

Ninth 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

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Follow-up to the recommendations and decisions of the Eighth Review Conference and the question of future review of the Convention

Simulation and table-top exercises as a tool to enhance preparedness and response: Example from the ASEAN Regional Forum (ARF)

Submitted by the Philippines

I. Introduction

1. Article VII of the Convention on the Prohibition of the Development, Production, and Stockpiling of Bacteriological (Biological) and Toxin Weapons Convention and on Their Destruction (BWC) requires States Parties to the said Convention to undertake to “provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requires, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.”

2. The Eight Review Conference of States Parties to the BWC recognized that “capacity-building at the national and international levels are the most imperative for enhancing and strengthening the capacity of States Parties to promptly and effectively detect and respond to the alleged use or threat of use of biological weapons. The same Conference also recognized that “there are challenges to developing effective measures for the provision of assistance and coordination” in the context of Article VII and noted “the need for States Parties to work nationally, and jointly, as appropriate, to improve, in accordance with their respective circumstances, national laws and regulations, their own disease surveillance and detection capacities for identifying and confirming the cause of outbreaks and cooperating, upon requests, to build capacity of other States Parties.”

3. The operationalization of Article VII requires raising awareness regarding best practices, opportunities, and gaps in national, regional, and international capacities to respond to biological incidents – whether accidental, deliberate, or natural in origin – with the view to translating such awareness into enhancement of interoperability and coordination among concerned government agencies and the international community on how to deal with such incidents. The most optimal awareness-raising exercises are those that test national, regional, and international capacities, including simulation and table-top exercises.

II. Case Study: ASEAN Regional Forum (ARF) Table-Top Exercises (TTX) on Response Capacities CBRN (Chemical, Biological, Radiological, and Nuclear) Incidents

4. The Association of Southeast Asian Nations (ASEAN) is a regional organization comprising of ten Member States, namely Brunei Darussalam, Cambodia, Indonesia, Lao



People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam. ASEAN seeks to build a rules-based, people-centered, and people-oriented regional community across the political-security, economic, and socio-cultural pillars. The ASEAN Regional Forum (ARF), on the other hand, is an ASEAN-led, action-oriented regional mechanism that seeks to foster constructive dialogue and consultation on political and security issues of common interest and concern and to make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region. In addition to ASEAN Member States, the ARF's membership includes Australia, Bangladesh, Canada, China, the Democratic People's Republic of Korea, the European Union, India, Japan, Mongolia, New Zealand, Pakistan, Papua New Guinea, the Republic of Korea, Russia, Timor Leste, and the United States.

5. Under the framework of ARF's Intersessional Meeting (ISM) on Non-Proliferation and Disarmament (NPD), the Philippines, the Republic of Korea, and the United States co-chaired the ARF Table-Top Exercise (TTX) on Response Capabilities to CBRN Incidents in Manila on 13-15 June 2022. The exercise set out the following objectives:

(a) Enhance ARF Member States' preparedness to coordinate responses to a deliberate biological attack and clarify processes for information exchange for requesting and providing assistance to a regional partner;

(b) Promote international organizations, frameworks, and standards for reporting and coordinating biological incidents;

(c) Examine and identify key insider threat indicators that can strengthen laboratory insider threat programs;

(d) Identify priority actions to strengthen national capabilities for preparedness, risk mitigation, response, and connecting regional activities to support national requirements.

6. Dubbed "Operation Sea Eagle," the exercise was set in a fictional country called Centralia. This country's unique level of development and geopolitical situation, its national governance system and legal frameworks, its biodefense issues and the conditions of its biological facilities were all defined and considered at the onset. The scenario started with the discovery that a pathogen was missing at one of Centralia's laboratories. This was followed by a biological case that eventually led to a full-blown epidemic necessitating international response. The participants simulated their responses to the different levels of escalation. The exercise was conducted on the basis of the following format:

(a) Plenary session where the facilitators explained each scenario of the simulation exercise;

(b) Break-out session where small groups discussed the scenario, prepared their response, and then shared experiences with one another. The scenarios represented different levels of escalation of a potential CBRN incident, to wit:

- Detecting insider threats prior to the theft of a pathogen;
- Investigating the said theft of a pathogen;
- Responding to a biological incident;
- Responding to an outbreak;
- Facilitating international cooperation and assistance.

(c) Panel discussions where experts discussed specific topics related to CBRN incidents.

7. Eighty-three delegates comprising of policymakers, medical professionals, first responders, and law enforcers from fifteen ARF Member States participated in the said exercise. Experts provided their insights during the thematic discussions. The plenary and breakout sessions were moderated by facilitators. The following were the themes of the breakout sessions and panel discussions:

(a) The first breakout session was on "Insider Threat Response," during which delegates discussed insider threat risks in Centralia's premier biological laboratory. It was

noted that the detection of such risks requires a multidisciplinary approach ranging from intelligence-gathering to human resources management. During the panel discussion on “Countering CBRN Proliferation,” experts discussed threats related to trafficking and smuggling of goods including chemical and biological materials, exacerbated by trafficking in persons, in Southeast Asia. It was underscored that regional and international cooperation and capacity building is crucial in addressing these threats;

(b) The second breakout session was on “International Assistance on Biological Threat Investigation.” It was noted that the covert nature of biological threats poses challenges to investigation. It was further noted that during investigation, it is important that information about the disease or the involved agent becomes available in order for responders to better equip themselves. The importance of information-sharing with the view to improving the interoperability of the different agencies involved in CBRN response was also salient during this session;

