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# **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**

18 August 2023

English only

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## **Second Session**

**Geneva, 7-18 August 2023**

Agenda item 6

**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**

## **Compilation of Proposals Related to the Development of a Science and Technology Mechanism**

**Submitted by the Chairperson of the Working Group on the Strengthening of the Convention**

### **Introduction**

1. The Ninth Review Conference decided to develop with a view to establishing a mechanism to review and assess scientific and technological developments relevant to the Convention and to provide States Parties with relevant advice. In order for this mechanism to be established, the Working Group on the strengthening of the Convention was mandated to make appropriate recommendations.<sup>1</sup>

2. This paper is presented by the Chairperson under his own responsibility and highlights proposals made by States Parties at the second session of the Working Group, which was held from 7 to 18 August 2023. It is a compilation of inputs found in four Working Papers submitted by States Parties.

3. For ease of reference this paper clusters the proposals into the following six thematic elements:

- A. Aims and objectives
- B. Working methods
- C. Composition
- D. Reporting
- E. Staffing
- F. Financial

4. This compilation does not purport to be exhaustive nor does it imply agreement on any particular proposal. It has been prepared with a view to facilitating discussions on a science and technology mechanism.

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<sup>1</sup> BWC/CONF.IX/9, Part II, Section D, paragraph 19.

## A. Aims, Objectives and Functions

Reference	Aims and Objectives
BWC/WG/2/WP.9 (United Kingdom of Great Britain and Northern Ireland) Annex sub-paragraphs i and iii	<p><b>Annex</b></p> <p>i. The S&amp;T review process under the BTWC shall identify areas of scientific and technological advancements that could have beneficial applications for strengthening the implementation and operation of the Convention. The S&amp;T process shall also consider potential risks associated with such developments and assess where current and emerging threats may occur and how they might be mitigated</p> <p>iii. The S&amp;T review process shall identify appropriate tools and techniques for the assessment of benefits and risks of S&amp;T developments relevant to the BTWC. Such tools and techniques might include, for example, qualitative assessment frameworks (such as The National Academies of Sciences, Engineering, and Medicine Framework or the Tucker Framework) that have previously been evaluated by the BTWC community, including representatives from BTWC delegations and experts from civil society, as being useful;</p>
BWC/WG/2/WP.16 (Russian Federation) Annex II paragraphs 1-2	<p><b>Annex II</b></p> <p>1. The role of the Scientific Advisory Committee (hereinafter referred to as “the Committee”) is to assess developments in areas of science and technology relevant to the Convention and render specialised advice to States Parties.</p> <p>2. The functions of the Committee include the following:</p> <p>(a) assess and report to States Parties developments in scientific and technological fields relevant to the Convention:1</p> <ul style="list-style-type: none"> <li>i. new science and technology developments that have potential for uses contrary to the provisions of the Convention;</li> <li>ii. new science and technology developments that have potential benefits for the Convention, including those of special relevance to disease surveillance, diagnosis and mitigation;</li> <li>iii. possible measures for strengthening national biological risk management, as appropriate, in research and development involving new science and technology developments of relevance to the Convention;</li> <li>iv. voluntary codes of conduct and other measures to encourage responsible conduct by scientists, academia and industry;</li> <li>v. education and awareness-raising about risks and benefits of life sciences and biotechnology;</li> <li>vi. science- and technology-related developments relevant to the activities of multilateral organizations such as the WHO, OIE, FAO, IPPC and OPCW;</li> <li>vii. any other science and technology developments of relevance to the Convention.</li> </ul> <p>(b) Assess and report on any developments in scientific and technological fields relevant to the Convention upon request of States Parties;2</p> <p>(c) Co-ordinate the efforts of the working groups temporarily established in accordance with paragraphs 9 and 10 of these terms of reference;</p> <p>(d) Make recommendations taking into account any new scientific and technological developments relevant to the Convention for the purpose of assisting States Parties in their review of the operation of the Convention pursuant to its article XII.</p>
BWC/WG/2/WP.19 (Islamic Republic of Iran) paragraphs 5-8	<p>5. [...] Any possible S&amp;T review mechanism, should be formulated in a way that could necessarily cover both potential risks and benefits in a balanced manner.</p> <p>6. Such a mechanism could review advances in identified scientific fields or disciplines relevant to the Convention, including specific implications of developments in science and technology particularly related to disease surveillance, diagnosis and mitigation and vaccine. It also should be formulated and function in a way that could gain the support of all States Parties.</p> <p>7. The review should have tangible results for the developing States Parties and focus on ways and means of maximizing the actual benefit of new scientific and technological advancement in the field of bio science.</p>

