

Geneva, 20 November – 8 December 2006

Item 10 of the agenda

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

CONFIDENCE BUILDING MEASURES

Submitted by South Africa

Introduction

1. In 1986 the 2nd Review Conference “..determined to strengthen the authority of the Convention and to enhance confidence in the implementation of its provisions..”, agreed to implement measures “in order to prevent or reduce the occurrence of ambiguities, doubts and suspicions, and in order to improve international co-operation in the field of peaceful bacteriological (biological) activities”. These measures were expanded at the 3rd Review Conference and became known as Confidence Building Measures (CBMs). These measures consist of the exchange of information based on a number of declaration formats that have to be submitted on an annual basis.
2. In spite of the obligation placed on States Parties to participate by the 2nd Review Conference agreement; the level of participation over the years was very low. Less than 30% of States Parties submitted CBMs on a regular basis, about 50% participated intermittently and the rest did not participate at all.
3. The low level of participation has been the subject of many discussions and there are numerous views on the reasons for this lack of interest. Issues such as utility, language problems, general availability of CBMs and the rationalisation and improvement of the formats also became the subject of intense debate.
4. The debates around the CBMs indicate that there is a requirement for such measures, but they need to be analysed with a view to determine their future application. The process for such analysis should be determined by the 6th Review Conference.

Analysis

5. The effectiveness of CBMs should not only be based on the participation of States Parties and the frequency of such participation, but other factors such as value of information supplied and availability in all languages of the UN should also be taken into account.

6. According to the agreement of the 2nd Review Conference, the purpose of the CBMs is to prevent or reduce the occurrence of ambiguities, doubts, and suspicions and to improve international co-operation in the field of peaceful bacteriological (biological) activities. In this regard the following questions can be asked:

- (i) Whether the CBMs fulfilled their purpose, even amongst States Parties that submit reports every year?
- (ii) Is the data supplied complete and would it ever be complete enough to improve levels of confidence?
- (iii) Would participation by all States Parties improve the levels of confidence?
- (iv) How many States Parties consulted with the purpose of clarifying information supplied in the CBMs?
- (v) Did the CBMs help in any way to improve international co-operation in the field of peaceful biological activities?

7. Another aspect that is important in the analysis of CBMs is the information required at present. Again, issues such as the following should be determined:

- (i) Whether all the information required in the formats is still relevant in light of developments such as the new World Health Regulations.
- (ii) Whether all the required information is necessary to build confidence and is there other information that would be more useful.
- (iii) Whether the required information is at all relevant in order to improve international co-operation in this field.

8. Measures to improve State Party participation should be determined.

9. Formats should be user-friendlier and utility of formats as well as possible new formats should be considered.

10. The issue of translation needs to be discussed and means to ensure wider availability in all languages should be developed.

Conclusion

11. It can be concluded that CBMs have a role to play to strengthen the Convention if their purposes are clear, information required properly defined, participation is improved, and they are managed in such a way that the information supplied is readily available to all States Parties.

Proposal

12. It is clear that CBMs require detailed technical, as well as political discussion, which may not be completely possible at the Review Conference.

13. It is proposed that one intercessional meeting should be devoted to CBMs with the mandate to consider all aspects of CBMs and to make proposals to a meeting of States Parties and the 7th Review Conference on the future implementation of CBMs.
