

PREVIOUS AGREEMENTS AND UNDERSTANDINGS UNDER THE CONVENTION RELEVANT TO CAPACITY BUILDING IN THE FIELDS OF DISEASE SURVEILLANCE, DETECTION, DIAGNOSIS AND CONTAINMENT

Submitted by the Implementation Support Unit

Summary

This paper collects texts relevant to the topic of promoting capacity building in the fields of disease surveillance, detection, diagnosis and containment, drawn from the Convention itself, the Final Declaration of the Sixth Review Conference in 2006, and the respective reports of the Meetings of States Parties in 2004 and 2008.

I. Article X of the Convention

1. In the text of the Convention itself, the main link to capacity building in the fields of disease surveillance, detection, diagnosis and containment is in Article X, which reads:

"(1) The States Parties to this Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes. Parties to the Convention in a position to do so shall also cooperate in contributing individually or together with other States or international organizations to the further development and application of scientific discoveries in the field of bacteriology (biology) for prevention of disease, or for other peaceful purposes.

(2) This Convention shall be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international cooperation in the field of peaceful bacteriological (biological) activities, including the international exchange of bacteriological (biological) and toxins and equipment for the processing, use or production of bacteriological (biological) agents and toxins for peaceful purposes in accordance with the provisions of the Convention."

II. Sixth Review Conference

2. The Final Declaration of the 2006 Sixth Review Conference of the Convention¹ dealt with capacity building in the fields of disease surveillance, detection, diagnosis and containment mainly under Article X, where language from previous review conferences was reaffirmed and considerably expanded. There was also a reference under Article IV, which concerns national implementation of the Convention.

¹ BWC/CONF.VI/6, Part II.

Article X

"48. The Conference reaffirms that existing institutional ways and means of ensuring multilateral cooperation among all States Parties need to be developed further in order to promote international cooperation for peaceful uses in areas relevant to the Convention, including such areas as medicine, public health, agriculture and the environment.

49. The Conference calls for the use of the existing institutional means within the United Nations system and other international organizations, in accordance with their respective mandates, to promote the objectives of this Article. In this regard the Conference urges States Parties, the United Nations and its specialized agencies to take further specific measures within their competence for the promotion of the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes and of international cooperation in this field.

50. The Conference also recognises that there should be efficient coordination mechanisms between the specialized agencies of the United Nations system and international and regional organizations, in order to facilitate scientific cooperation and technology transfer.

...

53. The Conference urges States Parties to develop frameworks for disease surveillance in humans, animals and plants, and to support programmes for effective responses at the national, bilateral, regional and multilateral levels, including through the conclusion of appropriate agreements that would promote the regular exchange of scientific and technical information in these fields.

...

55. The Conference:

- (i) encourages the States Parties to continue strengthening existing international organizations and networks working on infectious diseases, in particular those of the WHO, FAO, OIE and IPPC, within their respective mandates;
- (ii) notes that the role of these organizations is limited to the epidemiological and public/animal/plant health aspects of any disease outbreak, but recognises the added value of information exchange with them;
- (iii) encourages States Parties to improve communication on disease surveillance at all levels, including between States Parties and with the WHO, FAO, OIE and IPPC;
- (iv) calls upon States Parties to continue establishing and/or improving national and regional capabilities to survey, detect, diagnose and combat infectious diseases as well as other possible biological threats and integrate

these efforts into national and/or regional emergency and disaster management plans;

- (v) urges States Parties in a position to do so to continue supporting, directly as well as through international organizations, capacity-building in States Parties in need of assistance in the fields of disease surveillance, detection, diagnosis and combating of infectious diseases and related research;
- (vi) calls upon States Parties to promote the development and production of vaccines and drugs to treat infectious disease through international cooperation and, as appropriate, public-private partnerships.

56. The Conference recognises the important role of the private sector in the transfer of technology and information and the wide range of organizations within the United Nations system that are already engaged in international cooperation relevant to this Convention."

Article IV

"13. The Conference reaffirms the commitment of States Parties to take the necessary national measures to strengthen methods and capacities for surveillance and detection of outbreaks of disease at the national, regional and international levels."

III. 2004 Meeting of States Parties

3. The Meeting of States Parties in 2004 was mandated by the Fifth Review Conference to "discuss, and promote common understanding and effective action on strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants". The Report of the Meeting of States Parties² included the following common understandings on this topic:

"18. On the mandate to discuss, and promote common understanding and effective action on strengthening and broadening national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious diseases affecting humans, animals, and plants, the States Parties recognised that:

- a) infectious disease outbreaks can be contained and suppressed through early-detection, immediate response and co-operation and support at the national and international level;
- b) strengthening and broadening national and international surveillance, detection, diagnosis and combating of infectious disease may support the object and purpose of the Convention;
- c) the primary responsibility for surveillance, detection, diagnosis and combating of infectious diseases rests with States Parties, while the WHO, FAO and OIE have global responsibilities, within their mandates, in this regard. The respective

² BWC/MSP/2004/3

- structures, planning and activities of States Parties and the WHO, FAO and OIE should be co-ordinated with and complement one another;
- d) scientific and technological developments have the potential to significantly improve disease surveillance and response.

19. The States Parties consequently agreed on the value of:

- a) supporting the existing networks of relevant international organisations for the surveillance, detection, diagnosis and combating of infectious diseases and acting to strengthen the WHO, FAO and OIE programmes, within their mandates, for the continued development and strengthening of, and research into, rapid, effective and reliable activities for the surveillance, detection, diagnosis and combating of infectious diseases, including in cases of emergencies of international concern;
- b) improving, wherever possible, national and regional disease surveillance capabilities, and, if in a position to do so, assisting and encouraging, with the necessary agreement, other States Parties to do the same;
- c) working to improve communication on disease surveillance, including with the WHO, FAO and OIE, and among States Parties."

IV. 2008 Meeting of States Parties

4. The 2008 Meeting of States Parties was mandated by the Sixth Review Conference to "discuss, and promote common understanding and effective action on national, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins". The Report of the Meeting of States Parties³ included the following common understandings that may also be relevant to the topic of promoting capacity building in the fields of disease surveillance, detection, diagnosis and containment:

"22. States Parties noted that pursuing biosafety and biosecurity measures could also contribute to the fulfilment of their other respective international obligations and agreements, such as the revised International Health Regulations of the WHO, and relevant codes of the World Organisation for Animal Health (OIE). The States Parties recalled United Nations Security Council Resolution 1540 (2004) that places obligations on all states and is consistent with the provisions of the Convention.

23. Recalling that the Sixth Review Conference stressed the legal obligation to facilitate and have the right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of bacteriological (biological) agents and toxins for peaceful purposes, States Parties recognised the value of cooperation and assistance to build biosafety and biosecurity capacity, particularly in States Parties in need of assistance in the fields of disease surveillance, detection, diagnosis and combating of infectious diseases and related research.

24. States Parties encouraged those States Parties in a position to do so to provide assistance, upon request, to other States Parties to enact and improve national legislation to implement biosafety and biosecurity; to strengthen laboratory infrastructure,

³ BWC/MSP/2008/5

technology, security and management; to conduct courses and provide training; and to help incorporate biosafety and biosecurity in existing efforts to address emerging or re-emerging diseases. States Parties noted that where relevant assistance is currently available bilaterally and regionally, as well as through international organisations, those seeking assistance are encouraged, as appropriate, to make use of existing offers to the fullest extent possible."
