

Working Group on the Strengthening of 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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Agenda item 6

Identifying, examining and developing specific and effective measures, including possible legally-binding measures, and making recommendations to strengthen and institutionalize the Convention in all its aspects within the mandate of the Working Group

Proposal for Cooperation and Assistance Mechanism under Article X

Submitted by Pakistan

I. Introduction

1. The Ninth Review Conference of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BWC) reached consensus on establishing a Working Group “*to identify, examine and develop specific and effective measures, including possible legally-binding measures, and to make recommendations to strengthen and institutionalise the Convention in all its aspects to be submitted to States Parties for consideration and any further action.*”
2. The Review Conference also decided “*to develop with a view to establishing a mechanism open to all States Parties to facilitate and support the full implementation of international cooperation and assistance under Article X.*” The Working Group has also been tasked to make appropriate recommendations towards this end.
3. Implementation of Article X through an institutional mechanism has been on the agenda of the BWC since at least the second Review Conference in 1986, when the UN Secretary General was first requested to propose for inclusion in agenda of a relevant UN body discussion and examination of this issue. Succeeding Review Conferences also helped in developing common understandings on Article X implementation, which included inter alia, reporting by state parties and establishment of cooperation and assistance database under Article X.
4. The momentum generated by the Ninth Review Conference to strengthen the BWC normatively and institutionally is a welcome step in the right direction. The establishment of the Working Group and its mandate reaffirms the need to adapt the BWC and make it responsive to the growing evolution in biological sciences and technologies as well as the contemporary and future biological risk and opportunity landscape.
5. Accordingly, it is important that the Working Group pursues the BWC’s regulatory and promotional dimensions simultaneously, keeping in view the existing and future organizational, institutional and financial requirements that may be needed to enhance the Conventions’ effective implementation.



6. Effective implementation of Article X is essential to harness the benefits of biological sciences and technologies for peaceful purposes while also mitigating the risks for their misuse. Such implementation may envisage measures and arrangements to foster international collaboration; technology sharing; dual use research oversight; and training as well as capacity building. Taking such steps in a coordinated manner will help accelerate progress in achieving the BWC objectives and contribute to a safer and more secure world.

7. Accordingly, it is proposed that the Working Group consider operationalizing the Cooperation and Assistance Mechanism, mandated by the Ninth Review Conference, along the following three inter-connected institutional axis. These arrangements are presented without prejudice to other structures that may emerge from the ongoing or future efforts to strengthen and institutionalize the Convention:

- i. International Cooperation and Assistance Program (ICAP);
- ii. International Cooperation and Assistance Committee (ICAC);
- iii. International Cooperation and Assistance Fund (ICAF).

II. International Cooperation and Assistance Program (ICAP)

8. The International Cooperation and Assistance Program (ICAP) is envisaged as the main vehicle to design, facilitate and deliver projects pursuant to the cooperation and assistance framework envisioned in Article X of the Convention.

9. The ICAP is foreseen as rolling biennial program consisting of project proposals designed to address specific needs and priorities of States Parties, with a particular focus on the developing countries. The project proposals in the promotional and regulatory realms shall be prepared by States Parties, in consultation with and assistance from the Implementation Support Unit (ISU).

10. Each project proposal shall outline the intended objectives, desired outcomes, and the resources required for its successful implementation. The biennial ICAP, as prepared and compiled by the ISU, will be presented to ICAC for its consideration and approval. (*Please see Part III below*). The ICAP will be funded through International Cooperation and Assistance Fund (ICAF *as indicated below in Part IV*) and other extra-budgetary contributions.

III. International Cooperation and Assistance Committee (ICAC)

11. An International Cooperation and Assistance Committee (ICAC) (or ‘the Committee’) is proposed to be established which shall consider, review, approve and oversee implementation of the ICAP. The mandate of the ICAC may initially include the following which may be subject to periodic examination by the Review Conferences:

- (a) Promote cooperation and assistance activities related to the Convention by examining, approving and overseeing implementation of the ICAP;
- (b) Foster complementarity and synergies with cooperation initiatives of other international organizations in activities relating to the Convention, while seeking to avoid duplication;
- (c) Facilitate communication and information sharing among States Parties to promote best practices, lessons learned, and successful case studies in utilizing biological technologies for peaceful purposes;
- (d) Identify challenges and obstacles to developing international cooperation, assistance and exchange in the biological sciences and technology, including equipment and material, for peaceful purposes to their full potential, and recommend ways and means to overcome the challenges and obstacles;

