

**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**

18 August 2021

English only

2020 Meeting

Geneva, 22-25 November 2021

**Meeting of Experts on Review of developments in the field
of science and technology related to the Convention**

Geneva, 1-2 September 2021

Item 4 of the provisional agenda

**Review of science and technology developments relevant to the Convention, including for
the enhanced implementation of all articles of the Convention as well as the identification
of potential benefits and risks of new science and technology developments relevant to the
Convention, with a particular attention to positive implications**

A Scientific and Technological Advisory Process for the Biological and Toxin Weapons Convention

Submitted by the United States

1. In view of the rapid pace of advances in science and technology, the United States and many other BWC States Parties have voiced strong support for efforts to establish a more regular and systematic process for reviewing scientific and technological developments relevant to the Convention. In the United States' view, the Ninth Review Conference should take a decision to do so.
2. Previous discussions indicate that, in addition to broad support for the creation of an expert advisory process, there are many areas of convergence on the specific features that need to be decided for an effective advisory process. However, further discussion and negotiation are still needed.
3. To assist in preparations for a successful Ninth Review Conference, the United States has funded two international workshops organized by the Federation of American Scientists (FAS) which focused on the modalities of interest to States Parties regarding an advisory body. In the first workshop, participants explored the areas of alignment, as well as those that require resolution, such as the composition of such a body. The second workshop focused on developing solutions to those key issues.
4. The United States believes that the findings of the FAS workshops, which are attached, indicate significant progress has been made in FAS's informal discussions and that the FAS document can make a substantial contribution to further discussions by BWC States Parties.



Annex

Findings of the Workshops on Modalities of a Scientific Advisory Process for the Biological Weapons Convention (18 and 25 March 2021; 30 June and 7 July 2021)

I. Introduction

1. In recent years, many States Parties of the Biological Weapons Convention (BWC) have strongly supported efforts to establish a systematic scientific advisory process to provide timely advice on the implications of dramatic advances in science and technology, in particular biotechnology, for the Convention. The Federation of American Scientists conducted two two-part Workshops in March and June/July 2021 to focus on the modalities of concern to States Parties regarding such an advisory body. At the first Workshop in March 2021, participants explored the areas of convergence, as well as those that require resolution. The second Workshop, on 30 June and 7 July, focused on developing solutions to these key issues.
2. The goal of the Workshops was to assist the Chair of the September 2021 BWC Meeting of Experts on Science and Technology (MX2) in his work, and to help develop a broadly-supported recommendation for the preparatory discussions leading up to the next BWC Review Conference in 2022. FAS circulated to the participants and BWC States Parties in Geneva a Report and Initial Findings from the first Workshop, and has drawn on the discussions of experts in the second Workshop to formulate the findings below.
3. Participants in both Workshops included technical experts, policy experts, and diplomats from more than 25 countries across all five UN regional groups. It was important to include scientific experts who might participate in such a body as well as those who will use it. Speaking under “non-attribution rules,” the participants informally exchanged views, drawing from previous discussions among BWC States Parties.

II. Overall

4. Participants in the Workshops held a common view that the BWC needs a scientific advisory body, and that States Parties should adopt a decision to establish such a body at the Ninth Review Conference in 2022. They also recognized that the States Parties will need to consult and make compromises well in advance of the Review Conference in order to overcome the differences, which are often political, and achieve consensus. Since a recent UNIDIR report on science and technology review mechanisms for the BWC revealed that not all States Parties consider an advisory body to be important, some participants suggested that the first priority should be to achieve consensus on establishing a scientific advisory body at the Review Conference and on a brief broad framework for its work. More extensive implementing details could be developed, reviewed, and adjusted over time.
5. The Workshops reinforced the belief of the Chairman of the 2019 BWC Meetings of Experts that there appeared to be broad convergence of views concerning the need for geographical diversity, a broad range of scientific expertise, insulation from political influence, and adequate personnel and financial resources. Workshop discussions also revealed areas of divergence in, for example, the mandate, the composition of the body (size, participation, and selection), and funding. The second Workshop concentrated in particular on the contentious issue of the composition of the body. The discussions in the Workshops

revolved around the elements enumerated below and highlighted that many of the issues are connected.

III. Scope of Work

6. Participants in the Second Workshop thought that the purpose of the body would be to assist all States Parties to make informed decisions. It would provide them with information, impartial analysis, specialized advice, briefings and reports with clear recommendations on the implications for the Convention of advances in science and technology, in particular biotechnology. Assessments would cover both potential risks for use contrary to the Convention, and potential benefits (e.g. disease surveillance, diagnosis and mitigation). Several participants expressed specific interest in focusing on the benefits of agriculture, food security, and gene editing.