Reference	Aims and Objectives
	8. Review of related S&T developments should contribute to the fullest exchange of knowledge and technology between developed and developing States Parties and ensure the unhindered and non-discriminatory flow of science and technology among States Parties. More importantly, the discussion on how to manage potential risks of S&T developments should never lead to limit or hamper scientific evolution for peaceful purposes and/or life-saving achievements
BWC/WG/2/WP.23 (Panama) Section II, sub-paragraphs a) to f)	<b>II. Scientific and technological developments:</b> (a) Consider gender aspects of science and technology research and development. (b) Monitor the advances in the field of science and technology to ensure that those do not reproduce existing gender bias. (c) Offer trainings for young girls and women to stimulate their interest in science, technology, diplomacy and in other fields relevant to the BWC in order to close the gender gap. (d) Engage in initiatives that combat harmful gender stereotypes and promote gender equality in the field of science and technology, including through the full, equal and meaningful participation of women in the use of biological sciences and technology for peaceful purposes. (e) Ensure gender-balanced mechanism to review and assess scientific and technological developments relevant to the BWC. (f) Mainstream a gender perspective in the work of the mechanism to review and assess scientific and technological developments relevant to the BWC.

## B. Working methods

Reference	Working methods
BWC/WG/2/WP.9 (United Kingdom of Great Britain and Northern Ireland) Annex sub-paragraphs iv to vi	<b>Annex</b> iv. The S&T review process shall carry out a broad ‘horizon scanning’ function to search for emerging or current S&T themes such as engineering biology or artificial intelligence (AI), which may require targeted technology watch or in depth technical assessment; v. The S&T review process shall carry out technology watch on key S&T concepts such as gene editing or machine learning (ML) to monitor advancements, which may have relevance to the BTWC; vi. The S&T review process shall carry out ‘deep dives’ or in depth technical assessments of technological advancements such as novel gene editing techniques or AI drug discovery, focussing on the potential benefits and risks for implementation and operation of the Convention
BWC/WG/2/WP.16 (Russian Federation) paragraphs 9, 10 and 13, Appendix, Rule 1	9. States Parties <sup>4</sup> may establish temporary working groups of scientific experts to provide recommendations on specific scientific and technological issues relevant to the Convention. Additionally, if the Committee deems it advisable, its Chair may propose to States Parties <sup>5</sup> to establish such temporary working groups. 10. Each working group shall be chaired by a member of the Committee appointed for that purpose by its Chair with other members concurring. Chair of the Committee shall appoint members of temporary working groups from experts proposed by States Parties and/or suggested by members of the Committee. 13. The Committee meets at least annually in order to provide to States Parties a report of its activities including an account of its contributions during the year. Chair of the Committee through the Chief of the ISU informs its members in advance about the time and place of such a meeting.

