

BWC MX2 2021: Speaking Notes delivered by Switzerland

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Agenda item 4: Review of science and technology developments relevant to the Convention, including for the enhanced implementation of all articles of the Convention as well as the identification of potential benefits and risks of new science and technology developments relevant to the Convention, with a particular attention to positive implications

National statement and presentation of WP10 (Switzerland)

- Switzerland attaches great importance to the topics under discussion in MX2, since developments in science and technology in the life sciences play a pivotal role for the effectiveness and continued relevance of the BTWC.
- Switzerland submitted WP10 with the title "Managing Biosafety and Biosecurity Risks: the Importance of Codes of Conduct and a BTWC Science and Technology Advisory Process".
- In the current intersessional period, a number of States Parties including Switzerland have taken a systematic approach to MX2.
- In 2018 we contributed to the rich discussions on benefits and concerns that may arise with certain scientific and technological advances.
- In 2019 Switzerland particularly engaged in the discussions on approaches to assessing risks and benefits.
- This year's WP10 discusses the subsequent dimension of biosafety and biosecurity risk management, and explores two important aspects thereof:
 - The usefulness of codes of conduct in support of robust biosafety and biosecurity systems, and
 - the value of a thorough science and technology advisory process within the BTWC that assesses benefits and risks and identifies potential options for risk mitigation and timely action.
- Switzerland believes that our MX2 intersessional discussions in recent years have clearly demonstrated how both codes of conduct and science and technology advice are two concrete pillars of a robust risk management system to adequately cope with advances in science and technology of relevance to the Convention with a view to minimizing the risks of misuse while not hindering beneficial applications.
- With regard to codes of conduct I will elaborate at a later stage, since agenda item 6 addresses this particular issue.
- With regard to a science and technology advisory process, Switzerland welcomes the impressive number of WPs submitted to this year's MX2 that explicitly or implicitly deal with this particular topic, including WP3 by the United Kingdom, WP4 by the Russian Federation, WP5 by Germany and UNIDIR, WP7 by the United States, WP11 by the Islamic Republic of Iran, and WP12 by Cuba.

- Switzerland attaches great importance to this topic that has been considered by States Parties for years.
- This is also reflected in a total of 6 Swiss WP that we have submitted over the last couple of years.
- Similar to the views expressed in WP3 by the United Kingdom, Switzerland's WP10 stresses the important role of a science and technology advisory process that would significantly increase the assessment capabilities within the BTWC and thus support efforts in managing risks associated with the potential misuse of the life sciences, and equally enable the exploration of beneficial applications, including those of special relevance to disease surveillance, diagnosis and mitigation.
- This is particularly important, because scientific and technological developments underpin all operational articles of the Convention.
- Switzerland believes that it is now time to work towards an agreement at the upcoming Ninth Review Conference and to have States Parties agree on a science and technology advisory process that is:
 - dedicated,
 - specialized (i.e. technical and independent),
 - structured, and
 - systematic.
- Discussions over the last couple of years indicated commonalities of views on many aspects of such a process, or at least a considerable degree of political flexibility.
- One of the most contested aspects concerns the composition of and participation in such an advisory process, an issue that is also visible when comparing the MX2 WPs submitted on this topic this year.
- We agree with the growing number of voices that the seemingly irreconcilable calls for inclusiveness and manageability are not necessarily mutually exclusive and underline the potential value of exploring "hybrid" approaches that have emerged in recent discussions, such as the recent publication by UNIDIR mentioned in WP5 or the workshop report by the Federation of American Scientists annexed in WP7.
- Switzerland is convinced of the need to surmount any binary perspectives and explore alternative models that present options for striking the right balance between inclusiveness and manageability of a science and technology advisory process through functional structures and the goal-oriented allotment of experts to specific tasks.
- In our view, the growing number of "hybrid" examples demonstrate the importance of adequate organizational structuring, irrespective of the approach taken, since total numbers of involved experts in a manageable advisory process with limited membership will be likely in a comparable range as for an inclusive advisory process open to all States Parties.
- This is due to the breadth of topics to be covered by an advisory process that will need to be managed in several sub-groups or temporary working groups.
- Constructive consideration of the various approaches is now needed, in order to find the right balance between inclusiveness and manageability.
- With this, I thank you Mr. Chairman.

