

BWC MX3 2021: Speaking Notes

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Agenda item 4: Measures related to Article IV of the Convention

- First, I would like to thank Cuba, Iraq and Japan for their working papers under this agenda item and the sharing of information on their efforts to strengthen implementation of the Convention on the national and regional level. We are also grateful to France, OAS and Vertic for the technical presentations on their activities in support of national implementation.
- Switzerland fully shares the view that national implementation is a wide-ranging topic that requires action on multiple levels. The sharing of such information and reviewing aspects related to national implementation is necessary to further the implementation of the Convention and provide reassurance about effective BWC implementation.
- It is important that national legislation, regulations and associated control mechanisms are put into effect and adapted regularly. As already referred to during MX2, Switzerland recently updated its national biosafety and biosecurity regulation that I am briefly going to introduce here.
- Switzerland revised its ordinance regulating the handling of pathogenic and genetically modified organisms in containment, such as in laboratories. It is applicable to all activities with such organisms, regardless of location, institution or source of funding. Any handling of such organisms is subdivided into four Classes of activities. The Class of a given activity is determined after a thorough biosafety and biosecurity risk assessment. Class 1 and Class 2 activities are to be notified to the competent Swiss federal authorities, whereas an authorization is required in the case of Class 3 and Class 4 activities. Previously, this risk-based approach primarily focused on biosafety. It has now been complemented with a definition of misuse and requires, among other aspects, considering the risk of misuse when determining adequate biosecurity measures. In particular, a non-exhaustive list of criteria has to be taken into account that is inspired by the "seven experiments of concern" as referred to in the so-called Fink report "Biotechnology Research in an Age of Terrorism" of the US National Academies of Sciences.
- This approach allows for a holistic assessment of activities in terms of both their potential biosafety and biosecurity implications.
- In addition, requiring life scientists to consider the risk of misuse of their work in the framework of our legislation complements other awareness-raising efforts, including Codes of Conduct and biosafety, biosecurity and bioethics education, in promoting a culture of responsibility and ensuring responsible conduct of research.

Agenda item 5: CBM submissions in terms of quantity and quality

- Improving the confidence-building measures under the BWC, especially in terms of quantity and quality, is of great importance as the CBMs are currently the only agreed upon instrument in the framework of the BWC that contributes to transparency and confidence building among States Parties and plays an important role in preventing and reducing the occurrence of ambiguities, doubts and suspicions.
- We are pleased to see that CBM submissions in 2021 are, like last year, at an all-time high so far, and thank all States Parties that participated in this process. However, more than half of States Parties still do not submit any data, and Switzerland urges all States Parties to actively participate in this important exchange of information.
- Like other States Parties, Switzerland is of the view that we need to continue our discussions on technical adjustments to the CBM forms, with a view to improving the quality of submissions and taking into account developments since the 1980s when the current CBMs were drafted, including advances in science and technology.
- We need to review the numerous suggestions made during the current and previous intersessional process to improve the relevance and utility of the current CBM forms. Updating the kind of information that has to be provided and the manner in which it is presented promises to increase the quantity and quality of CBM submissions.
- As explained by my UK colleague, a case in point with relevance for the Covid-19 pandemic has been raised in WP4, submitted by Sweden, Switzerland, and the United Kingdom to MX3 in 2019, and WP6, submitted by the Netherlands, Switzerland, and the UK in 2017, on the topic of CBM reporting of vaccine production facilities in Form G.
- In terms of process, we continue to be convinced that the step-by-step approach to CBM participation as first suggested by Japan is a very valuable concept that promises to increase participation. Likewise and as our own experience suggests, the electronic CBM platform facilitates and simplifies the preparation and submission of CBMs – we highly encourage States Parties to make use of it.

Agenda item 6: Ways to promote transparency and confidence building under the Convention

- There are unilateral, bilateral and multilateral ways to promote transparency and confidence building under the BWC.
- First and foremost, the CBM mechanism provides useful information concerning the state of implementation of the BWC and, in doing so, fosters transparency and confidence-building among States Parties. The quality and scope of the information provided in annual reports play an important role in effectively contributing to this aim.
- The strengthening of the CBM mechanism by updating the forms and assessing the information contained therein requires our full attention to promote transparency and confidence building under the Convention.
- We should also continue to explore additional transparency and confidence-building measures. The pursuit of voluntary peer-review exercises and transparency visits is a very

valuable undertaking to promote transparency and confidence building under the Convention and should be further developed and refined.

- In this regard, Switzerland welcomes the proposal for the establishment of an exchange platform for voluntary transparency exercises as suggested in WP4 by France and other States Parties to allow for the exchange of information, experiences and good practices. We remain flexible as regards the structure and design of such a platform, and recognise that an agreement on this matter is related to other decisions we are going to take.

Agenda item 7: Role of international cooperation and assistance under Article X, in support of strengthening the implementation of the Convention

- It is important that States Parties in need of assistance receive the support they require. Article X has a key role to play in support of strengthening the implementation of the Convention, notably by contributing to capacity building at the national level. We need to strengthen international cooperation and assistance under Article X also with this particular aim in mind, including engagement with international partners, industry and academia.
- In this regard, we thank the United States for WP2 and welcome the idea to develop an online database of national implementation measures to further the implementation of the Convention in States Parties.

Agenda item 8: Issues related to Article III, including effective measures of export control

- An effective national export control system is an important aspect of the implementation of the BWC. The purpose of bioweapons-related export controls is to minimize the risk of contributing to the proliferation of biological agents, materials, equipment and means of delivery for purposes that are contrary to the provisions of the Convention.
- Exports of relevant goods should therefore require government permission and oversight of transfers, consistent with Article III of the BWC, while ensuring that exchanges for peaceful purposes remain unhindered.
- The Swiss export control system and our activities in this area are guided by these principles and considerations.
- Over the course of the past intersessional process, several pertinent working papers have been submitted on the issue and we agreed on a number of common understandings on the importance of export controls as a national implementation measure, with a view to improve implementation of Article III of the Convention.