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Meeting of States Parties to the BTWC

10 - 14 December 2007

**Statement by Portugal
on behalf of the European Union**

Geneva, 10 December 2007

(Check against delivery)

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Mr. Chairman,

I have the honour to speak on behalf of the European Union.

The Candidate Countries Turkey, Croatia* and the former Yugoslav Republic of Macedonia¹, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, as well as Ukraine, the Republic of Moldova, Armenia and Georgia align themselves with this declaration.

Mr. Chairman,

1. First of all I would like to congratulate you on your election as the chair of this meeting. We are of the opinion that under your capable and experienced leadership our meeting will be successful.
2. This is the first meeting of States Parties of the intersessional period 2007-2011. We will be discussing the findings of the Meeting of Experts that was held last August. The EU considers the outcome of that Meeting very positive and a good basis to engage in an in depth discussion of the two topics under consideration this year: on the one hand, ways and means to enhance national implementation, including enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions; on the other hand, regional and sub-regional cooperation on the implementation of the Convention.

Mr. Chairman,

3. The EU attaches the utmost importance to the effective implementation of the obligations of the BTWC. 35 years after its signature, the Biological and Toxins Weapons Convention remains the internationally recognized normative and legal cornerstone of biological disarmament and non proliferation.
4. Following the adoption of the 2003 Weapons of Mass Destruction Strategy, the EU Member States have increased their efforts in order to implement fully the provisions of the Convention. In fact, all EU Member States have taken, in the last few years, further measures to enhance national implementation of the Convention.

¹ *Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.*

5. In order to share the European Union's views in this field, the EU has produced a working paper on legal implementation and enforcement. Since the BTWC provisions are comprehensive in scope and drafted in generic terms, national implementation must not limit itself to the transposition of those provisions into domestic legislation. Internal laws must be constructed in an all encompassing way in order to prohibit and prevent all potential actors from becoming involved in BW prohibited activities. Implementation should encompass control of transfers, bio-safety and bio-security measures, the enactment of penal legislation to enforce prohibitions, as well as administrative enforcement regulations and agencies.
6. The European Union has adopted, in 2006, an Action Plan aimed at revitalizing the interest in and use of Confidence Building Measures (CBMs) among EU Member States and increasing the effectiveness of the current UN Secretary General's mechanism for investigating cases of alleged use of (chemical) biological and toxin weapons. Since then, all EU Member States have submitted their CBMs on a regular basis.
7. The confidence building measures have been put in place with the aim of enhancing transparency and improving the implementation of the Convention. Form "E" in particular, focuses on the declaration of legislation, regulations and other measures implemented by States Parties. The sixth Review Conference noted that only a limited number of States Parties make an annual CBM submission and agreed on several measures to update the mechanism of transmission of information and to enhance participation. In order to promote the important objective of increasing participation beyond 2007, the European Union has elaborated a working paper.

Mr. Chairman,

8. The creation of the Implementation Support Unit was one of the most important achievements of last year's Review Conference. The Unit plays an indispensable role in the areas of administrative support, receipt and dissemination of CBMs and implementation of all decisions and recommendations of the Review Conference. The EU believes that its expertise could also be used to perform other tasks in the fields of implementation, cooperation and assistance as well as universalisation.
9. In order to maximize the utility of the ISU, and bearing in mind its limited financial and human resources, the EU is considering providing, through the adoption of a Joint Action additional financial assistance to support possible specific activities and projects designed to help the ISU to fulfil its mandate.
10. The European Union has produced a working paper with suggestions on possible activities of the ISU that could be supported by States Parties. We would like to call on all States to consider the suggestions put forward and the possible financing of the ISU.

Mr. Chairman,

11. Through its Common Foreign and Security Policy (CFSP) the EU has, in recent years, actively carried out universalisation efforts and provided assistance to third countries in the elaboration of adequate and effective national implementation measures, both of legal and administrative nature. This was made possible mainly through the adoption, in 2006, of an EU Joint Action in support of the BTWC².
12. The Joint Action intends to promote two major objectives: firstly to increase the membership of the BTWC and secondly to assist States Parties to transpose the obligations of the BTWC into appropriate national legislation and administrative measures. The first objective is being pursued through the organisation of regional workshops. The second objective is being pursued through the provision of technical assistance to States Parties to the Convention.
13. The support for national implementation of the BTWC, namely the drafting of the legislative and administrative measures, is channelled through an internet-based Information and Collaboration Management System (ICMS) and through Technical Assistance Visits (TAV).
14. Last August, the EU carried out the first technical assistance visit to Peru. The objectives of the visit included providing on-site assistance for Peru to enhance its implementation of the BTWC. In our view, this focused approach is fundamental in order to allow the elaboration of legislative measures tailored to the special needs of each country seeking support, thus enabling them to set up their internal legal framework in a more expedite manner. The European Union has prepared, together with Peru, a Joint Working Paper containing the lessons learned in the TAV.
15. We are considering organizing more technical assistance visits during 2008. Therefore, we would like to encourage all States Parties in need to present a request for assistance.
16. As foreseen in the Joint Action, the EU intends to organise, in the near future, a fifth regional workshop in the Middle East. Experience drawn from the regional workshops in Kenya, Thailand, Costa Rica and Senegal proved the utility of this framework to promote the universality of the BTWC as well as to better understand the perspectives and needs of national stakeholders.

Mr. Chairman,

17. Regional and sub-regional cooperation on the implementation of the Convention does not imply only cooperation with States. The expertise of some international organisations in the elaboration of mechanisms for surveillance and detection of disease outbreaks should also be taken into account by States Parties to the BTWC.

² 2006/184/CFSP.

18. In this context, the European Union hopes to finalise soon a new Joint Action in support of the World Health Organization activities in the area of bio-safety and bio-security in the framework of the European Union Strategy against the proliferation of WMD. The main thrust of this new initiative is to ensure the safety and security of microbial or other biological agents and toxins in laboratories and other facilities, including during transportation as appropriate and promoting bio-risk reduction practices and awareness. The EU looks forward to discuss these issues further in the Meeting of Experts and the Meeting of States Parties, to be held in 2008.
19. The EU would like to encourage all States to support the World Health Organisation (WHO), the World Organisation for Animal Health (OIE), the Food and Agriculture Organisation (FAO) and the International Plant Protection Convention (IPPC) and cooperate, where possible, with those international organisations in the response to and mitigation of outbreaks whether they occur naturally, or are the result of the use of biological weapons.
20. The EU has produced a working paper on Assistance and Cooperation in the framework of the BTWC.

Mr. Chairman,

21. The need for a continued effort to enhance implementation as well as for regional and sub-regional cooperation will remain central issues in the Convention's framework for years to come. It is therefore necessary to continue focusing on specific and concrete measures to ensure that the BTWC maintains its relevance in the face of existing and emerging threats posed by biological weapons.
22. The European Union is convinced that the Meeting of States Parties should now take stock of the technical debate carried out by experts without repeating it, and identify possible consensual elements. Building on this common ground, the final document should make practical recommendations on how to promote further common understanding and effective action on the two topics under discussion during this year.

Mr. Chairman,

23. The European Union stands ready to assist you in your endeavours to work towards a positive outcome of the Meeting.

Thank you Mr. Chairman.