Reference	Working methods
	<p><b>Appendix</b></p> <p><b>Rule 1</b></p> <p><i>The Scientific Advisory Committee</i></p> <p>1. The Scientific Advisory Committee (hereinafter referred to as “the Committee”) appoints by consensus on annual basis a Chair and a Vice-Chair from among its members.</p> <p>2. The Chair of the Committee through the Chief of the Implementation Support Unit (ISU) notifies each member of the Committee of a planned meeting, stating the purpose, the venue, the opening date and the expected duration of the meeting, as far in advance as possible, but at least 30 days before the opening day of the meeting. The provisional agenda is transmitted together with the notice of the meeting.</p> <p>3. A provisional agenda for each meeting of the Committee is prepared by its Chair. The Committee adopts an agenda for each of its meetings on the basis of the provisional agenda submitted by the Chair. The provisional agenda may be revised, as necessary, by deferring, deleting or amending items on the agenda.</p> <p>4. The States Parties may include in the agenda of the Committee any item related to its terms of reference.<sup>1</sup></p> <p><i>Temporary working groups</i></p> <p>5. A temporary working group is chaired by a member of the Committee appointed for that purposes by its Chair with other members concurring.</p> <p>6. The Chair of the Committee transmits to the Chair of each working group a mandate setting out: (a) the specific issue to be addressed, and (b) the time limit within which the working group must report on the issue.</p> <p>7. The Chair of the temporary working group convenes meetings of the group. For this purpose, the Chair through the Chief of the ISU notifies each member of the Committee of a planned meeting, stating the purpose, the venue, the opening date and the expected duration of the meeting, at least 30 days before the opening day of the meeting.</p>
BWC/WG/2/WP.19 (Islamic Republic of Iran) paragraphs 9-11	<p>9. Discussions in the past intersessional program indicated that there are some challenging issues around a mechanism with limited participation. Such an option would be problematic, due to the fact that all interested States Parties necessarily cannot participate in the work of such mechanism. Moreover, there is concern that such limited mechanism, because of its exclusive format, would not secure the interests of all States Parties particularly developing ones. Moreover, another concern is that, under this model, such mechanism could be misused in line with the interests of specific States Parties. So, this option should be put aside because it sounds unlikely to achieve agreements of all States parties to the Convention.</p> <p>10. Since hybrid participation mechanism would include an exclusive body, it would also suffer from the abovementioned problems and deficiencies. Additionally, the two-stage discussions under this model will be time-consuming and incur additional costs.</p> <p>11. Hence, it seems that the best way to address the structure of such review mechanism and secure its effectiveness, is to adopt an inclusive approach, namely the establishment of a mechanism, open to participation of all States Parties.</p>

### C. Composition

Reference	Composition
BWC/WG/2/WP.9 (United Kingdom of Great Britain and Northern Ireland)	<p><b>Annex</b></p> <p>ii. The S&amp;T review process shall be independent, expert led and have the flexibility to draw in appropriate expertise from governments, non-government organisations, international organisations, academia, industry, civil society or other experts, as deemed appropriate and as required, though the establishment of temporary working groups, whose mandate shall be specified and time bounded;</p> <p>viii. The structure of the S&amp;T review process should take into consideration the need for diverse technical expertise, geographical representation and gender balance;</p>

Reference	Composition
BWC/WG/2/WP.16 (Russian Federation) Annex II paragraphs 3 to 8, Appendix Rule 2	<p><b>Annex II</b></p> <p>3. The Committee consists of [20] members appointed by the four regional groups of States Parties to the Convention: Group of the Non-Aligned Movement and Other States, Western Group, Eastern European Group, and Group of One. Having conducted appropriate consultations among their respective memberships, the regional groups acting on the basis of consensus appoint the following number of members of the Committee:</p> <ul style="list-style-type: none"> <li>• Group of the Non-Aligned Movement and Other States – [...] members;</li> <li>• Western Group – [...] members;</li> <li>• Eastern European Group – [...] members;</li> <li>• Group of One – [...] member(s).</li> </ul> <p>4. Once all regional groups have made their appointments in accordance with paragraphs 2 and 3 of these terms of reference, the Committee may begin its activities.</p> <p>5. Only citizens of States Parties are eligible to serve as members of the Committee or its temporary working groups. They shall serve in an individual capacity as independent experts.</p> <p>6. Members of the Committee are appointed from eminent persons active at such institutions as research institutions, universities, biotechnological companies, defence and military organisations, on the basis of their expertise in the particular scientific fields relevant to the implementation of the Convention. Such persons should be selected based on their qualifications and experience, taking into account their publications, scientific, academic or professional activities and distinctions with due regard to the area of specialty.</p> <p>7. The term of office of members of the Committee is five years.</p> <p>8. If for any reason a member of the Committee is prevented from taking part in its work, the regional group that made that appointment shall appoint a replacement having conducted appropriate consultations among the group's membership and acting on the basis of consensus.</p> <p><b>Appendix</b></p> <p><b>Rule 2</b></p> <p><b>Observers</b></p> <p>8. Unless prior written approval has been obtained from the Chair of the Committee or the Chair of a temporary working group, observers will not be permitted to attend meetings of the Committee, nor of the temporary working groups.</p>
BWC/WG/2/WP.19 (Islamic Republic of Iran) paragraphs 12 and 13	<p>12. The review of S&amp;T developments should be driven by the States Parties. In order to achieve the utmost advantage out of the process, there should be a linkage between the technical issues and political considerations. Therefore, each delegation might be composed of both technical and political experts. It is highly recommended that all discussions be held with the presence of these experts simultaneously to manage appropriately any possible inconsistencies between technical findings and political realities. Relevant experts could participate from both inside and outside of governmental institutions, but they should be nominated by their respective State.</p> <p>13. All technical experts, who will be nominated by their States based on their expertise, qualifications and experience, could participate in the discussions relevant to each agenda item. This approach could also allow for wider knowledge exchange and facilitate inclusivity since all States Parties could be able to participate in this mechanism. Through this approach the States Parties could bridge the inclusivity and manageability. Also, relevant experts from related international organizations, such as the WHO, FAO, WOAHA could be involved, if agreed by the States Parties.</p>

