



**Tabletop Exercise (TTX)
on the Implementation of Article VII
of the Biological and Toxin Weapons Convention (BTWC)**

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Previous publications on BTWC Article VII

Jean Pascal Zanders, Elisande Nexon and Ralf Trapp, *Report of the Tabletop Exercise (TTX) on the Implementation of Article VII of the Biological and Toxin Weapons Convention (BTWC)* (Fondation pour la Recherche Stratégique: Paris, July 2017)

<<http://www.the-trench.org/wp-content/uploads/2013/06/201707-FRS-BTWC-Article-VII-TTX-report.pdf>>

Jean Pascal Zanders, Ralf Trapp and Elisande Nexon, *Report of the Second Tabletop Exercise (TTX) on the Implementation of Article VII of the Biological and Toxin Weapons Convention (BTWC)* (Fondation pour la Recherche Stratégique, Paris, August 2019)

<<http://www.the-trench.org/wp-content/uploads/2019/08/20190804-BTWC-Article-VII-TTX-Lom%C3%A9-report-Final-EN.pdf>>

Jean Pascal Zanders, *The Meaning of 'Emergency Assistance': Origins and negotiation of Article VII of the Biological and Toxin Weapons Convention* (The Trench and the Fondation pour la recherche stratégique: Ferney-Voltaire and Paris, August 2018)

<<http://www.the-trench.org/wp-content/uploads/2018/08/Meaning-of-Emergency-Assistance-Final.pdf>>

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Introduction

This publication reports on the third tabletop exercise (TTX) to better understand how a party to the Biological and Toxin Weapons Convention (BTWC) may trigger Article VII to obtain international assistance if it is exposed to a danger resulting from a treaty violation. Such a danger may include the use or the threat of use of biological weapons (BW) by another state party.

The first (Geneva, November 2016¹) and second TTXs (Lomé, May 2019²) achieved better understanding of the elements required to trigger Article VII and the consequences such action may have on the organisation of international assistance. They also put into sharper relief certain questions BTWC states parties will have to address even before the first item of assistance is shipped to the disaster area. The exercises revealed a deep concern among participants about how invoking Article VII might inadvertently escalate an ongoing conflict. Both scenarios also involved the presumed deliberate release of a contagious human pathogen. The third TTX introduced two significant changes to the scenario. It tested whether, in the minds of participants, Article VII would also apply if a zoonotic disease agent were intentionally deployed in a conflict zone. It also sought to understand whether the insertion of a round of diplomatic consultations into the Article VII process might mitigate, if not avert some of the unintended consequences resulting from the provision's invocation.

Being one of the BTWC's more obscure provisions, Article VII only attracted state party attention over the past decade or so. In follow-up to the decision of the 7th Review Conference (2011), states parties for the first time looked more closely at the provision during the August 2014 Meeting of Experts (MX). As it happened, the gathering coincided with the expanding Ebola crisis in West Africa. The epidemic, while a natural occurrence, gave urgency to the concrete implementation of Article VII. The daily images of victims and fully protected medical staff broadcast around the world left lasting impressions of how a biological attack from another state or terrorist entity might affect societies anywhere.

¹ Jean Pascal Zanders, Elisande Nexon and Ralf Trapp, Report of the Tabletop Exercise (TTX) on the Implementation of Article VII of the Biological and Toxin Weapons Convention (BTWC) (Fondation pour la Recherche Stratégique: Paris, July 2017),

<<http://www.the-trench.org/wp-content/uploads/2013/06/201707-FRS-BTWC-Article-VII-TTX-report.pdf>>

² Jean Pascal Zanders, Ralf Trapp and Elisande Nexon, *Report of the Second Tabletop Exercise (TTX) on the Implementation of Article VII of the Biological and Toxin Weapons Convention (BTWC)* (Fondation pour la Recherche Stratégique, Paris, August 2019),

<<http://www.the-trench.org/wp-content/uploads/2019/08/20190804-BTWC-Article-VII-TTX-Lom%C3%A9-report-Final-EN.pdf>>

Operationalising Article VII has proven more complex than anticipated. The provision comprises several clauses that upon closer inspection fit ill together and hence obscure its originally intended goals. In addition, it lacks instructions about how a state party should trigger it or the global community respond after its invocation.

Article VII reads as follows:

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.

Today, ‘assistance’ is widely accepted to mean a humanitarian response and not, for instance, military intervention. However, if assistance was indeed intended to be humanitarian, then the questions arises why the article points to the UN Charter or requires UN Security Council (UNSC) action. Moreover, the text does not actually refer to a biological attack, but to the much broader concept of exposure to danger as a result of a treaty violation. While deliberate use of a contagion would definitely constitute a serious breach, dangers to a state party may arise from infringements of other provisions too.

The negotiation history of Article VII reveals the origins of the different clauses and how the text evolved between its initial introduction by the United Kingdom in 1968 and the adoption of the final treaty text in 1971. However, it reveals little about the negotiators’ intent regarding activation of the article in case of necessity.³

Since then new elements have entered the debate on how to operationalise Article VII. During the 1980-89 Iran-Iraq war the UN General Assembly and the UNSC created an international mechanism to investigate use of chemical and biological weapons (CBW) under the responsibility of the UN Secretary-General (UNSG). With the confirmed repeated use of chemical weapons by government forces and international terrorist entities in the Syrian civil war since 2013, the idea of investigation moved beyond establishing the fact of CBW use to identification of the perpetrator and attributing (individual) criminal responsibility for violating international law. While this UNSG investigative mechanism falls outside the BTWC, states parties over the years have tried to link it more closely to the convention. Hence, triggering Article VII might now lead to an expectation by several states parties that the violation be independently confirmed prior to any assistance action.

³ Jean Pascal Zanders, *The Meaning of ‘Emergency Assistance’: Origins and negotiation of Article VII of the Biological and Toxin Weapons Convention* (The Trench and the Fondation pour la recherche stratégique, Ferney-Voltaire and Paris, 8 August 2018), available from <http://www.the-trench.org/wp-content/uploads/2018/08/Meaning-of-Emergency-Assistance-Final.pdf>.

The 8th Review Conference (2016) ended in failure. The only provision that received significant new language was Article VII, which now comprises 15 paragraphs that list objectives, challenges and possible ways forward in the final report. In the current inter-sessional period (2018-20) a two-day MX entitled ‘Assistance, Response and Preparedness’ is held every year and will hopefully yield new insights and decision proposals for consideration during the 9th Review Conference in 2021.

