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**Geneva, 20 November – 8 December 2006**

Item 10 of the provisional agenda

**Review of the operation of the Convention  
as provided for in its Article XII**

## **ACTIONS TO IMPROVE CONFIDENCE-BUILDING MEASURES**

Submitted by Switzerland<sup>1</sup>

### **I. Background and purpose of this working paper**

1. The Confidence-Building Measures (CBMs) were launched at the Second BWC Review Conference in 1986. At the Third BWC Review Conference in 1991, CBMs have been expanded and the submission forms have been revised. However, the CBM system has not been modified at the last two Review Conferences.

2. CBMs are the Convention's politically binding information exchange mechanism to increase transparency and build confidence among States Parties. The goal of CBMs, as stated in the Final Declaration of the Second Review Conference (BWC/CONF.II/13/II, 1986), is to prevent or reduce the occurrence of ambiguities, doubts, and suspicions and to dispel concerns of non-compliance.

3. In order to improve the existing CBM mechanism, Switzerland proposes a set of actions which can be followed in a modular step-by-step approach. While Switzerland takes the view that some modifications can be adopted at the Sixth BWC Review Conference, it seems clear that further improvements would need additional negotiations. Such medium-term issues should be addressed in expert discussions, for instance during a new intersessional process. It is Switzerland's intention, in the longer run, to find common ground to work towards an electronic information management system for CBMs.

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<sup>1</sup> This is one of a series of papers prepared in consultation with Japan, Australia, Canada, Republic of Korea, Switzerland, Norway and New Zealand (JACKSNNZ).

## **II. Possible improvements of the CBMs**

### General considerations

4. States Parties, NGOs, and research institutes have evaluated the existing CBM process and have called attention to a significant number of shortcomings regarding efficiency and efficacy of the system. Switzerland believes that these two issues are interrelated and that it is therefore important to launch equivalent efforts to:

- (i) increase the number of States Parties submitting information regularly; and
- (ii) enhance quality, accuracy, and comprehensiveness of the data.

5. Switzerland encourages States Parties to make efforts to improve the efficiency of the current system, namely by:

- (i) making the CBM forms more efficient and minimising ambiguities in the forms; and
- (ii) strengthening the role of the UN-DDA in terms of assistance for States Parties and reporting on the CBM participation.

6. States Parties should particularly discuss ways to improve the efficacy, namely by:

- (i) creating incentives and providing assistance for States Parties who are not in a position to submit CBMs; and
- (ii) improving national implementation to ensure comprehensive, regular, and timely submission.

### Making existing CBM forms more efficient

7. Streamlining the existing CBM forms, together with clarifications on the use of the forms, can facilitate work of the national authorities. Switzerland believes that simple measures like arrows with the indication where data has to be filled into the form help to compile a complete and consistent declaration. If this logic can be adapted throughout the CBM forms, it would be easier and faster to navigate through the forms.

*Example: Excerpt from CBM form A, Part 1 on Research Centres and Laboratories:*

<p><b>Question 1.</b> Does your State Party have anything new to declare in relation to research centres and laboratories?</p> <p><input type="checkbox"/> <b>YES</b> → <b>Go to Form 1</b>                      <input type="checkbox"/> <b>NO</b> → <b>Continue to Question 2</b></p> <p><b>Question 2.</b> Is this because your State Party has already provided all the relevant information in a previous return?</p> <p><input type="checkbox"/> <b>YES</b> → <b>Continue to Question 3</b>                      <input type="checkbox"/> <b>NO</b> → <b>Go to Question 4</b></p>
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*The same principle can be applied to the CBM forms B to G.*

8. Replacing written entries with tick-boxes, primarily for numerical data, can improve the visibility of key data, in particular if the data is in an official, yet unfamiliar UN language.