## D. Reporting

Reference	Reporting
BWC/WG/2/WP.9 (United Kingdom of Great Britain and Northern Ireland) Annex, sub-paragraphs vii and ix	<b>Annex</b> vii. The S&T review process shall provide timely, clear, evidence based, expert analysis derived and action orientated advice to States Parties via the formal meetings of BTWC States Parties, such as Review Conferences, Meetings of States Parties or a Special Conferences of States Parties where appropriate ix. The review process shall incorporate a reporting capability to collate relevant information and provide results from horizon scanning research, technology watch and in depth technology assessments to provide information and recommendations to BTWC States Parties.
BWC/WG/2/WP.16 (Russian Federation) paragraph 6, Appendix, Rule 5	6. Once it has been established, the Scientific Advisory Committee will begin submitting annual reports, including accounts of its contributions during the year, to States Parties. <sup>4</sup> By the Eleventh Review Conference, it will prepare a combined report for the purpose of assisting States Parties in their review of the operation of the Convention taking into account any new science and technology developments in accordance with Article XII. <b>Appendix</b> <b>Rule 5</b> <b>Reports</b> 11. The Committee provides to States Parties an annual report of its activities including an account of its contributions during the year. <sup>2</sup> 12. The report includes the reports of the temporary working groups covering the same period. All such reports are adopted by consensus. The conclusions and recommendations are developed through a consensus process. If consensus on the conclusions and recommendations can not be achieved, the report reflects any minority view(s), as appropriate.
BWC/WG/2/WP.19 (Islamic Republic of Iran) paragraph 14	14. Such a mechanism should find the best possible way to assess and advise and provide scientific and technical information and also specified advice and recommendation, based on consensus. A factual annual report reflecting its deliberations, including possible outcomes, should be submitted to the MSPs for consideration. A final report, would ultimately be submitted to the Review Conference, as appropriate.

## E. Staffing

Reference	Staffing
BWC/WG/2/WP.9 (United Kingdom of Great Britain and Northern Ireland) paragraph 5	5. [...] such a process must have adequate administrative and practical and/or technical support from the Implementation Support Unit (ISU) through the establishment of at least two additional positions including a Science Officer.
BWC/WG/2/WP.16 (Russian Federation) Annex I, paragraph 6	<b>Annex I</b> 6. Decides to add one full time staff member to the ISU, funded by States Parties to (i) provide administrative support to and preparing documentation for the Committee meetings; (ii) facilitate communication among States Parties and the Committee; (iii) serve as a focal point for submission of information by States Parties related to the Committee activities;

**F. Financial**

Reference	Financial
BWC/WG/2/WP.16 (Russian Federation) Annex I Paragraphs 4 and 5	<b>Annex I</b> 4. Decides that States Parties will cover expenses necessary for holding one annual session of the Committee of five days from the costs of the programme of work and that any other sessions of the Committee or meetings of its temporary working groups will be at no additional cost to States Parties; 5. Authorises the Implementation Support Unit (ISU) to set up and administer a trust fund for voluntary contributions received to assist the Committee in its activities;