The *Fondation pour la recherche stratégique* organised the third TTX in partnership with the BTWC Implementation Support Unit (ISU) at the United Nations in Geneva on 8 and 9 August 2019. Around 50 people participated, including diplomats and government officials, and representatives from international organisations, academia and non-governmental organisations. The Ministry of Europe and Foreign Affairs of France supported the exercise with a generous grant.

Goals and framework

The primary goal of the exercise was to stimulate reflection on the decision-making processes both within a state party to the BTWC and by the international community that might trigger Article VII of the BTWC. Such reflection would cover (but not be limited to):

- Determination of the conditions that could trigger Article VII;
- Determination of the steps one or more State Parties would have to undertake to trigger Article VII;
- Consideration of the circumstances under which the international community may be willing to consider requests under Article VII.

Specific questions that had to be considered included (but were not limited to):

- What steps or measures need to be identified / implemented ahead of an outbreak?
 - On the national level?
 - On the international level?
- What areas should such preparatory steps or measures cover?
 - To receive or facilitate receipt of international assistance?
 - To foresee and prepare for the impact of an outbreak on a country's social fabric (e.g., economy and trade, travel, schools, public events, fear, education and outreach concerning the crisis, etc.)?
- What steps or measures would the community of states parties need to undertake to operationalise Article VII?
 - Are there any preconditions to launching such a request?
 - Is there a need for independent confirmation that an outbreak is deliberate before Article VII can be triggered? If so, who will make the determination?
 - What type of information should the request contain?
 - With whom should the request be filed?
 - Should mechanism provided in other parts of the BTWC be utilised?
 - Can a state party file a direct request with the UNSG or UNSC, and if so, what is the specific contribution or impact of Article VII to the subsequent chain of developments?

As with the previous exercises, the proposed scenario covered only the time frame between the detection of an outbreak and the moment when the international community would be called upon – with explicit reference to Article VII of the BTWC – to offer assistance to the

country suffering a major outbreak. It does not deal with how the resources for such assistance would be mobilised or the ways in which the assistance might be provided.

The proposed scenario was not intended to be gamed. Also, the exercise was not meant to evaluate the performance of existing response mechanisms. Its purpose is to focus on critical decision moments prior to the deployment of assistance under BTWC Article VII. In particular it seeks to stimulate thought on the conditions under which a state party might consider triggering Article VII in view of the many other available mechanisms to organise international assistance after disasters, including the ones that would be activated after major disease outbreaks.

- The World Health Organisation (WHO) would be a key actor in any scenario of a major disease outbreak. It undertook a major reform of its emergency capacities based on reviews of its response to the Ebola epidemic in West Africa.
- Other United Nations actors that might become involved depending on the nature of the outbreak are the Food and Agricultural Organisation (FAO), the Office for the Coordination of Humanitarian Affairs (OCHA), the UN Children's Fund (UNICEF), the World Food Programme (WFP), as well as other international actors, such as World Organisation for Animal Health (OIE).
- States Parties to the BTWC, as well as other international organisations, may decide to provide different types of assistance on a bilateral basis or in support of international relief efforts (e.g. funding of operations) on purely humanitarian imperatives and without awaiting decisions under BTWC Article VII.
- Several non-governmental humanitarian organisations, e.g. Médecins sans frontières (MSF), as well as the International Committee of the Red Cross (ICRC) may become involved in addressing the consequences of a major disease outbreak because of their rapid response capacity or their ongoing local development assistance activities. Each one of them may have capacities to receive, distribute or deploy international assistance to the stricken areas.
- Equally important in considering possible action under BTWC Article VII would be the likely organisational and procedural implications of the sequence of international organisations becoming involved in the response.

Experience and expertise for dealing with major disasters and epidemics exists on the global, regional and national levels and in different types of humanitarian and health organisations. The BTWC, however, is a security treaty that seeks to eliminate the BW threat. Article VII addresses assistance in the context of threats to states parties following a violation of the BTWC. Consequently, triggering Article VII may imply deliberate use of a BW

rather than just an unusual disease outbreak. As Article VII has never been invoked, implications of its triggering are unknown.

The TTX sought to identify and characterise possible consequences of activating Article VII during the initial decision-making processes. In view of the outcomes of the previous two workshops, the scenario for this TTX considered the deliberate release of a zoonotic pathogen against animals in the context of an armed conflict. It also did not place participants in a situation in which Article VII had been triggered, thus leaving open alternative courses of action.

Summary of findings and recommendations

1. The scenario for the third TTX differed in two important ways from the previous exercises. First, the agent (anthrax bacteria) released in the presumed attack was zoonotic rather than a highly contagious, fast spreading human pathogen. The goal was to test the concept of ‘crisis’: would a biological attack against cattle that resulted in few human casualties (that is, relative to major disease outbreaks such as the Ebola crisis in West Africa) amount to an event that could lead to the triggering of BTWC Article VII? In addition, as the previous workshops had revealed several uncertainties about the consequences of triggering Article VII as well as limitations on the courses of actions available to BTWC states parties, this TTX introduced a stage of diplomatic interaction prior to invoking the provision.
2. As with the two previous exercises, the TTX limited itself to the process of triggering Article VII. As such it covered the phase between the detection of an unusual disease outbreak up to the point when the UNSC might have to decide that a BTWC state party ‘has been exposed to danger as a result of violation of the Convention’. The mobilisation and organisation of the delivery of assistance following such a decision were not part of the scenario.
3. The third TTX benefited from the participation of representatives from international organisations, notably FAO, Interpol, OIE, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), and WHO. The representatives were not assigned to a specific country played in the scenario but moved among the different breakout groups to offer advice on how their respective organisations might contribute to certain facets of an international response to a deliberate disease outbreak and to point out limitations on actions as a consequence of their respective mandates.