Agenda item 5: Biological risk assessment and management

National statement

- Thank you Mr. Chairman.
- As discussed in the Swiss WP10, risk assessment and management are central aspects in finding adequate ways to cope with advances in science and technology of relevance to the Convention that on the one hand minimize the risks of misuse and on the other hand do not hinder beneficial applications, including those of special relevance to disease surveillance, diagnosis and mitigation.
- Switzerland welcomes the gained momentum for this important discussion, as highlighted with the submission of several WP under this agenda item, including WP1 and 8 from the United States, WP2 from a group of States, and WP3 from the United Kingdom.
- We are convinced that a broader exchange on national experiences on governance approaches that may include binding legal measures and / or informal measures tailored to national needs is highly beneficial for the BTWC community to understand specific situations and potential challenges.
- Obviously, this means that a multitude of approaches to biosecurity and the governance of the dual use aspect exist nowadays on national levels.
- In this sense, I will briefly summarize how Switzerland addresses the issues of biosafety, biosecurity and the dual use aspect in life science research.
- Swiss legislation imposes strict biosafety and biosecurity measures by means of the Ordinance on Handling Organisms in Contained Systems - the latest revision of which took effect on 1 January 2020.
- The ordinance regulates any handling of organisms in containments such as in laboratories.
- This includes all pathogenic as well as genetically modified organisms.
- It is applicable to all activities with such organisms, regardless of location, institution or source of funding.
- Any handling of such organisms is sub-divided into four Classes of activities that each imply certain biosafety and biosecurity measures that need to be taken.
- The Class of a given activity is determined by a thorough risk assessment.
- Class 1 and Class 2 activities are to be notified to the competent Swiss federal authorities, whereas an authorization is necessary in the case of Class 3 and Class 4 activities.
- The ordinance defines misuse and stipulates the consideration of 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 so-called "seven experiments of concern" of the Fink Report published in 2003 (US National Academies of Sciences, Engineering and Medicine (NASEM): "Biotechnology Research in an Age of Terrorism").
- In addition, strict biosafety measures pertain to a certain degree on various aspects of biosecurity as well.
- This approach allows for and also counts on a holistic assessment of activities in terms of biosafety and biosecurity.
- On the side of informal measures, there are on-going efforts in Switzerland to continually broaden the outreach network that has existed for many years, in order to raise awareness among scientists about the dual use aspect and existing legal obligations.

- An interesting avenue in the future could also be the recently established ISO 35001:2019 standard called "Biorisk management for laboratories and other related organisations", as elaborated in WP2 submitted by a group of States Parties and presented by Belgium yesterday.
- Implementation of ISO 35001 can significantly aid institutions in reviewing their biorisk management practices in a systematic way.
- Thank you Mr. Chairman.

Agenda item 6: Development of a voluntary model code of conduct for biological scientists and all relevant personnel, and biosecurity education, by drawing on the work already done on this issue in the context of the Convention, adaptable to national requirements

National statement

- Thank you Mr. Chairman.
- As elaborated in WP10 submitted by Switzerland, we believe that codes of conduct can usefully enhance existing biosafety and biosecurity systems and awareness raising among scientists about the dual use aspect.
- Past discussions in this forum noted that any approach on the international level will have to take into account pre-existing national systems and that there is no one-size-fits-all model for addressing biosecurity and the dual use aspects.
- This requires a model code of conduct to be flexible and adaptable.
- Switzerland recognizes a very promising approach in the recently released "Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists" that have been endorsed and published on the website of the InterAcademy Partnership.
- Much in line with WP6 submitted by China and Pakistan, Switzerland believes that these guidelines for codes of conduct are broadly applicable and come with the flexibility and adaptability needed, in order to develop, on a voluntary basis, tailor-made codes of conduct on an institutional level that address the specific needs and are in accordance to national pre-existing systems.
- Since the Tianjin Biosecurity Guidelines in the field of the life sciences would constructively complement the Hague Ethical Guidelines in the field of chemistry, Switzerland supports the view of reaching consensus at the Ninth Review Conference on:
 - Recognizing the value of guidelines and standards of conduct in the life sciences for strengthening biosafety and biosecurity, and
 - Endorsing the Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists.
- Thank you Mr. Chairman.