

**SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO
RESOLUTION 1540 (2004)**

**OPEN BRIEFING FOR MEMBER STATES AND INTERNATIONAL,
REGIONAL AND SUBREGIONAL ORGANIZATIONS**

9-10 OCTOBER 2024

Written Input from the BWC Implementation Support Unit

Introduction

1. The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction opened for signature in 1972 and entered into force in 1975. It prohibits the development, production, acquisition, transfer, retention, stockpiling and use of biological and toxin weapons. It was the first international treaty to outlaw an entire category of weapons and now has 187 States Parties and four signatory States.
2. The Biological Weapons Convention has 15 articles. Key provisions of the treaty include the following binding obligations on States parties: never, in any circumstances, to develop, produce, stockpile or otherwise acquire or retain biological weapons (article I); to destroy or divert to peaceful purposes biological weapons and associated items (article II); not to transfer or in any way assist, encourage or induce anyone else to manufacture or otherwise acquire biological weapons (article III); to take any necessary measures to prohibit and prevent the development, production, stockpiling, acquisition or retention of biological weapons (article IV); to consult bilaterally or multilaterally to solve any problems in relation to the objective of, or in the application of the provisions of, the Convention (article V); to request the Security Council to investigate alleged breaches of the Convention and to cooperate with any subsequent investigations by the Council (article VI); to assist States that have been exposed to danger as a result of a violation of the Convention (article VII); and to do all of the above in a way that facilitates and promotes the peaceful uses of biological science and technology and avoids hampering the economic or technological development of States parties (article X).
3. The ninth Review Conference took place in Geneva in November and December 2022 and concluded with the adoption of a final document by consensus (BWC/CONF.IX/9). Determined to strengthen the effectiveness and improve the implementation of the Convention in all its aspects, the ninth Review Conference also decided to establish the Working Group on the Strengthening of the Convention, open to all States parties. The aim of the Working Group is to identify, examine and develop specific and effective measures, including possible legally binding measures, and to make recommendations for strengthening and institutionalizing the Convention in all its aspects, to be submitted to States parties for consideration and any further action. These measures should be formulated and designed such that their implementation supports international cooperation, scientific research and economic and technological development, avoiding any negative impacts. In this context, the Working Group will address the following: (a) Measures on international cooperation and assistance under article X; (b) Measures on scientific and technological developments relevant to the Convention; (c) Measures on confidence-building and transparency; (d) Measures on compliance and verification; (e) Measures on national implementation of the Convention; (f) Measures on

assistance, response and preparedness under article VII; (g) Measures on organizational, institutional and financial arrangements.

4. The Working Group is also mandated to make appropriate recommendations on the establishment of mechanisms to facilitate and support the full implementation of international cooperation and assistance under article X and to review and assess scientific and technological developments relevant to the Convention and to provide States Parties with relevant advice.

Observations on experiences, lessons learned and best practices and on synergies between resolution 1540 and the Biological Weapons Convention

5. The eighth BWC Review Conference recalled in its final document (BWC/CONF.VIII/4) that resolution 1540 “places obligations on all states and is consistent with the provisions of the Convention.” It also noted that “resolution 1540 affirms support for the multilateral treaties whose aim is to eliminate or prevent proliferation of nuclear, chemical or biological weapons and the importance for all States Parties to these treaties to implement them fully in order to promote international stability.” Support for universalization of the BWC is particularly welcome and progress in that regard continues with the recent accessions by the Federated States of Micronesia and Tuvalu which bring the total membership of the BWC to 187 states parties.
6. The sixth BWC Review Conference in 2006 established an Implementation Support Unit within the United Nations Office for Disarmament Affairs (UNODA). The ISU has established a point of contact for the 1540 Committee which facilitates cooperation, collaboration and information sharing on BWC-related matters. The ISU has enhanced collaboration with the 1540 Committee including the 1540 Group of Experts and the 1540 Support Team within UNODA. The establishment of 1540 Regional Coordinators for Africa and Asia by UNODA has further facilitated collaboration and is contributing to the enhanced implementation of the BWC by its States Parties as well the obligations of Member States under resolution 1540.
7. Since 2021, the 1540 Committee has been sharing assistance requests received from UN Member States which relate to the BWC with the ISU. The ISU has responded to all those assistance requests and has offered its support to requesting Member States. The seventh BWC Review Conference in 2011 established a database to facilitate the exchange of requests for, and offers to provide, assistance and cooperation among States Parties. The Conference invited States Parties, individually or together with other states or international organizations, “to submit on a voluntary basis to the Implementation Support Unit any requirements, needs or offers for assistance, including in terms of equipment, materials and scientific and technological information regarding the use of biological and toxin agents for peaceful purposes.” The ISU is responsible for administering the database and for facilitating, upon request, the exchange of information among States Parties relating to the database and any resulting cooperation and assistance activities. The ISU also reports to States Parties on the operation of the database detailing the offers made, requests sought and matches made during a calendar year. The database can be accessed at <https://bwc-articlex.unog.ch/>
8. Also established by the seventh Review Conference, the BWC Sponsorship Programme facilitates the participation of representatives from developing States in official BWC meetings, helping those who have not previously attended or face resource constraints. Funded by voluntary contributions, it covers travel, accommodation, and a subsistence allowance. The

Sponsorship Programme can also be used to promote the universalization of the BWC by supporting participation by States not yet party to the Convention.

9. Upon request from States Parties, assistance in implementing the BWC can be provided and is often conducted jointly with activities relating to resolution 1540. Assistance may be provided to States Parties to develop their national legal and regulatory framework in order to support the comprehensive and effective implementation of the BWC. Such assistance may be provided to States Parties seeking to develop and/or amend their BWC implementing legislation. Furthermore, States Parties can request assistance in the designation of BWC national contact points (NCPs) or to improve their role at a domestic level, for example, through the establishment of coordination mechanisms to implement the BWC. Such mechanisms are frequently also of relevance to the implementation of resolution 1540. States that are not yet party to the BWC can request assistance in joining the Convention, including the organization of national events aiming at increasing awareness of decision-makers and parliamentarians on the importance of the BWC.
10. States Parties can also request support in the preparation of Confidence-Building Measures (CBMs), which represent the sole reporting mechanism under the Convention. CBM assistance is tailored to the specific needs of the respective State and comprises different modalities, such as expert presentations, interactive table-top exercises or the preparation of written documents. Support may include (i) virtual familiarization sessions to raise awareness among national stakeholders about the main aims, objectives and benefits of CBMs; (ii) the preparation of an informal aide memoire or draft report to provide overarching guidance and identify concrete suggestions concerning CBM reporting; and (iii) the organization of in-person workshops to address various aspects concerning the preparation of CBM reports in detail. Additionally, a number of States Parties offer CBM related assistance under Article X of the BWC. The sharing of effective national practices by experts from the region, as well as the conduct of tailor-made national or regional in-person workshops, has proven to be a particularly effective assistance means and helped to considerably increase the number of CBM submissions by States Parties recently.
11. The ISU values its cooperation with the 1540 Committee, the Group of Experts and the 1540 Support Team and will continue to collaborate in facilitating assistance requests from Member States. For further information, please contact the ISU at bwc@un.org