Decision-making in the face of many uncertainties

4. The scenario drew on the conclusions from the previous TTXs and did not aim to reenact certain aspects. Participants were briefed on the outcomes of the workshops in November 2016 and May 2019.
5. Contrary to the previous TTXs, the scenario and instructions for the breakout groups deliberately left out indicators about the size of the anthrax outbreak. Given that the plot unfolded in three discrete stages, it also remained silent on the speed of developments. Both omissions intended to test the concept of ‘crisis’ too.
6. Participants noted this lack of adequate and timely information, the absence of adequate communication channels, problems with information sharing, which complicated the efforts at crisis management. The way in which the scenario had been

constructed reinforced the problems too. The TTX design accepted two possible pathways. Either participants would ‘conduct’ their own epidemiological investigation and thus define the nature of the outbreak, or they would not, in which case decision-making would have to take much uncertainty into account. The latter option was in line with the general background description that the outbreaks took place in a remote, conflict-ridden part of Gondwana where most of the health infrastructure was destroyed or neglected after staff had left. The scenario did include some qualitative hints about the evolution of the crisis, such as reports of cases in neighbouring Middle Earth, the emergence of some cases of human inhalational anthrax following the burning of carcasses, the spread of bacteria via scavenging birds, and so on. As it turned out, Gondwana was unable to scope the outbreak leaving its crisis committee as well as other countries in uncertainty about developments. It did manage to retrieve a sample of the bacteria and transfer it to the reference laboratory in Laurussia, again a qualitative rather than quantitative piece of information.⁴

7. All breakout groups accepted the applicability of Article VII to a zoonotic outbreak. Several participants suggested that it was up to the victim state to decide whether and when to invoke the provision. Given that humanitarian emergency responses are often discussed in relation to major outbreaks of human diseases (e.g. the Ebola outbreaks in West Africa and Congo), the TTX proved a useful reminder that Article VII also applies to smaller-scale deliberate incidents as well as ones involving animal and plant pathogens (both of which are covered by the BTWC).
8. The dearth of quantitative information, the uncertainties about speed and range of the epidemic, and the demands to have the allegation of the deliberate nature of the outbreak confirmed contributed significantly to the reluctance to trigger Article VII. (As noted earlier, participants had been briefed on the uncertain consequences of the step as revealed in the previous TTXs at the start of the workshop.) Besides those uncertainties, participants also felt that Article VII limited their potential courses of action as a consequence of possible conflict escalation. They also sensed that the country triggering the provision would likely lose control over the decision-making process as other actors such as the UNSC may step in. Combined, the elements contributed to the perceived utility of (regional) multilateral consultations to resolve the matter of alleged BW use and prioritise emergency assistance.

⁴ In a research article entitled *Reanalysis of the anthrax epidemic in Rhodesia, 1978–1984* (2016), Wilson *et al.* estimated that the anthrax outbreak during the Rhodesian insurgency covered an geographic area of 245,750 sq. km and resulted in 17,199 human cases, including more than 200 deaths, as well as 171,990 infected cattle. URL <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5111893/pdf/peerj-04-2686.pdf>>.

On the use of Article V in the scenario

9. The previous two TTXs had revealed a concern among participants about the lack of clear direction on how to trigger Article VII. Given that any party to the BTWC has the right to raise a treaty compliance issue directly with the UNSC or request the UNSG to investigate alleged BW use, the community of states parties has no control over how an Article VII request might unfold and impact on emergency relief operations already underway. Whereas the first TTX mentioned possible roles for Articles V and VI in the process of requesting emergency assistance, at the second TTX in Lomé participants considered the option of a consultative meeting under Article V before an Article VII request were transmitted to the UNSC. While not rejecting the idea, they expressed reservations about the time lapse to prepare and hold such meeting and the resulting delays for delivering urgent assistance to the stricken region.
10. The third TTX looked explicitly at how Article V might contribute to the Article VII process.

Article V

The States Parties to this Convention undertake to consult one another and to co-operate in solving any problems which may arise in relation to the objective of, or in the application of the provisions of, the Convention. Consultation and co-operation pursuant to this Article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

The procedure for convening such a consultative meeting as outlined in the final document of the Third Review Conference confirms the risk of a major time lag. A state party has to address its request to the three depositary states who will then convene an informal meeting within 30 days to discuss the arrangements for the formal meeting. That formal meeting must be held within 60 days after having received the request.⁵ Preparation of the consultation report and its adoption may require several more months. Without any additional clarification at a future review conference, the language of Article V in combination with request procedure de-

⁵ Final Document of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, document BWC/CONF.III/23, 1992, Part II, p. 15, URL www.unog.ch/bwcdocuments/1991-09-3RC/BWC_CONF.III_23.pdf.

scribed above seem to indicate that such a consultative meeting cannot be convened on a regional or subregional level.

11. The scenario therefore drew on another paragraph in the final report of the Third Review Conference, namely ‘A formal consultative meeting could be preceded by bilateral or other consultations by agreement among those States parties involved in the problems which had arisen’.⁶ Thus, Laurussia issued urgent invitations to the other Earthland countries referring to rather than invoking Article V after it became clear that Gondwana was on the verge of sending an Article VII request to the UNSC.
12. To allow this plot to fully unfold, the third stage of scenario did not dictate the triggering of Article VII as had been the case previously. Instead, the simulated countries each had to prepare and then engage in negotiations to explore whether alternative courses of action acceptable to all might be possible given the circumstance of a major treaty breach.
13. Following the outcome of the consultative round Gondwana did not transmit the letter to the UNSC. In doing so, it accepted Laurussia’s proposal emphasising assistance and diplomatic engagement to bring the conflict to an end. The willingness expressed by Laurasia (the suspected culprit Rodinia’s closest ally on the continent) during the negotiations to contribute to the assistance operations and actively engage with Rodinia in pursuit of a negotiated resolution of the conflict also helped to convince Gondwana. Gondwana thus chose not to formally accuse Rodinia. Nevertheless, it continued to believe that there had been a major breach of the BTWC and that Rodinia was responsible for the outbreak and indicated that it might still call out the country at a later stage if the proposed efforts were to falter.

Recommendations for the South African working paper

14. To guide their deliberations the breakout groups received the working paper on Assistance, Response and Preparedness submitted by South Africa to the Meeting of Experts.⁷
15. They were requested to advise their government on concrete proposals for the 2019 Meeting of Experts, including possible recommendations to supplement or modify the elements in the working paper.
16. Several comments were offered and are summarised in the conclusions.

⁶ *Ibidem*.

⁷ South Africa, Implementation of Article VII, document BWC/MSP/2018/MX.4/WP.3, 26 July 2018, URL <<https://undocs.org/en/BWC/MSP/2018/MX.4/WP.3>>. The working paper is reproduced in Appendix 2.

Scenario of the tabletop exercise

General setting

Earthland is a continent comprising eight large and mid-sized countries. They are: Gondwana, Laurasia, Laurussia, Middle Earth, Pangea, Pannotia, Rodinia and Vulcania.⁸

This scenario focuses mostly on Gondwana, Laurasia and Laurussia. Twenty-three years ago Gondwana, Middle Earth and Pannotia broke away from Rodinia and achieved independence after a couple of years of vicious fighting. Low-intensity conflict, especially along the border with Gondwana and in the northwest of Pannotia, has never subsided.

