

Ninth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

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Item 12 of the provisional agenda

Follow-up to the recommendations and decisions of the Eighth Review Conference and the question of future review of the Convention

Proposal for the establishment of a database for assistance under Article VII of the Biological and Toxin Weapons Convention

Submitted by India and France

I. Introduction

1. Article VII of the BTWC provides that, "Each State Party to this Convention undertakes to provide or support assistance, in accordance with the United Nations Charter, to any Party to the Convention which so requests, if the Security Council decides that such Party has been exposed to danger as a result of violation of the Convention.
2. The implementation of this Article is recognized as a key obligation under the Convention. However as acknowledged by previous outcome documents and discussions in the BTWC, there is a lack of detailed procedures or mechanisms for its implementation. Thus there is a need to set up an effective way to facilitate provision of assistance to ensure timely and adequate response to a situation involving the implementation of the provisions of Article VII. It is also essential to underline the concrete benefits of accession to the Convention.
3. It is widely recognized that international assistance should be considered in case of a biological outbreak, but this assistance would not necessarily need to be channeled through the BTWC, as the outbreak might not be due to a biological weapon. The provisions of Article VII refer to the specific situation in which the Security Council has decided that a State party has been exposed to a danger as a result of a violation of the Convention. However as noted in past Review Conferences, 'in view of the humanitarian imperative, pending consideration of a decision by the Security Council, timely emergency assistance could be provided by States Parties, if requested'.

II. The Proposal

4. India and France submitted a proposal for the establishment of a database for assistance in the framework of Article VII at the 2018 BTWC Meeting of States Parties. The proposal is for the BTWC ISU to establish, administer and maintain a database on a secure web-based platform, open to all States Parties and to be hosted on the BTWC ISU website. The purpose of a database on Article VII would be solely to implement Article VII of the BTWC and allow matching specific offers and requests for assistance.
5. The proposal seeks to respond to the need for developing effective measures and coordination with relevant international organizations to respond to biological or toxin weapons occurrences, while providing benefits to States Parties in terms of awareness,



information exchange, national and international preparedness, and capacity-building for such an event. Setting-up a database in the framework of the BTWC would not mean duplicating emergency assistance mechanisms already provided by regional or international organizations or bilateral arrangements. The database would include assistance in various forms including emergency assistance, containment measures and recovery assistance. The database would also serve as a concrete incentive for universalization of the Convention by providing a roadmap for operationalizing Article VII. The establishment of a voluntary trust fund under Article VII may also be considered.

6. The dedicated database could be established on the BTWC website and maintained by the ISU, along the same lines as the database established for assistance under Article X, but separate from it. Its purpose would be to provide for a confidential clearing-house tool for assistance requests and offers. It would be easily searchable and accessible to States Parties and could provide both for national points of contact, able to promptly examine demands in accordance with domestic procedures and/or for specific offers for assistance. These may include one or more of the following: expertise, information, protection, detection, decontamination, prophylactic and medical and other equipment that could be required to assist the States Parties in the event that a State Party is exposed to danger as a result of a violation of the Convention. The offers of assistance could emanate from States parties, individually or together with other States, as well as relevant international organizations. The database could also include agreed procedures for States Parties to seek and receive assistance. A regular update of information and resources available on the database would be essential.

7. In 2020, with the support of the BTWC ISU, an analysis of lessons learned from assistance databases utilized in relevant international organizations was conducted to identify and outline issues and to make deductions for further development of the database concept. In order to further contribute to the preparatory work for the database proposal, a series of three virtual workshops were conducted during spring 2021 with the support of the BTWC ISU to identify and discuss with State parties, international organizations and civil society specific issues that remain to be addressed. This provided a useful opportunity for exchange of views among States Parties on key issues including objectives and content of the Article VII database, that need to be addressed for the operationalization of the proposal.

