

Fourth Meeting

Geneva, 10-14 December 2007

Item 6 of the Agenda

**Consideration of ways and means to
enhance national implementation, including
enforcement of national legislation, strengthening
of national institutions and coordination among
national law enforcement institutions**

**NATIONAL DATA COLLECTION PROCESSES
FOR CBM SUBMISSIONS**

Submitted by Switzerland

Background

1. In the absence of a verification mechanism, the Confidence Building Measures (CBMs) remain the only tool available to establish transparency and build confidence among States Parties. CBMs can provide States Parties with useful information concerning compliance with the Convention.
2. There are various ongoing efforts to enhance the effectiveness of the CBM mechanism and to deal with a number of shortcomings in the implementation of the CBM mechanism. The BTWC Sixth Review Conference agreed that implementation of the CBMs merits further and comprehensive attention at the Seventh Review Conference in 2011.
3. A central concern relates to the accuracy and comprehensiveness of the data submitted. To improve the quality of the data submitted it is fundamentally important to understand the particular challenges and needs arising in different national contexts and how this impacts on CBM submissions.
4. In order to assist such a dialogue, Switzerland has asked experts to deliver quantitative and qualitative data on the CBM completion process. The full study can be found online at www.vertic.org and www.lse.ac.uk/collections/bios.

Design of study

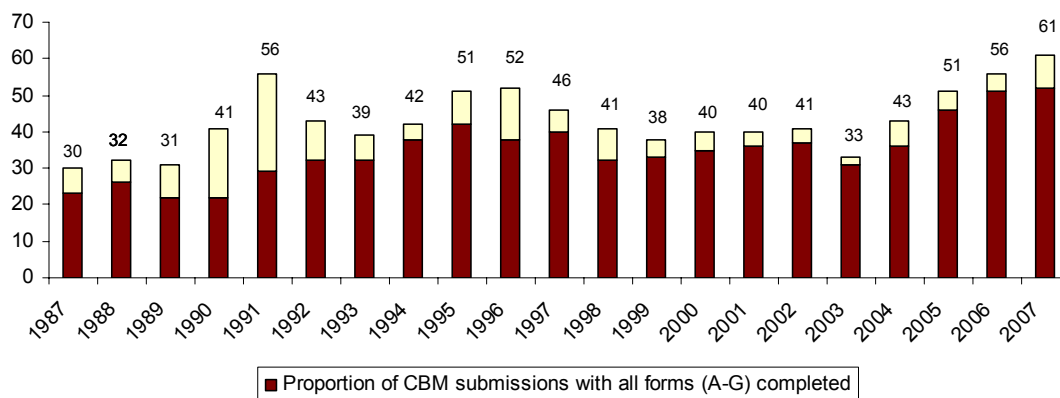
5. The study sampled a small number (10) of States Parties that have consistently submitted returns since the CBM mechanism was agreed in 1986. The sample was selected on the basis of

representation from the Eastern Group, the Group of the Non-Aligned Movement and Other States (NAM), and the Western Group. All information given was treated strictly in confidence and national data was anonymised throughout the study.

6. In parallel to researching national data collection processes, Switzerland asked the Implementation Support Unit to provide answers to a set of questions that would place the findings from the sample in the broader context of twenty years of CBM submissions.

Key Results

7. Data provided in the publicly available CBM submission summary report indicate that over the last twenty years the annual number of CBM submissions has been somewhere between 30 at its lowest (in 1987) and 61 at its highest (in 2007). Annual CBM submissions are thus made by substantially less than half, and often less than a third, of States party to the BTWC. This lack of participation in the CBM mechanism is further challenged by inconsistent submissions, where States submit returns in some years but not in others, and by incomplete submissions, where only some of the seven forms are submitted but not all.



Number of CBM returns submitted by States Parties over the twenty-year timeframe 1987–2007 and the proportion of these containing all forms.

8. There are diverse understandings among States and between collators in the same State about the categories “nothing to declare” and “nothing new to declare”. The study showed to which extent States Parties have submitted a declaration or noted nothing or nothing new to declare for each CBM form (A–G) since 1992. With the exception of CBM B on outbreaks of infectious diseases, the majority of States consistently note nothing or nothing new to declare on the forms they submit. In the case of CBM B, approximately one third of States note nothing or nothing new to declare on the form

9. States Parties have different attitudes towards CBM submissions: some see them as a positive means of creating and enabling transparency, and strive towards making timely and complete submissions; others treat CBMs as a burden or an uncomfortable duty, and dedicate less resources and effort to their submissions.

10. The CBM completion process requires some interpretation as to what should be included and what should not; technical expertise with an understanding of the political aim of the CBM mechanism is crucial.

11. There is confusion and at times different understandings between States, but also between those collating the information and those providing it, of the level of information required and the kind of information that is useful on the submitted forms.
 12. There are significant differences between States in their ability to obtain the required information due to disparities in resources and legal powers and to language difficulties.
 13. A range of efforts have been made at national levels to raise awareness among stakeholders of the CBM mechanism and to increase the quality of the information submitted, e.g. developing guides on how to complete the forms, providing copies of previously filled out forms, translating forms into the national language to avoid language problems, visiting premises in person, holding seminars on a regular or one-off basis, etc.
 14. There are differences in national review processes of the collated information, and in opinions on how to best enable transparency and to whom.
 15. Continuity through collator rotations can be greatly aided by comprehensive and up-to-date handover notes, as well as through close working relationships between predecessors/successors and technical experts.
 16. There is a genuine willingness by collators to help other collators, both those in States starting the process for the first time and those in States which have been submitting returns for some time but who may have specific questions on ways to improve the data collection process. States Parties should engage in a dialogue on different ways to strengthen the Confidence Building Measures. The results of this study could serve as an element for consideration for such a dialogue on the future of the CBMs.
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