(c) The third break-out session was on “International Preparation for a Potential Bioterrorism Incident,” during which participants discussed the similarities and differences between responding to a natural disease outbreak such as COVID-19 on one hand and a deliberate biological incident on the other. The participants noted the difficulty in determining and verifying whether an incident is a case of bioterrorism or biological attack, or merely a natural infection. The importance of national CBRN action plans was noted. A panel discussion on “International Conventions and Practices Related to Weapons of Mass Destruction (WMD) Threats” followed the group activity, during which it was noted that there is no single overarching legal framework for countering biological threat; instead, there is merely “a patchwork of laws.” Given the variety of conventions, it was stressed that there is a need to raise awareness and then adopt national policies and legislation that tailor-fit these international frameworks to national realities. The importance of having a national focal point that coordinates whole-of-government approach to CBRN incident prevention, awareness, response, and recovery was also noted;

(d) The fourth break-out session was on “Seeking Regional Assistance Resources,” during which participants discussed, among others, the types of information that national authorities should be sharing among themselves to facilitate regional assistance and response. A panel discussion on “Public Messaging During a CBRN Incident” followed this session, during which experts discussed the importance of managing information dissemination during a public health emergency;

(e) The fifth break-out session was on “International Cooperation for Containment” during which participants tackled the challenges to facilitating international assistance such as the compatibility of aid and logistical issues such as cross-border transfers for needed goods and equipment. The need for countries to improve information-sharing strategies with the view to easing the facilitation of assistance during a CBRN emergency was noted. It was clear that differences in processes related to receiving assistance, and whether such assistance is compatible with the needs of the affected countries, are relevant factors that need to be considered.

III. Conclusions and recommendations for the Ninth Review Conference of States Parties to the BWC

8. The ARF Table-Top Exercise (TTX) on Response Capabilities to CBRN Incidents provides a compelling example that simulation and table-top exercises offer an important opportunity to identify challenges, gaps, and needs in the context of responding to biological threat and biological incidents, whether natural, accidental, or deliberate in origin. Such activities aid national authorities in addressing potential shortcomings before a crisis occur. They also establish critical channels of communications, providing a platform for national authorities, including CBRN focal points, to establish and maintain their respective international networks, thereby facilitating ease of international coordination.

9. In the context of the BWC, particularly the effective operationalization of Article VII, the following lessons that were derived from the said TTX could be particularly useful:

(a) Responding to biological incidents – whether natural, accidental, or deliberate in origin – requires strong national response capacities. In addition to resources, this requires a comprehensive national framework, organized through a national action plan, and coordinated by a government focal point. Designating such focal points is crucial not only in the context of immediately coordinate national responses but also in coordinating and facilitating international assistance. In this regard, it is important for government focal points to have as many opportunities to personally interface with one another as possible;

(b) Regional responses form an important pillar of international assistance during a biological incident, whether natural, accidental, or deliberate in origin. Regional framework such as ARF and Centers of Excellence for CBRN Risk Mitigation – which works to mitigate risks and strengthen an all-hazards security governance through a voluntary and demand-driven approach on areas including needs and risk assessment, national and regional action plans, and capacity building activities – play an important role;

(c) The first line of defense against any biological threat is robust biorisk management and biosecurity. The role of the private sector, including industry, in enhancing biosafety and biosecurity of relevant laboratories, particularly by drawing upon appropriate international, regional, national, and industrial standards is particularly important;

(d) Formulating an escalation protocol to trigger national response and to invoke Article VII, if necessary, could be helpful in operationalizing this Article.

10. In this regard, the following language containing specific recommendations are submitted for consideration of States Parties at this Ninth Review Conference:

“The Conference recognizes that capacity-building at the national, regional, and international levels are the most important imperative for enhancing and strengthening the capacity of States Parties to promptly and effectively detect and respond to the alleged use or threat of use of biological weapons.

“The Conference acknowledges the role of regional organizations and initiatives, including the network of regional Centers of Excellence for CBRN Risk Mitigation, and regional best practices on international cooperation and coordination are crucial to enhancing international response capacities.

“The Conference encourages States Parties to conduct simulation and table-top exercises to test the deployment of resources and extension of assistance during CBRN incidents and the formulation of a protocol on handling assistance are important in enhancing international response capacities.

“The Conference directs the Implementation Support Unit, with the assistance of States Parties and regional Centers of Excellence for CBRN Risk Mitigation, to compile, maintain, and make easily available for any State Party a directory of national CBRN focal points.

“The Conference, while we acknowledge that States Parties bear primary responsibility for implementing this Article, which entails robust biorisk management, welcome complementary efforts by the private sector, including industry, in enhancing biosafety and biosecurity of relevant laboratories.

“The Conference welcomes the development and encourages the implementation of biorisk management standards within the life sciences community.

“The Conference recognizes that biorisk management standards can play a complementary and supportive role in the implementation of the obligations of the BWC.

“The Conference calls on the life sciences community to assist in establishing and enhancing biorisk management by drawing upon appropriate international, regional, national, and industrial standards, and to contribute towards their regular review and improvement.

“The Conference encourages States Parties to provide assistance, where appropriate, for the implementation of biorisk management standards in life science institutions in accordance with Article X, taking into account the relevant national circumstances.”