

**Eighth 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**

21 October 2016

English only

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**Geneva, 7-25 November 2016**

Item 11 of the provisional agenda

**Consideration of issues identified in the review  
of the operation of the Convention as provided  
for in its article XII and any possible consensus follow-up action**

**Confidence in Compliance - Peer review visit exercise at the  
Bundeswehr Institute of Microbiology in Munich, Germany**

**Submitted by Germany, co-sponsored by Switzerland and the United  
Kingdom of Great Britain and Northern Ireland**

**I. Introduction**

1. Peer review exercises have been on the radar of the States Parties to the BTWC for over fifteen years. Their benefits have been discussed in working papers such as the one submitted by Belgium, France, Luxembourg and the Netherlands and others<sup>1</sup>.
2. The States Parties to the BTWC have consistently and patiently pursued a pragmatic step-by-step approach to creating a suitable security policy environment to achieve the goal of a world free from weapons of mass destruction. The Biological and Toxin Weapons Convention (BTWC) is an important international treaty in this regard. However, it lacks a strong institutional framework to support and monitor full implementation. While the Chemical Weapons Convention (CWC) is backed by the Organisation for the Prohibition of Chemical Weapons (OPCW), the BTWC is entirely dependent on efforts by its member states regarding the implementation of the Convention. Therefore, it is important to promote initiatives such as peer review activities that are able to increase trust and transparency among BTWC member states and will thus inject fresh impetus into the BTWC at the Review Conference in 2016.
3. The transparent demonstration of national implementation of the BTWC helps boost confidence in States Parties' compliance with and commitment to the BTWC. Germany, therefore, decided to conduct a peer review exercise in August 2016 at the Bundeswehr Institute of Microbiology, a military facility declared under the Confidence-Building

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<sup>1</sup> BWC/CONF.VIII/PC/WP.13, BWC/CONF.VIII/PC/WP.26, BWC/CONF.VIII/PC/WP.28.



Measures (CBM) submitted by Germany. The exercise was planned by the Federal Foreign Office and the Federal Ministry of Defence and implemented together with experts and diplomats from participating countries.

4. The outcome of the exercise does not claim to be the sole and final solution for peer review activities, as it focused on an individual aspect of peer reviews — the possibility of conducting on-site visits. The States Parties participating in the exercise are aware that peer review activities are neither a substitute for verification nor comparable with a compliance mechanism. They are, however, a useful tool for further discussions on the issue of confidence in compliance among States Parties and serve as a connection between the theoretical discourse on implementation and practical, pragmatic every-day procedures on BTWC-relevant sites.

## **II. In detail**

### **A. Objective**

5. The objective of the exercise was to test whether a Peer Review visit could serve as a tool to increase transparency among the States Parties to the Convention with regard to research and development activities and provide a good opportunity to share best practices, discuss national implementation systems, raise awareness and establish contacts, which could serve to increase international cooperation. Another aim was to contribute to the relevance and value of a peer review concept for the BTWC, if such a visit proved to be an appropriate means of increasing transparency and enhance confidence in compliance.

### **B. Format and Scope**

6. The Federal Foreign Office invited all interested States Parties to the BTWC to Germany for a peer review visit exercise. The only prerequisite stipulated in the invitation was that participants had to be willing to comply with the appropriate safety regulations for entering biological laboratories. Financial support for travel and accommodation was provided upon request, thus ensuring a non-discriminatory and geographically diverse approach.

7. The exercise took place from 2 to 4 August 2016 at the Bundeswehr Institute of Microbiology in Munich, Germany, a military defence research facility that works with BTWC-relevant pathogens. The facility is annually declared in Form A, part 2 (iii) of the CBM.

8. The number of applications exceeded the 20 slots available, therefore lots were drawn. Experts and diplomats from the following countries were drawn as participants: Uganda, Austria, Saudi Arabia, Jordan, Burundi, the Netherlands, Poland, France, the United States of America, Algeria, Yemen, Indonesia, Nigeria, Portugal, Switzerland, the United Kingdom, Lithuania, Belgium, Georgia, Norway and Myanmar.

9. The exercise was based on a two-fold approach, where the participants were divided into a visiting team and a monitoring team.

10. Visiting team: due to capacity reasons, four experts from the fields of biology, microbiology, molecular biology and virology were chosen to conduct the visit, accompanied by six expert-observers. The exercise started with a pre-visit briefing on national legal and policy aspects and implementation measures, followed by biosafety and bio- and military security issues. In addition, presentations were provided on CBRN defence and non-proliferation policy. The visit included a tour of the facility, a visit to the

laboratories, conversations with staff in the laboratories, presentation and discussion of research activities and an assessment meeting, as well as a closing session including discussion, a summary and a final assessment.

11. Monitoring team: ten participants monitored the exercise and attended relevant side events concerning BTWC-related legal and policy matters, biosecurity and biosafety, presentations by the German Partnership Programme for Excellence in Biological and Health Security and presentations by specific laboratory units and the mobile laboratory of the Institute's Department for Medical Biological Reconnaissance.

## **C. Method**

12. The procedure used was an assessment of all aspects of the facility that are relevant to provisions of the BTWC and provided on the CBM Form, comprising laboratory activities and equipment, infrastructure, security measures including access control, laboratory conduct, documentation in relation to research and development, including Dual Use Research of Concern (DURC), as well as procedures for the transfer and export of pathogens and toxins. For operational reasons the assessment was conducted by splitting the visiting team into two teams, which both completed the same tour. All teams were escorted on site.

13. The methods applied by the teams included: examination of rooms, laboratory equipment and installations; requests for visual access to paper documents; requests for written answers to questions that were submitted in writing prior to the implementation of the activities; interviewing of personnel; requests for photographs and the determination of geographical coordinates.