- (e) Implement Article X Action Plans developed by the Review Conferences including through incorporating the relevant activities in ICAP;
- (f) Oversee the management of Cooperation and Assistance Database;
- (g) Develop and maintain a structured voluntary reporting mechanism and encourage States Parties to provide updates on their efforts to implement X;
- (h) Coordinate with the Science and Technology Review Mechanism with a view to identifying discoveries in biosciences that can open new avenues of cooperation between States Parties;
- (i) Govern the ICAF pursuant to its Terms of Reference (TORs) as well as other extra-budgetary contributions to implement ICAP;
- (j) Coordinate and collaborate with donors to secure extra-budgetary resources for ICAP including for capacity-building initiatives that support peaceful applications of biological sciences in less-developed countries and regions;
- (k) Advise at the request of States Parties on national regulations and implementation measures with a view to facilitating international cooperation and assistance under Article X;
- (l) Raise awareness on the benefits that accrue from promoting the peaceful uses of biological sciences and technologies;
- (m) Coordinate the BWC Sponsorship program with the assistance of the ISU.

12. The ICAC, open to all States Parties, will consist of twenty-five representatives of States Parties nominated by regional groups for a period of two-years and endorsed by the MSPs. The composition will reflect the proportion of States Parties in the current or future informal regional groups of the BWC while taking into account the principle of geographical representation. The Committee members may possess technical expertise in the fields of biological sciences, public health, agriculture, or other relevant domains. The distribution of nominations by regional groups will be as follows:

- Group of Non-Aligned Movement and Other States: 15 seats (*Africa: 6, Asia: 5, Latin America: 4*);
- Western Group: 5 seats;
- Eastern European Group: 4 seats;
- Floating seats: 1 seat (*For Group of One for every second term, and distributed equally among other Groups for the other term*).

13. The ICAC will report to the annual Meeting of States Parties on details of the new ICAP agreed by the Committee (every second year) as well as on implementation status of existing ICAP. A standing agenda item pertaining to cooperation and assistance under Article X at the annual MSPs will be used to review and endorse the ICAP submitted by the Committee.

14. The meetings of ICAC will take place twice a year over a total number of 6 days (*three days per session*). The second session of the Committee will precede the annual meeting of MSPs. The functioning of ICAC including the frequency of its meetings could be modified by the Review Conferences.

15. The costs of functioning and servicing of ICAC and related support provided by the ISU will be financed by regular assessed annual financial contributions of States Parties to the Convention.

IV. International Cooperation and Assistance Fund (ICAF)

16. The International Cooperation and Assistance Fund (ICAF) (or 'Fund') is envisaged as a vehicle to mobilize voluntary contributions. However, in order to ensure predictability, such financial contributions will be assessed as per the UN scale of assessment for all States Parties, for the purpose of financing ICAP's activities and projects. The Fund will be operated independently of the regular assessed contributions that are currently billed to States Parties.

17. The nature of voluntary but assessed contributions will help to ensure that the Fund is transparent, assured and predictable with the widest level of participation. It will also enable smooth implementation of collective priorities as contained in ICAP. All States Parties will be encouraged to contribute to the Fund as per their assessed scale, which will be prepared and shared by the ISU.

18. The annual target of ICAF will be recommended by ICAC for every two years of ICAP cycle and will be approved by the Review Conferences.

19. In addition to the Fund, the ICAC, with the help of ISU, will also report on the extra-budgetary contributions expected to be received from various donor States and organizations for the implementation of ICAP projects.

V. Organizational, Institutional and Financial aspects of the proposal

20. The proposal will entail following organizational, institutional and financial aspects:

Meeting Servicing Costs

Meeting servicing costs of the two sessions of ICAC for a total number of six days per year.

Strengthening human resource at the Implementation Support Unit

- In order to support the development and implementation of ICAP; to assist the ICAC to deliver on its mandate; and to help in governing and operationalization of the ICAF, the ISU will require additional human resources;
- To perform these additional tasks, five dedicated full-time staff members will be added to the ISU.

21. The above costs will be financed through regular assessed budget contributions.

22. In addition to the above costs, all other expenditures pertaining to implementation of ICAP projects, cost of ICAF governance, and remaining activities of ICAC, in accordance with its mandate, will be met through ICAF as well as extra-budgetary contributions.