8. Following the series of virtual workshops conducted in spring 2021, the BTWC Meeting of Experts on Assistance, Response, and Preparedness held in September 2021 allowed a precise and thorough exchange of views with all States Parties on key issues for the implementation of the database. Results of this inclusive and co-construct approach for our proposal have allowed reaching common understanding on the objectives and content of an Article VII database involving the following: (i) objectives and functions; (ii) types of assistance; (iii) categories of assistance resources; (iv) users and access. States Parties are now invited to agree at the Ninth Review Conference an article VII database.

III. Objectives and Content of an Article VII Database

Database objectives and functions:

- The Article VII database includes objectives and functions related to information exchange, the registry of assistance resources for responding to the use of a biological or toxin weapon;
- It also contributes to national and international preparedness to the use of a biological or toxin weapon, notably through the matchmaking of requests and offers of assistance, in coordination with relevant international organizations, while promoting public awareness on related issues.

Types of assistance that may be registered, requested and/or offered by States Parties:

- To avoid any duplication with the Article X database and to respect the scope of each article of the Convention, the Article VII database will only deal with types of assistance related to preparing and responding to the use of biological or toxin weapons;
- The Article VII database will be flexible regarding the types of assistance that may be registered, offered and/or requested which could for instance include information, rosters of experts or specialized institutions, capacity-building, field teams, off-field services, equipment, and funding;
- The possibility of establishing a voluntary trust fund for responding to the use of a biological or toxin weapon will require particular attention by States Parties.

Categories of assistance resources or capabilities that may be registered, requested and/or offered, which can be categorized in three main fields:

- Non-monetary contributions, among which expertise and information sharing;
- Pre-exposure preparedness capacity building, among which protection and detection, through every relevant means available, including for instance, pre-emptive training modules or population awareness and response;
- Post exposure response assistance, among which decontamination, prophylactic, if any, and containment measures.

Users and access:

- The database will be open for users from Government agencies of States Parties or other entities nominated through official channels (eg. Permanent Missions, designated National Contact Points in States Parties etc.);
- Users from international organizations (IO) through the designated contact point in relevant organizations;
- Users from NGOs, if registered as users by designated contact points in State Parties;
- Similar to the agreed approach for the existing Article X database, registered resources ranging from information to capacity building, expertise and equipment could be made publicly available. The offering State Party may indicate the type and scope of their assistance. Access to workflows for requests and specific offers of assistance would be limited to the designated users.

IV. Modular Approach to Database Development

9. A modular approach in the development of an Article VII database is deemed preferable to facilitate the early introduction of the tool which is meant to be an operational tool. More sophisticated features or functions could be implemented in later phases, taking into account feedback provided by users, and could be at the agenda of the next intersessional program.

10. A first phase s will focus on the registration of users and assistance resources, that is, on identifying and registering contact points and users in States Parties and relevant international organizations and start collecting information and registering assistance resources. This will allow addressing one of the main challenges in assistance response mechanisms, namely identifying the availability and readiness of assistance resources.

11. A second phase will then focus on implementing requests for assistance and interactive matchmaking functions in connection with preparedness and capacity-building related measures. During this phase mechanisms and tools for facilitating needs assessments in States Parties, and for conducting gap analyses concerning the availability of registered assistance resources could be developed. Furthermore, options for online coordination of training events among States Parties or the conduct of virtual simulations or exercises could also be considered in this phase.

12. Finally, a third phase will focus on implementing requests for assistance and interactive matchmaking functions in a response scenario, subject to the development by States Parties of procedures for requests and offers of assistance and eventually for response coordination.

V. Future Steps

13. India and France have adopted a milestone approach comprising inclusive discussions with all States parties to the Convention to produce this updated version of the proposal, incorporating their feedback and views.

14. The Meeting of Experts dedicated to assistance and response (MX4) of the BTWC held in September 2021, constituted a key step to consult all States parties before publishing a final proposal aiming at giving every State party the chance to contribute and provide inputs.

15. States Parties may agree at the Review Conference to establish a dedicated database on the BTWC website and maintained by the ISU, along the same lines as the database established for assistance under Article X, but separate from it.
