecture more fit for purpose in today's world.

One element that needs serious attention is the inconsistent implementation of international standards on appropriate biorisk management practices, especially in laboratories working with high-risk zoonotic pathogens with pandemic potential. More countries around the world are likely to build high-containment laboratories in the wake of COVID-19 as part of an increased emphasis on pandemic preparedness and response. As scientists seek to identify and better understand emerging zoonotic viruses and to assess the risk they pose of spillover and becoming transmissible between humans, it will be especially important for all States Parties to ensure that appropriate oversight and governance mechanisms are in place at national, regional and international levels to manage biorisks inherent in such research. Otherwise, surges in the number of laboratories and expansion of high-risk research could significantly increase safety and security risks.

We strongly encourage States Parties to give prominence to biorisk management in their national implementation of the BWC.[2] Furthermore, we encourage States Parties with experience in designing and operating high-containment laboratories to share their expertise in building risk-based laboratory infrastructure that is fit for purpose, is safe and secure, and can be maintained over the long-term.

At the international level, there is no authoritative international institution tracking numbers of biological laboratories or ensuring research oversight. BWC States Parties must consider and consult with other relevant bodies so that the best international structures and mechanisms can be introduced to systematically register and monitor high-containment labs and high-risk biological research to ensure that all such research is being conducted safely, securely and responsibly.

Finally, Mr Chair,

Unfounded allegations of non-compliance with the BWC are extremely damaging to the BWC. They erode trust among States Parties and degrade the taboo against biological weapons by creating the appearance that reliance on these weapons is greater than it actually is, possibly encouraging other nations to pursue them. If there is evidence to support allegations of non-compliance, it should be put forward through the proper processes within the BWC regime that have been put in place to tackle any such allegations.

[2] Previous Review Conferences have noted the value of implementing voluntary management standards on biosafety and biosecurity (BWC/CONF.VIII/4; BWC/CONF.VII/7), and, more recently, several States Parties have supported ISO 35001 on biorisk management and using industrial standards to help countries implement their treaty obligations (BWC/MSP/2020/MX.2/WP.2).

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