Before the breakup, Rodinia used to be the dominant power of Earthland. Its population comprised multiple ethnicities, some of whom had been each other's rivals since time immemorial. The dominant, but minority ethnic group, the Rodinians, occupied mostly the northeastern part of the country (roughly present-day Rodinia), which was then the centre of economic, scientific and technological development. Even though nominally nobody faced ethnic, cultural or religious discrimination, non-Rodinians encountered serious educational impediments and had therefore limited access to the burgeoning knowledge economy.

Even though a higher degree of ethnic and cultural homogeneity characterises each one of the four countries after the breakup, some ethnic diversity remains. In Rodinia in particular, political and economic elites continue to reserve access to higher-level positions in government, industry and education for ethnic Rodinians. Other groups live of agriculture and animal husbandry as well as of cottage industries. Sale of produce to Rodinian corporations makes up their main source of income. The ongoing social tensions between the Rodinians and ethnic minorities are at the root of the ongoing border skirmishes. Whenever clashes erupt members of minority groups escape to neighbouring countries. Their brethren across the border also offer logistical support to armed incursions against economic targets in Rodinia.

Of the three seceded countries only two share a border with Rodinia: Gondwana and Pannotia. Gondwana lies to the west. It is a landlocked country with an average altitude of around 1,500 metres above sea-level. Its moderate to sub-tropic climate allows for agriculture on the plateaus to the east and southeast. In the west, geography is rough and the area is prone to earthquakes and volcanic activity. Pannotia borders Rodinia in the north and shares a short border with Gondwana in the northwest. Its main economic activity is agriculture and animal husbandry. However, the country suffers from chronic underinvestment in infrastructure and economic development, badly affecting its ability to export its produce and generate necessary foreign income. More than half of its agricultural exports goes to

⁸ All names are fictitious and most were inspired by geology and Paleozoic and Mesozoic super-continents.

Rodinia. Many farmers also toil the lands in Rodinia as guest workers, which is another important source of income for Pannotia.

Middle Earth does not share any border with Rodinia and has turned its attention westward to Pangea, thereby mostly leaving behind the insecurities that characterise Rodinia's border lands. Relative to the three other countries, it has the smallest population, which is mainly active in mineral extraction and the generation of hydro-power in the centre and northwest of the country. The south is more agricultural in which many Pannotians are active. Pangea and Laurussia are two important sources of investment in technology and infrastructure development. Middle Earth suffers the least ethnic strife – internally and with its neighbours – of all four newly-independent countries. Nevertheless, the skirmishes taking place in the southeast of Gondwana and the northwestern corner of Pannotia occasionally spill over into Middle Earth as refugees try to escape the violence.

To the north lies Laurasia. Its government is strongly aligned with that of Rodinia, not in the least because ethnic diversity also constantly challenges its political legitimacy. During the secession wars, its minorities actively supported the ethno-nationalist movements, as a consequence of which the Laurasian government began to actively support the Rodinian counter-insurgency operations through training and advice in the field. This close bilateral security cooperation continues until today. It is an ongoing source of deep resentment among the minorities in Rodinia, as its members are convinced that Laurasian elements lead the police and military interventions against them.

Laurussia in the south of Earthland is the continent's largest country. It mediated in the wars of secession and ultimately succeeded in stabilising the situation, allowing each of the four new entities to go their separate ways. It is still diplomatically actively involved in dousing the many flare-ups and tries to promote internal stability through select investments in especially Middle Earth and to a lesser extent in Pannotia's infrastructure. Otherwise it maintains a policy of strict neutrality to avoid jeopardising its diplomatic efforts.

Geopolitics

Despite the ethnic strife in its eastern part, Earthland is mostly a peaceful continent. Active mediation by especially Laurussia has prevented major flare-ups of armed violence. Notwithstanding, the unequal distribution of wealth and opportunities, as well as of economic resources festers resentment against the economic and political power concentration in Rodinia. Despite their political independence, the economies of Gondwana and Pannotia remain highly dependent on Rodinia. The Rodinian political and economic leadership exploits this situation and will occasionally stir up ethnic tensions to play off one group against another and thus prevent coalition building in Gondwana and Pannotia against its interests.

Rodinia can sustain its policies against Gondwana and Pannotia only because of long-standing political and material support from Laurasia. The latter country's complex ethnic mix reflects Rodinia's before the breakup over two decades ago. While it has managed a better economic, political and social balance among the different groups, the turmoil in Rodinia has stirred nationalist sentiments in the regions along its long southern and south-eastern border. Gondwana's independence, however, has inspired and empowered ethno-nationalist movements among kindred groups in the south of Laurasia. During the war of secession Laurasia's support for Rodinia was as good as unconditional because the political and military leadership considered a breakup to pose an existential threat to their own country.

That threat receded after Gondwana, Middle Earth and Pannotia gained their independence from Rodinia. Laurasia nevertheless continued support for Rodinia's security forces as part of a containment strategy against Gondwana. Over the past two years, however, Laurasia's government has become more critical of Rodinia. It increasingly views Rodinia's manipulation of ethnic tensions as contrary to its own efforts to stabilise the border with Gondwana and improve its political and economic relations with its southern neighbour. It has also become more vocal in its criticism of systematic human rights violations along Rodinia's western and southern borders, as a consequence of which it has begun withdrawing some of its military advisers and scaling back its material support. Although the politico-military cooperation between both countries has not been terminated, the diminished assistance significantly challenges Rodinia's ability to secure the long borders with Gondwana and Pannotia.

The Biological and Toxin Weapons Convention (BTWC)

All states in Earthland are party to the BTWC.

Rodinia systematically participates in the BTWC meetings in Geneva. It has demonstrated a great interest in the scientific and technological developments relevant to the treaty, as well as in the opportunities for international cooperation that have emerged during the intersessional processes. However, it has been cool to calls for greater transparency and possible verification measures.

Pannotia by and large ignores participation in meetings in Geneva or regional seminars. While it does not comply with many of its political obligations—it also still has to submit its initial declaration on national legislation to the 1540 Committee under the terms of UNSC Resolution 1540 (2004)—there is little to suggest that it does not comply with the general prohibitions in the BTWC.

Gondwana maintains an interest in the BTWC proceedings and tends to regularly attend meetings. However, preoccupied with domestic priorities, the recommendations trickling down from Geneva are hardly followed up.

Conflict

Last year a counter-insurgency operation by Rodinian security forces in the border area with Gondwana suddenly led to a major escalation in fighting. Press reports indicated that security forces had discovered several important weapon storage sites inside Rodinia. While recovering the arms, munition and other supplies, a significant force of insurgents ambushed them. Military officials believed that they had a major staging area inside Gondwana just west of where the borders of Rodinia, Gondwana and Pannotia meet. They said that the insurgents mounted a two-pronged attack with one force attacking the security forces from the east after having entered Rodinia via Pannotia. Taking the Rodinians by complete surprise, the bold move caused them heavy losses. Combat operations in south-west Rodinia continued for several months and led to some international incidents as Rodinian forces several times crossed into Gondwana pursuing the insurgents.

