

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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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

Assistance and Cooperation under Article X – Background and Options for Consideration

Submitted by the United Kingdom of Great Britain and Northern Ireland

I. Introduction

1. In pursuing the Convention's object and purpose of excluding completely the possibility of bacteriological (biological) agents and toxins being used as weapons, facilitating and contributing to international cooperation for peaceful applications of biosciences across human, animal and plant health, as provided for under Article X, is a vital obligation. By helping ensure that advancements in science and technology are used for the peaceful benefit of all humanity, rather than violence, Article X supports the very heart of this Convention's objectives.

2. To inform discussion on International Assistance and Cooperation at the August meeting of the Working Group established under the BTWC, the United Kingdom presents this paper to provide the background of Article X, set out key facts about current assistance and cooperation under Article X, and draw attention to proposals that merit further consideration.

II. Assistance and Cooperation under Article X

3. As the UK has made clear in a range of previous working papers the text of Article X details two specific proactive obligations for States Parties and one corresponding right:

- The obligation to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes;
- The right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes; and
- The obligation on those States Parties in a position to do so to cooperate in contributing, individually or together with other States or international



organisations, to the further development and application of scientific discoveries in the field of bacteriology (biology) for the prevention of disease, or for other peaceful purposes.

4. The expansive framing of these two obligations means that States Parties should take a broad view of what activities are relevant under Article X. Attempting to define what is covered and what is not would result in unnecessary limitations. There is also no suggestion in the text of the Convention that all cooperative work or exchanges must be channelled through a mechanism, or subjected to oversight or supervision by any sort of body.

5. The 9th Review Conference 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. When making their appropriate recommendations, the Working Group should remain mindful of the broad range of activities by other parts of the international system that States Parties have consistently welcomed as contributing to the implementation of Article X, including efforts by the World Health Organisation, the Food and Agricultural Organisation, the World Organisation for Animal Health, and under the auspices of the International Plant Protection Convention.

6. We can also see a range of national efforts to implement Article X in the reports that States Parties submit to Review Conferences, which illustrate a hugely diverse range of activities by government, industry, academia and others. States Parties have also offered wide-ranging assistance in the Assistance and Cooperation Database, established by the Seventh Review Conference.

7. In particular, working papers submitted by the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction (GPWMD) illustrate how States Parties work in partnership to undertake a wide and diverse range of programmatic activities across the world, in support of the goals under Article X. These partnerships serve to strengthen global public health systems, facilitate public health research, and improve biosafety and biosecurity across the world.

8. Examples that the United Kingdom has participated in includes the Africa Signature Initiative under the GPWMD, which delivers a range of activity to strengthen biosecurity in Africa that supports the goals of Article X. Through the closest collaboration between the GP, African countries, the Africa Centres for Disease Control and Prevention (Africa CDC), and other non-government organizations across Africa, coordinated programme activity is delivered to reduce biological threats and promote the peaceful applications of biosciences across human, animal and plant health.

9. The flagship project under the Africa Signature Initiative is the “Universalisation and Effective Implementation of the BTWC in Africa”, led by the BTWC Implementation Support Unit, in collaboration with several Africa States Parties and the GPWMD. The multi-year project is enhancing BTWC implementation in Africa, including support for developing legislation and submitting Confidence-Building Measures (CBMs). Since its inception two African countries have joined the BTWC, whilst three others have submitted CBMs for the first time.

III. Article X Synergies with Other Articles of the Convention

10. Activities relevant to Article X that prevent, detect and combat infectious disease outbreaks, regardless of their origin, also contribute towards fulfilment of states parties’ obligations under other Articles of the BTWC. Ensuring States Parties have effective biosecurity capabilities means that more States are capable of upholding Article IV, and responding to any request for assistance in accordance with Article VII. Many activities relevant to Article X and Art VII are also underpinned by developments in science and technology (S&T). Therefore, in order to strengthen implementation of both Articles VII and X, along with other relevant obligations, it is important to establish a process for a structured and systematic review of S&T developments relevant to the Convention, to identify where

new or emerging technology can provide benefit for enhanced capabilities, or where new biological threats may emerge.

