

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

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Meeting of Experts

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Item 7 of the provisional agenda

Standing agenda item: strengthening national implementation

Outline of key features and objectives

Submitted by Belgium, Luxembourg and Netherlands

I. Background

1. Over the past years, States Parties to the BTWC have raised the issue of strengthening the confidence building aspects of the Convention on a regular basis. There is a growing need to create tools to enable States Parties to demonstrate their compliance.
2. At the 2011 BTWC Review Conference, France sought to initiate a debate on the potential of developing a peer review system for the BTWC in order to assess national implementation of the Convention, thereby bolstering confidence in compliance among States parties (BWC/CONF/VII/WP.28). To bring this idea into practice, France organized a pilot-peer review in December 2013. A panel of experts, coming from 9 countries (Canada, China, Germany, India, Mexico, Morocco, Switzerland, the United Kingdom and the United States) participated in this pilot exercise. Several topics related to the national implementation of the Convention were presented and illustrated with two on-site visits. France expressed interest in seeing other States Parties organize an exercise in order to offer their own approach of a peer review, in the hope that such an initiative could contribute to broaden the understanding of the concept and facilitate its adaptation to the needs and realities of the BTWC membership.
3. It is in this context that the three Benelux countries – Belgium, The Netherlands and Luxembourg – wish to contribute to the debate on the value of the peer review concept and have decided to jointly organise a peer review pilot exercise. By conducting the exercise the Benelux countries aim to improve the national implementation of the Convention while also contributing to build confidence between States Parties.
4. Confidence Building Measures (or CBMs) represent a unique instrument to help increase mutual trust and generate transparency. It is for this reason that the Benelux countries have decided to give the CBMs a role in the Peer review exercise. They will form the basis of the respective national implementation evaluation.



II. Key features of the Benelux Peer Review Exercise

5. The “BENELUX BTWC Peer Review” exercise aims to review certain aspects of national implementation of the Biological and Toxin Weapon Convention (BTWC) in Belgium, The Netherlands and Luxembourg. National experts from the three countries will consult on the basis of each other’s annual “Confidence Building Measures” (or CBMs) by means of questions and answers. They will also engage in on-site visits to a selection of relevant national infrastructures in Belgium, The Netherlands and Luxembourg.

6. The Benelux peer review will cover the following aspects of national implementation:

- National biological defence research and development programmes and research centres and laboratories (as declared in Form A of the CBM);
- National legislation, regulations and other measures related to BTWC-implementation (as declared in Form E of the CBM) with particular focus on national oversight of biosafety/biosecurity.

7. The Benelux peer review consists of 2 phases. During the first phase, a written consultation will take place between the three States, beginning with the exchange of the 2015 CBMs. If one of the three States considers that its national CBM contains insufficient relevant information on aspects of biodefence research (Form A) or legislation, regulations and oversight (Form E), then supplementary information may be provided to the other two States. States review each other’s forms A and E of the CBMs (and eventual supplementary documents) and exchange questions and answers, for example, a request for clarification or explanation. Apart from the obligations of the BTWC, there are no fixed assessment-criteria in this peer review. In order to prepare for the peer review the party ‘to be reviewed’ could consider using self-assessment tools, such as the Biosecurity Toolkit, developed by the National Institute for Public Health and the Environment in the Netherlands (RIVM).

8. During the second phase, each individual Benelux-country organises an event and invites the other two States (visiting peers). During this event, the implementation of the BTWC of the host country will be reviewed by the visiting peers of the other 2 States Parties. The event consists of two parts, (1) a “classroom”-type meeting with presentations on elements declared in Forms A and E by experts of the host-country as well as (2) on-site visits to a selection of installations declared in form A in the host-country. The purpose of the “classroom”-type meeting is to exchange information related to forms A and E by means of presentations by experts of the host-country followed by an oral Q&A-session that includes the possibility to follow up on the written consultation of the former phase. The meeting is followed by a visit (on-site) to one or more facilities related to CBM-form A (national biological defence research and development programmes, research centres and laboratories). The visits allow a review of the conformity between the declaration of the relevant part of Form A and the on-site reality. The visits also allow further clarification of questions already touched upon during the consultation and meeting.

III. Objectives of the Benelux Peer Review Exercise

9. The BENELUX BTWC Peer Review pursues several concrete objectives. Firstly, by mutually reviewing elements of national implementation by qualified experts and sharing best practices, the Benelux countries can further improve their national implementation. Secondly, the exercise will raise awareness about the BTWC with national stakeholders and incentivizing their willingness to participate in related interagency efforts. Thirdly, the Benelux countries envisage to contribute their experiences with declarations, consultations and on-site visits for consideration at the 8th BTWC Review Conference in 2016. Fourthly,

the peer review allows feedback on CBMs and increases their role as declaration tool within the Convention. Also, the increased transparency generated by the peer review will strengthen the mutual confidence regarding implementation of the BTWC between the Benelux countries. Finally, the peer review helps to maintain the otherwise moderately institutionalized Convention as a living instrument and allows to explore ways to increase international cooperation.