Some weeks into the fighting press sources in Gondwana began reporting several mysterious deaths among insurgents and villagers living in the south-east of the country. According to local testimonies, all victims began bleeding from their nose and gums and in shortly thereafter started coughing up or vomiting blood. They died in agony soon afterwards, often while being evacuated to medical facilities in the interior. After three to four weeks no new cases were being reported. The outbreak remained localised and disappeared as quickly as it had emerged, puzzling health officials in the capital.

Laurussia had quickly stepped in and through frantic shuttle diploma between Rodinia and Gondwana, as well as informal, but urgent discussions with insurgent leaders, it managed a cease-fire. By and large, all parties have honoured the agreement, but the situation remains tense as evidenced by some brief skirmishes.

In hindsight, the upsurge in violence has demonstrated two inescapable truths, which has been evident to regional experts for a while.

First, with Laurasia's reduced security assistance, Rodinia is no longer able to secure its border from insurgent incursions. Its intelligence is wanting and the leadership no longer seems to have a good picture of insurgent activities on its own territory and in the areas immediately across the border in neighbouring countries. Last year's events caused a major shock to the security establishment and despite the replacement of some senior figures, the situation has not improved much since then. Requests for supplemental assistance to Laurasia have been rebuffed. Instead, Laurasian government officials have criticised Rodinia's military response and atrocities committed and suggested that the country should begin to implement more inclusive social and economic policies to remove the root causes of the never-ceasing conflict.

Second, as the short but intense outbreak illustrated, the conflict has debilitated health infrastructure in the region where Gondwana, Pannotia and Rodinia meet. That part of the continent has always been prone to seasonal disease outbreaks. Regional travel usually

ensures that infection crosses porous borders. After the secession war ended, the three countries together with Middle Earth had set up with the assistance from Laurussia a network of small health facilities that seconded as an early outbreak detection system. Via monitoring centres in the respective Ministries of Health the four countries have been mostly successful in containing epidemics in their early stages. They also tended to allow health workers from both regional and international organisations, as well as international non-governmental humanitarian associations, unfettered access to the region. The area's relative remoteness from the main population centres also helped in containing outbreaks.

After last year's outburst of violence, the network of health facilities exists in all but name. More importantly, communication among health workers based in the different countries is now virtually nonexistent and many international organisations have pulled out or greatly reduced their staff in the region. One of the consequences was the necessity to evacuate the victims of the sudden outbreak during the fighting to the centre of Gondwana. The delay in medical treatment undoubtedly contributed to the high death toll among affected people. Moreover, for want of diagnostic capacities, nobody has been able to establish for certain the nature of the outbreak or its origin. Initial assessments referred to a viral haemorrhagic fever; however, nobody could explain why no relatives or attending medical volunteers succumbed to the infection.

Conduct of the tabletop exercise

At the start of the TTX participants were briefed on the general geopolitical situation on the imaginary continent of Earthland. Participants formed three breakout groups, representing the countries of Gondwana, Laurasia and Laurussia. Gondwana was the country where the outbreak was first recorded; Rodinia the one on which suspicion of deliberate release of the pathogen came to rest; and Laurussia a neutral BTWC state party prepared to offer emergency assistance.

Rodinia was not played in the tabletop exercise because of its rigid positions and firm denials of the allegations against it. Instead, Laurasia acted as an intermediary in diplomatic interactions. The country used to be a staunch supporter of Rodinia. However, while still an ally and an important source of assistance, Laurasia more recently distanced itself from Rodinia because of the country's discrimination of ethnic minorities along the borders with Gondwana and Pannotia. These discriminatory policies have fuelled the persistent border conflicts with Gondwana, Middle Earth and Pannotia since their split from Rodinia.

Participants were asked to take on the role of an advisory committee to their respective governments and prepare options for decision-making. They had to monitor developments, assess risks and threats, and formulate motivated recommendations. In doing so, they had to identify and justify their preferred option and explain why they forwent alternatives considered by the group.

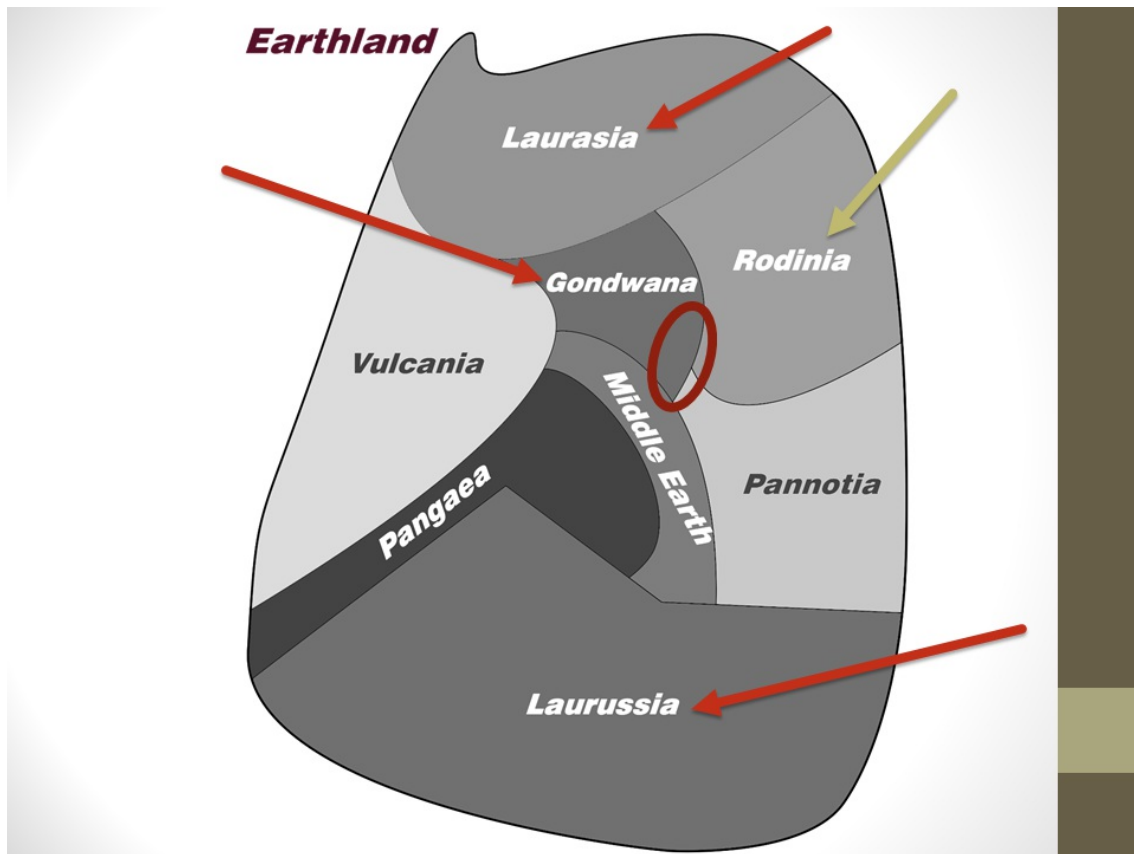


Figure 2: Earthland map

The exercise foresaw three distinct decision-making stages that followed briefings updating participants on the status of the epidemic and national and international responses. After each briefing, each breakout group received a specific set of questions to address.