*Example: Excerpt from CBM form A, Part I Research Centres and Laboratories, Q4 (sources of financing), Q5 (number of containment units) and Q6 (highest level of Containment).*

Q 4	Does the Ministry of Defence wholly or partially finance the facility?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	Do other Governmental Agencies wholly or partially finance the facility?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	Do private entities wholly or partially finance the facility?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Q 5	Number of maximum containment units in the facility (in accordance with the WHO Laboratory Biosafety Manual or equivalent) and Indication of the size of the containment units:	<input type="checkbox"/> 1	1 _____ (m <sup>2</sup> )
		<input type="checkbox"/> 2	2 _____ (m <sup>2</sup> )
		<input type="checkbox"/> 3	3 _____ (m <sup>2</sup> )
		<input type="checkbox"/> 4	4 _____ (m <sup>2</sup> )
		<input type="checkbox"/> 5	5 _____ (m <sup>2</sup> )
		<input type="checkbox"/> More than 5	
Q 6	If no maximum containment unit, indicate highest level of protection (equivalent to biosafety levels designated by WHO Laboratory Biosafety Manual)	<input type="checkbox"/> BSL 2	<input type="checkbox"/> BSL 3
		<input type="checkbox"/> BSL 2+	<input type="checkbox"/> BSL 3+

#### Making CBMs more accessible

9. Switzerland supports UN-DDA's initiative to make the 2005 CBMs of a number of voluntary States Parties available online on the UNOG-website. First, this step illustrates the CBM's original purpose of transparency. Second, it demonstrates the advantage of digitally distributed information compared to the paper version. Third, wider access to CBMs can be an incentive for States Parties to increase quality and quantity of the data submitted. Therefore, Switzerland encourages discussions among States Parties at the Sixth Review Conference to mandate the UN-DDA to make available submissions online, if the State Party has agreed (for instance by ticking a respective box on the first page of the form).

10. Switzerland, referring to positive experiences with an electronic CBM tool for data submissions under the Chemical Weapons Convention (CWC), believes that a more user-friendly, web-based information management system will be favourable in the near future, because it would help:

- (i) States Parties, in particular national authorities, to submit annual information;
- (ii) UN-DDA to facilitate the processing of the data;
- (iii) States Parties wishing to provide online access to their information to clearly define which forms or sections of their CBMs are accessible and to whom (apart from States Parties).

11. Switzerland suggests discussing such a system during an upcoming intersessional process and is considering working towards a prototype system, possibly jointly with other States Parties.

#### Defining a stronger role for UN-DDA

12. Noting previous efforts of UN-DDA in support of the CBM process, the 2006 Review Conference should consider the adoption of a clearer, possibly enhanced CBM mandate for UN-DDA with the aim of increasing quantity and quality of CBMs. Therefore, Switzerland encourages States Parties at the Sixth Review Conference to allow the UN-DDA to:

- (i) raise awareness of States Parties and promote and explain the CBM system, jointly with States in a position to assist other States Parties;
- (ii) remind States Parties to annually and regularly submit the forms;
- (iii) act as intermediary between States Parties requesting assistance in submitting the CBMs and States Parties offering such assistance;
- (iv) check the plausibility of submitted information, clarify possible misunderstandings, and ask States Parties for missing pages;
- (v) compile an aggregated summary of the data without reference to any specific State Party, and report annually on the level of participation.

#### Reviewing the contents of the existing CBMs

13. Given the rapid developments in life sciences, it is important to ensure that the requested data will remain appropriate in the future to fulfil the aim of transparency under the convention. Therefore, Switzerland encourages States Parties to agree at the Sixth Review Conference to launch a discussion on the contents and the issues covered by the CBMs and by the reporting processes of other actors in the field (for instance the World Health Organization).

### **III. Way ahead: Expert meeting during the intersessional process**

14. Switzerland encourages States Parties at the Sixth Review Conference to decide that a meeting of scientific and technical experts from States Parties be held in Geneva in the framework of intersessional meetings of the period of 2007-2010. Such an expert meeting should assess existing forms, the topics covered, and general modalities related to the processing of CBMs, and make proposals to restructure or update the forms.

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