7. The advisory body would consider only scientific and technical issues of interest to States Parties and avoid political issues. It would prepare a study of the implications in science and technology for the Convention for each Review Conference. Other specific issues for study by the advisory body would be agreed by the annual Meeting of States Parties. Topics could be proposed by the advisory body itself or by States Parties. The body should draw on expertise from a broad range of countries and relevant technical specialties, and encourage the inclusion of the scientific community in BWC discussions. The advisory body would work by consensus. If consensus could not be achieved on its conclusions and recommendations, the report would reflect the differing views.

IV. Composition

8. Workshop participants believed that all States Parties would have the opportunity for their experts to participate in the discussions of the advisory body. The modalities for the work of the advisory body would strike an appropriate balance between inclusivity and practicality. Participants believed that the body would aim to encompass in its membership broad expertise, diversity, independence and affordability. Consideration would also be given to geographic and gender balance. With this in mind, participants considered a number of options proposed in recent BWC meetings, as well as some alternative “hybrid” options. The options proposed in BWC working papers submitted in the last few years include a discussion about whether an advisory body should have a limited membership of 20 or 21, as proposed by Russia and Germany or, alternatively, be open to participation by experts from all BWC States Parties, as proposed by the United States and supported by China and others. Some Workshop participants stated that the only way to secure the support of all countries for a proposed advisory body is to assure them that they can be part of it.

9. Workshop participants also considered three alternative options for the composition of the body, two proposed in a FAS discussion paper, and one proposed in the recent UNIDIR report. Participants would be nominated by States Parties and possess a scientific or technical degree and expertise in a relevant field.

10. The first option would comprise a body open to experts from all States Parties, with the possibility of establishing sub-groups to examine highly specialized topics, or to prepare a draft report.

11. A second option foresaw the establishment of a body with two parts: one part would be open to experts of all States Parties, and the second part would comprise a Standing Advisory Panel (SAP) of 25 members. The SAP would solicit from the open group input on a study topic prior to consideration of an issue by the SAP and request input from the open group again before finalizing the report. This SAP would be selected by the Chair and Vice

Chairs of the Meeting of States Parties from the candidates nominated by States Parties, and would reflect a range of relevant technical expertise and diversity.

12. A third option, from the UNIDIR report, would include a one-week meeting on a particular issue open to all experts, and a “S&T Committee” consisting of 20 experts. The S&T Committee would draw on the technical discussion in the open-ended meeting to prepare summary briefing materials and develop implications and recommendations for States Parties.

13. The members of the advisory body would serve for three years, renewable for a second term. The chair would serve for a fixed period or possibly, as suggested by some experts, for an extended number of years in order to ensure stability and continuity with sustained leadership. States Parties could decide to establish a Temporary Working Group if a specific topic required extended, in-depth study by outside experts. Most Workshop participants believed that the advisory body would use virtual electronic means of communication, including videoconferencing and other platforms, to facilitate remote participation by experts.

V. Independence

14. Members of the advisory body would be selected through an impartial process and work in their individual expert capacity, independent of any government or group. Only citizens of States Parties would serve as members of the advisory body or Temporary Working Groups. Observers would not be allowed in meetings unless approved in advance. The rules of procedure of the advisory body would include provisions on conflict of interest and a code of conduct.

VI. Resources

15. Workshop participants recognized that creating an advisory body would require increased funding for at least one meeting per year and the possibility of additional virtual meetings. To ensure adequate support, a new technically-trained staff member would be hired in the Implementation Support Unit (ISU). It was suggested that assessed contributions would cover one in-person meeting of the advisory body, the ISU staff member, and limited travel support. Other expenses such as additional meetings, Temporary Working Groups, and additional travel support would be provided by voluntary contributions. Workshop participants noted that many states would see only a nominal increase in their assessed contributions (the UNIDIR study estimates less than \$100 for many States Parties), although it was noted that some States Parties may be reluctant to accept an increase in their assessment.

16. The scientific advisory body would conduct its meetings primarily in Geneva as well as other UN centers in different regions in order to capture input from diverse participants, engage with other scientific communities, promote transfer of knowledge, and foster international cooperation. Workshop participants generally believed that the working language would be English, with interpretation at meetings into official UN languages, as required and depending on funding. Most participants thought that translation of reports into official UN languages would depend on available funding.

17. The Workshop discussions reinforced the assessment that there is broad support among BWC States Parties for a more structured scientific advisory process to help assess possible risks, as well as benefits, of scientific advances and to help States Parties adopt relevant national measures. Workshop participants agreed to continue working on finding

solutions to the outstanding questions before the Ninth BWC Review Conference scheduled for August 2022.

18. The Workshops were sponsored by the Federation of American Scientists, a national security science-based policy research organization, in coordination with the InterAcademy Partnership, a global network of science, engineering, and medical academies. The project is supported by the U.S. Department of State and Open Philanthropy.