In contrast to the previous two tabletop exercises, the third round simulated a process based on the consultation procedure foreseen under BTWC Article V as an intermediary step before the country against whom the suspected BW attack had been launched was to trigger Article VII.

In the fourth (and final) session the three breakout groups were asked to explain their respective decision-making processes, assess what instruments (legislation, international agreements, infrastructure, etc.) should ideally be in place to address the emergency of and outbreak, and comment on and possibly suggest amendments to the Working Paper by South Africa on Assistance, Response and Preparedness.

General plot outline

The border conflict between Gondwana and Rodinia flared up again just over three months ago. Unseasonable heavy rains last month, however, abated the fighting. Before Rodinian forces and Gondwana-based rebels had frequently skirmished on both sides of the border

and twice engaged in longer fighting lasting several days. The flooding has by now receded in most parts affected by the downpours. Contrary to some expectations, hostilities have not regained the level of violence seen before the rains. Most areas have remained quiet and local villagers have been trying to return to some degree of normalcy in their daily routines.

Early last week Gondwanan media mentioned in passing an anthrax outbreak affecting cattle at a watering hole close to where the country's eastern border meets with Rodinia and Pannotia. The short, matter-of-fact reports expressed no particular alarm as anthrax is indigenous to the region and rains tend to occasion some infections. Two days later, a newspaper article cites a traveller who had just returned from the region to capital that there are several human casualties too, including some fatalities. The traveller described local farmers butchering seriously sick animals and cutting up cadavers to salvage the meat. He witnessed some sick persons with black skin lesions and noted that mostly women and one or two elderly persons had succumbed to the disease, speculating that they may have eaten meat from the slaughtered or scavenged animals. He pointed out the lack of adequate medical infrastructure and personnel in the area as a consequence of the long-lasting conflict. He feared that more people may die and that the disease might spread, as the meat is not just a major nutritional source, it is also a significant trading commodity with nearby villages, including in Rodinia and Pannotia.

Reports on the outbreak gained more prominence, especially since some patients have been evacuated from the region. However, a regional paper broke the news of another anthrax outbreak about 120 kilometres north of the first site. Commentators remarked on the apparent coincidence in time with the earlier reported epizootic disease and the similar circumstances near a second watering hole. Similarly, a third source of infection is cited, this time to the south of the first report epidemic, close to the border between Gondwana and Pannotia and only a few kilometres away from Middle Earth.

One journalist wrote that near-simultaneous outbreaks of anthrax, at least on the scale presently seen, are as good of unheard of. In her piece, she speculated that the first two reported incidents coincide with the areas of heaviest fighting before the rains broke. The third one, she continued, seems to affect what might have been the staging ground for last year's second pincer movement that cut through Pannotia to attack Rodinian security forces from the south.

A politician quickly picked up on the inevitable conclusion a reader has to draw from the journalist's article. At a press conference in the parliament building, he reminded the audience of the unusual affliction, which he termed a haemorrhagic fever, that affected numerous refugees and locals during last year's hostilities. He added that this eruption took place in the same region as the current first reported anthrax outbreak. While he stopped short of accusing Rodinia, the implications of this reference were clear to all those attending.

First breakout session: *Assessing the outbreak*

Decision-making

Instructions for Gondwana

The anthrax epidemic is clearly unusual, given the near-simultaneous outbreaks at different locations and their concentration in zones of recent fighting. However, among the main questions preoccupying politicians and the media is whether the incidents are the result of a deliberate release of the pathogens, and if so, whether Rodinia is responsible. If the outbreak was indeed deliberate, the political consequences would be enormous, both domestically and internationally.

Less alarmist voices point to the fact that anthrax bacteria are endemic to Gondwana and neighbouring countries and that outbreaks are not uncommon. While recognising that concurrent outbreaks in areas removed from each other are unusual, they also argue that the recent rains were exceptional. Cattle and animal herds seem to be the principal victims. Human casualties are, as happens each time there is an outbreak, the consequence of villagers consuming and selling on meat from contaminated carcasses.

In a separate, but little reported development, which nonetheless drew the attention of government scientists, an analysis of last year's outbreak was published in the latest issue of a foreign scientific journal. The authors conclude that no haemorrhagic fever was involved. Rather, examination of medical records, tissue samples and clothing worn by victims, as well as interviews with survivors strongly suggest that people had been exposed for a significant period to an anticoagulant rodenticide of a type like brodifacoum. Their analysis suggests a temporal link to incursions by Rodinian security forces, during which they might have contaminated clothing and linen in depots before retreating. If the investigation holds up, suspicions that Rodinian forces resort to prohibited modes of warfare could be confirmed.

In view of the emerging anthrax crisis, the government has requested the advisory committee to prepare an urgent initial evaluation of the situation based on the factual information presently available. It was also tasked to identify potential future needs from a decision-making viewpoint, political options and possible courses of action. The following elements could guide the committee's advice:

- While assessing available information at this stage of the outbreak, which types of measures would Gondwana habitually take?
- Which actors would be involved in this stage of the epidemic? What would their roles be? Who coordinates and leads the response? How would the measures taken

be communicated to the own population, to neighbouring countries and internationally? How does one ensure that a government representative or agency remains an authoritative voice in the crisis?