14. At the beginning of the visit, the participants were briefed on the health and safety regulations of the facility. During the visit, the conformity of the facility — including a Biosafety Level 3 (BSL3) laboratory — with national legal and international laboratory biosafety standards was reviewed. Before entering the Biosecurity Level 3 (BSL-3) Laboratory, the participants had to declare that they had taken note of the "Information on Potential Risks upon Entering the Biosecurity Level 3 (BSL-3) Laboratory of the Bundeswehr Institute of Microbiology and Rules of Conduct for Access" and that they would observe the rules contained therein.

## **D. Outcome**

15. The visiting team recorded its findings in a concluding summary report. The escort team and the facility staff cooperated closely with the visiting team in preparing the summary in order to provide and explain information relevant to the report. The summary report was discussed with all members of the visiting team and the monitoring team in a final session.

16. The summary of observations made by the visiting team during the exercise conducted at the Bundeswehr Institute of Microbiology is presented in the Annex.

17. Germany will be hosting a side event during the Eighth Review Conference with the aim of sharing insights gained from conducting this peer review exercise. The structure, content, and lessons learned will be presented in detail.

18. The States Parties submitting this paper share the view that peer review visits are a valuable tool serving the purpose outlined above, and will be happy to discuss and further

develop the Peer Review concept with interested States Parties. They propose the following wording (in bold) for inclusion in the final document of the Eighth Review Conference:

(a) Article IV:

(i) *The Conference notes the value of national implementation measures, as appropriate, in accordance with the constitutional process of each State Party to:*

a. *Implement voluntary management standards on biosafety and biosecurity;*

b. ***Exchange information voluntarily among SPs, including through peer review activities, which can contribute to the sharing of best practices and experiences for the improvement of national legislation, boost confidence in compliance by increasing transparency with regard to national implementation and foster international cooperation, while fully respecting national sovereignty;***

c. *Encourage the consideration of development of appropriate arrangements to promote awareness among relevant professionals in the private and public sectors and throughout relevant scientific and administrative activities and;*

d. *Promote amongst those working in the biological sciences awareness of the obligations of States Parties under the Convention, as well as relevant national legislation and guidelines.*

(b) Article V:

*The Conference emphasises the importance of the exchange of information among States Parties through the confidence-building measures (CBMs) agreed at the Second and Third Review Conferences. The Conference welcomes the exchange of information carried out under these measures and notes that this has contributed to enhancing transparency and building confidence. **The Conference notes the value of organising peer review on-site visits which permit the voluntary exchange of information among States Parties on facilities and activities declared under the CBMs to improve confidence in compliance.***

## Annex

### Compliance Visit Exercise 02-04 AUG 2016

1. The participants thank the Bundeswehr Institute of Microbiology, the escort team and all other officials involved for their welcome and cooperation with the visiting team. Our approach to assessing the information gained was to look at aspects relating to the facilities, equipment, materials, procedures and personnel. We took into account information provided in the Confidence Building Measures (CBM) submission as well as that provided for us and gleaned during the visit.
2. In examining the facility, we found that the size of the institution was consistent with the information provided in the CBM. Although located in an old building, it has been adapted to meet the purpose of its activities. The physical security included several layers of access control to prevent unauthorised access to sensitive areas.
3. All the equipment and infrastructure we saw was relevant to the prophylactic, protective and other peaceful research and diagnostic purposes stated by the Institute.
4. With regard to pathogens and toxins, particularly those held in the BSL-3 strain collection, the process for access control was explained in detail to us. Although not state-of-the art biometric digital access control, the database methodology was suitable for the purpose and an example of good practice. There was also evidence of a strongly developed culture of trust between the staff. The pathogens and toxins were of types and in quantities consistent with the stated purposes in the CBM and the briefings during the visit.
5. In addition to procedures explained during briefings, the visiting team was given further and more detailed elaborations on request. Documentation was also provided to the team to demonstrate that specific processes were in place to ensure that research projects were assessed in relation to Dual Use Research of Concern (DURC) issues at startup and during implementation of the work. Documented procedures for transfer and export of pathogens and toxins from the Institute were also provided. Safety incident reporting would also have been available. Access to laboratory notebooks was permitted on specific request. The Institute also adhered to international standards (ISO).
6. Information was provided on training programmes for staff, both for initial employment and annual refresher training, covering technical, safety and procedural issues. Records of staff training for specific protocols were shown. All staff underwent security vetting, and senior staff developed relationships of trust with the members of their teams. Although not requested, the opportunity to interview additional staff members would have been available under the Facility Provisions. Throughout the visit, all local personnel and escorts were very helpful and open in their responses to all requests for access, documentation and information.
7. This cooperation gave the team a good insight into the research and diagnostic activities of the institution and helped to promote transparency and confidence with regard to the BTWC and provide reassurance that all activities fall within the permitted prophylactic, protective and other peaceful purposes stipulated in Article I. Procedures for Biosafety and Biosecurity, DURC issues, transfer and export of pathogens and toxins and other measures mentioned demonstrated commitment to implementing the obligations under Articles III and IV of the Convention. Information provided in the CBM submission reinforced this commitment. Some information was provided on international assistance and cooperation activities relevant to Articles VII and X of the Convention.

8. As well as providing an opportunity for the Institute and the Federal Republic of Germany to demonstrate their consistency with the CBM submission and the transparency of their implementation of the Convention, the exercise provided a useful platform for the exchange of good practices amongst all participants.

9. The participants would like once again to express their gratitude to the Federal Foreign Office, the Federal Ministry of Defence, the Bundeswehr Verification Centre, the Bundeswehr Institute of Microbiology and all those who contributed to the success of this exercise.

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