IV. Article X and Disinformation

11. International Cooperation and Assistance under Article X is also the subject of extensive disinformation, as demonstrated by a range of evidence (including Kings College London's Bioweapons Disinformation Monitor). Baseless allegations sow doubt and undermine confidence in the types of peaceful, transparent cooperation that should be safeguarded under Article X. Disinformation about Article X and export controls is a particularly longstanding problem in this Convention. Export controls are an instrument by which States Parties introduce scrutiny on specific materials and technologies of the highest proliferation concern, to prevent these items from being diverted into weapons programmes. This is vital for upholding commitments under Article I, III, IV and X of the Convention.

12. The evidence is clear that export controls do not hinder technological development or place undue burden on global trade and industry. The range of activity under Article X is extremely broad and diverse. However, using pharmaceutical and medical technology trade as an example, in 2020 alone UK exports of pharmaceutical and medical technology products were valued at \$25.8 billion. Meanwhile, over the three years from 2020 to 2022 the UK issued 1245 export licences, with a combined value of £79 million, for biological technology goods covered by Australia Group export controls, and refused just 3 licenses, meaning the approval rate was 99.76%.

V. Other Measures for Consideration

13. The Ninth Review Conference agreed 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”. Whilst discussions during the Review Conference made some progress towards elaborating what such a mechanism might look like, as referenced in BWC/CONF.IX/CRP.2, this remains an incomplete picture of measures that could strengthen the implementation of Article X.

14. Rather than focusing on adopting an ‘action plan’, the United Kingdom believes that States Parties should examine practical measures on a realistic basis, consider carefully how these measures would work in real-world scenarios, and prioritise allocating resource to the Implementation Support Unit (overseen by States Parties) as a means of delivering impact. Over the years States Parties have discussed a range of such proposals, and at the Working Group meeting in August, States Parties should also consider the following:

(a) A flagship BTWC Partnership Programme, to help improve national implementation including advice, expertise and support relevant to Articles IV, VII and X, and further promote universalisation of the Convention;

(b) Strengthened Article X reporting guidelines and standards, to help enhance cooperation and assistance by highlighting relevant work and identifying the needs and gaps on a more regularised basis, which could be a focus for future projects relating to implementation of the BTWC. All States Parties should be encouraged and supported to submit such reports;

(c) An enhanced and effective database, covering Articles IV, VII and X, with guidance and templates for States Parties who are either seeking assistance or providing funds, and other support including a match-making process that links requests and offers. This could incorporate previous proposals for a database for assistance under Article VII;

(d) A dedicated online platform for biosafety and biosecurity stakeholders (SecBio) to find relevant laws, regulations, norms and standards, exchange information and identify best practice;

(e) Closer, systematic linkages and programmes with other relevant organisations (including the WHO, WOA, IPPC and FAO), to help ensure BTWC projects add value and do not duplicate existing work.

(f) Augmenting existing projects delivered by States Parties such as:

- Supporting laboratory twinning (especially BSL4 and BSL3), the provision of biosafety and biosecurity advice and training to reduce biological risks, and help to support enhanced laboratory infrastructure to meet a clear regional need. This could build on previous work such as BSL4ZNet (by UK, US, Canada, Australia and Germany) and WOA's Lab Twinning programme;
- Enhanced in-country and regional capability for surveillance, detection, diagnosis, reporting and response to infectious disease outbreaks, including collaborative research projects and access to relevant technology and training e.g. to develop and produce vaccines.

15. Information about the implementation of these measures could be collated by the Implementation Support Unit, with two additional positions to ensure adequate resource, and shared with States Parties through the annual Meetings of States Parties.

VI. Conclusion

16. Assistance and Cooperation under Article X is an essential part of this Convention. Misunderstandings about Article X stem from rising disinformation, and attempts to control, restrict, supervise or oversee the breadth of relevant work already underway. We encourage States Parties to make positive use of the Working Group process to agree and adopt measures that further strengthen Article X implementation, in a pragmatic and tangible way, rather than those which hinder it.