- Which measures are to be recommended with regard to external actors, such as neighbouring countries, international and regional organisations, and so on. Within which legal or procedural frameworks would those measures be taken?
- Would additional information be needed to evaluate the epidemiological situation? If so, what steps would have to be undertaken to obtain them? Who would be involved in the collection of supplementary information (national, regional, international) and what would their roles be?
- On the basis of available information, should measures that go beyond routine measures already be considered or implemented? If affirmative, which measures would these be (e.g. information exchange requests)? Which mechanisms could be activated?
- While preparing this assessment, could the BTWC already be considered as a framework for action?
 - If affirmative, specify the types of measures that could be taken and why (e.g. consultations with other States Parties under Article V; preparations for next steps under Article VI or VII).
 - If negative, specify the reasons why this option should be rejected.
- Please prepare a supplementary assessment by the crisis committee on the utility of the BTWC to respond to the current outbreak.

Considerations by the Gondwanan advisory committee

The advisory committee recommended to set up an inter-agency process to be led by the Ministry of Agriculture and possibly Health. Ministries and agencies to be included were the Interior, Trade, Borders and Customs, intelligence and security. If the crisis were to escalate, coordination could be taken over by the Prime Minister or a security agency.

One of the first tasks to be undertaken was a veterinary epidemiological investigation, including full DNA sequencing. Similarly, the committee advised to also set up a public health investigation. Members also exchanged some initial views on when and how to secure the border.

The body considered whether to already involve neighbouring countries and international organisations in those investigations, but decided against the step before confirmation of the outbreak. At that point both the WHO and OIE ought to be notified.

The committee also recommended transparency and public communication. Early emphasis ought to be on preventing panic and signalling the seriousness with which the government is addressing the outbreak. The government should resist accusing anyone of

starting the outbreak.

At this stage the committee advised against triggering BTWC Article VII.

Instructions for Laurasia

For decades Laurasia has supported Rodinia in its struggles to subdue the insurgencies. The political support and military assistance has continued after Rodinia's breakup into four countries. However, over the past two years the government has become more critical of the way Rodinia continues to exploit ethnic tensions in the west and south, leading to reductions in military assistance and cooperation. Laurasia has also begun to improve political and economic relations with Gondwana.

In view of the recent outbreaks in Gondwana, the Laurasian government has loudly refuted allegations in the Gondwanan media that Rodinia deliberately contaminated watering holes with anthrax bacteria. However, Gondwana and other countries have strongly called into question the Laurasian government's spontaneous defence of Rodinia.

In addition, several commentators have begun to point to an analysis of last year's outbreak published in the latest issue of a foreign scientific journal. The authors conclude that no haemorrhagic fever was involved. Rather, examination of medical records, tissue samples and clothing worn by victims, as well as interviews with survivors strongly suggest that people had been exposed for a significant period to an anticoagulant rodenticide of a type like brodifacoum. Their analysis suggests a temporal link to incursions by Rodinian security forces, during which they might have contaminated clothing and linen in depots before retreating. If the investigation holds up, suspicions that Rodinian forces resort to prohibited modes of warfare could be confirmed.

In view of this criticism, the government requested the advisory committee to prepare an urgent initial evaluation of the situation in Gondwana based on the factual information presently available. More specifically, it asked the committee to advance arguments that Rodinia cannot be responsible for the anthrax outbreaks.

- However, in view of Gondwana's public request to neighbouring countries for any assistance with assessing the scope and nature of the outbreak, the government also needs a detailed report on the methodologies used for the assessment, including the sources utilised and actors involved. The government requires advice on the types of information that could be shared with Gondwana and which legal or procedural frameworks may allow such information sharing.
- While preparing this assessment, could the BTWC already be considered as a framework for action?
 - If affirmative, specify the types of measures to be taken and why (e.g. consulta-

tions with other States Parties under Article V; preparations for next steps under Article VI or VII).

- If negative, specify the reasons for rejecting this option.
- Please prepare a supplementary assessment by the crisis committee on the utility of the BTWC to respond to the current outbreak.

Considerations by the Laurasian advisory committee

The advisory committee noted that insufficient information precludes determination of a best course of action at this stage. It wished to avoid antagonising Rodinia. However, it also appreciated the delicacy of the situation and sought ways to address the situation without escalating tension between its southern neighbour and Rodinia. It believed that international consultations involving both countries offered the best chances.

Laurasia rejects allegations of Rodinia's culpability. The committee nevertheless recommended that its own intelligence services should collect and assess relevant data, including whether there are signs of similar outbreaks inside Rodinia. It also recommended that the government establish communication channels with Gondwana and fulfil its commitments under bilateral agreements with both Gondwana and Rodinia. It rejected a suggestion to ask for an international investigation. However, should an official international investigation take place, it could offer support following a formal request.

It also considered the question of border security. However, given the uncertainty, appropriate measures were not clear as they may affect human travel and the cattle trade. The reported outbreaks are relatively far from the border between Gondwana and Laurasia. Further options concerning border management are to be considered.

Even though Laurasia is not directly affected the country has an interest in contributing to possible solutions. This includes possible aid to Gondwana should it request assistance animal or human health assistance from neighbouring countries. Among specific aid offers the committee considered are laboratory and medical expertise, as well as expertise in crisis management or containment.

However, it was uncertain whether the BTWC offered the right framework to resolve the question of allegations at this stage. While the multilateral treaty emphasises cooperation, its invocation may also strongly suggest that the unfolding events are the result of a BW attack. The committee members believed that before any such step is undertaken more solid evidence should be available. In this, they believed that both the WHO and OIE should provide impartial information. They also suggested that if Gondwana is convinced that Rodinia bears responsibility for the outbreak, then that country rather than a third party should invoke the relevant BTWC provisions.

Instructions for Laurussia

Laurasia has consistently worked to diffuse tensions that resulted from the breakup of Rodinia into four new states. This time too the Laurussian government urges utmost restraint to avoid crisis escalation. It has expressed its concerns about the quick allegations in the Gondwanan media outlets and by some politicians blaming Rodinia for the epidemic.

The Laurussian government needs urgent options to counter the escalating crisis between Gondwana and Rodinia. It sees a two-pronged approach to reducing tensions: offers of bilateral assistance to deal with the outbreak and help with the determination of the source of the outbreak. Finally, it also declares itself ready to mediate between both countries. To this end, it requests the advisory committee to assess:

- Which types of bilateral assistance would be most useful to Gondwana, bearing in mind that the agricultural impact and related economic consequences appear to have the largest impact?
- Does Gondwana require humanitarian assistance? If so, what types?
- Does Gondwana need any assistance with the disposal of carcasses or environmental remediation?
- What capacities does Laurussia have available to assist Gondwana?
- Can victims be transferred? Which national or international legal and regulatory frameworks would be required for such transfers, and are they in place?
- With respect to the determining the source of the outbreak, in which ways can the Laurussia Reference Laboratory contribute? Can victim and environmental samples be transferred to Laurussia?
- How will the government communicate the results of the analyses by the Laurussia Reference Laboratory? To whom will it communicate those results? Depending on the findings, how does it foresee its follow-on actions?
- While preparing this assessment, could the BTWC already be considered as a useful framework for action?
 - If affirmative, specify the types of measures to be taken and why (e.g. consultations with other States Parties under Article V; preparations for next steps under Article VI or VII).
 - If negative, specify the reasons why.
- Please prepare a supplementary assessment by the crisis committee on the utility of the BTWC to respond to the current outbreak.

Considerations by the Laurussian advisory committee

The advisory committee adopted as basic position that the anthrax outbreak in Gondwana has not yet been confirmed. Nevertheless, it recommended that the government reach out

to Gondwana to understand its needs. Among the assistance Laurussia could provide immediately are medical, veterinary and laboratory expertise, as well as expertise in crisis management and containment. Other possible assistance relates to investigation of the cause of the outbreak, sample analysis in the reference laboratory and disposal of carcasses.

With regard to possible investigation and sample analysis, the committee noted that the government should conclude bilateral agreements with Gondwana concerning the chain of custody, transportation modalities and communication of analytical results. Such an agreement has to include a provision authorising Laurussian experts to investigate the areas of outbreak and collect samples independently. In principle Laurussia will give only Gondwana the analytical results and Gondwana should transmit these to the OIE.

The committee did not think that the situation warranted any action under the BTWC. If the allegations of a deliberate release were confirmed, it thought Interpol ought to be informed.

Second breakout session: *Developing policy actions – contingencies*

General setting

The situation between Gondwana and Rodinia remains politically tense, but both countries have refrained from taking steps that could escalate the crisis.

While populist-driven segments of the Gondwanan population continue to rail against their neighbour, the government has quietly used the improved relations with Laurasia to set up a high-level communication channel with Rodinia and working-level contacts between the respective Ministries of Health.

Laurussia has begun delivering humanitarian assistance to the affected regions in Gondwana, all the while it is seeking to reestablish the cease-fire reached last year.

Meanwhile the anthrax outbreak has spread further to the centre and southwest of Gondwana and cases are now also being reported in north-west Middle Earth. The initial association with watering holes gives way to more scattered incidents that seem to follow general wind patterns. After health officials made villagers aware that carving up the dead animals and eating or selling the meat transfers the bacteria to them and other people, they began disposing of the carcasses in pits and then burn them. The heat lifts the spores up in the air, where winds can carry them westward. Additional, smaller infection sites have been discovered closer to the first outbreak sites. Investigations seem to suggest that birds scavenging the butchered carcasses are being exposed to the anthrax-infected blood and disperse the microbes as they fly around.

While the number of exposed herd animals grows and larger areas become affected by the outbreak, more people now develop symptoms of inhalational rather than cutaneous or gastrointestinal anthrax.

Both Gondwana and Middle Earth have notified the OIE and WHO.

Decision-making

Instructions for Gondwana

Despite the efforts not to raise tension, Gondwana is becoming increasingly convinced that the epidemic is deliberate. A national investigation into its origin has confirmed different sources of the outbreak, all of which lie within or close to the areas of armed conflict.

The government is considering its next steps and has asked the crisis committee for courses forward.

- Given the scope of the crisis, assistance (e.g. therapeutics and prophylactics, diagnostics, treatment, assistance with the disposal of carcasses, etc.) is needed. Where and how can these be obtained? Are any special legal or regulatory frameworks required?
- Seeking more solid confirmation of its suspicions about malicious intent, it desires an independent investigation. To this end, lay out options, identify who could undertake the investigation (independent groups, international organisations, experts from the Laurussia Reference Laboratory), and to whom the results of the investigation would be transmitted.
- In addition, present arguments for and against attribution for the alleged biological attack in view of current government priority to address the outbreak (and hence not to escalate the conflict).
- Advise the government on whether an assistance request under BTWC Article VII is advisable at this stage. Or should requests go to appropriate international and humanitarian organisations? What are the benefits and implications of those options? Irrespective of the recommendations presented, should other BTWC States Parties be notified? If yes, how?

Considerations by the Gondwanan advisory committee

In its deliberations the advisory committee focussed primarily on humanitarian assistance, including requests for therapeutics, prophylactics and vaccines from the WHO. It also recommended that the government establishes a vaccination plan including determination of priority categories of people. The government should also consider involving the ICRC and MSF in the medical response.

Regarding the animal outbreak, the committee recommended to request vaccination assistance from OIE and FAO. Gondwana may also require additional assistance concerning displaced people, disposal of carcasses, heavy lifting and other logistics.

In addition to the veterinary and medical investigations already underway, the committee believed that a criminal investigation, possibly with Interpol support, should be undertaken. It considered the option of requesting an investigation under the UNSG's mechanism, but had concerns about the time frames before the investigative team could start its field work. Also, the Secretary-General would report its findings to the UNSC rather than to the requesting country.

The committee expressed its belief that Gondwana retains ownership of the samples and investigation results based on the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation to the Convention on Biological Diversity (adopted in 2010; entered into force in 2014).⁹ Accordingly, all sec-

⁹ Nagoya Protocol on Access and Benefit Sharing, URL <<https://www.cbd.int/abs/>>.

ondary use requires prior Gondwanan approval.

Instructions for Laurasia

The government is becoming increasingly concerned by the allegations, especially after Gondwana publicised the results of its national investigation into the outbreak. In public, it still refutes the allegations, but arguments become more difficult. It increasingly stresses the need for impartiality.

Realising that mere denials of the allegations do not suffice anymore, the Laurasian government is seeking pro-active options to remain a relevant actor in the unfolding crisis. To this end it wishes to announce a substantial proposal to assist with diagnosis and investigations as well as deliver humanitarian aid to the stricken regions.

To this end the advisory committee is requested to prepare a policy paper:

- Identifying options for diagnosis and investigations into the origin of the outbreak. For the sake of impartiality, the government's clear preference is for international and reliable mechanisms. For each of the options, identify the respective advantages and disadvantages.
- Outline options for humanitarian assistance, again with a preference of working through international organisations.
- Rodinia has informed Laurasia that Gondwana might invoke BTWC Article VII, information that was shared by Laurussian conflict mediators. Advise on a policy position and action strategy with regard to Article VII that would minimise exposure of Rodinia.

Considerations by the Laurasian advisory committee

As the accusations against Rodinia acquire greater credibility, the advisory committee recommended that the government reviews information received through the existent political, military and intelligence channels with Rodinia to assess whether the unconventional weapon programmes were indeed shut down. In view of the step's sensitivity, it cautioned to keep the inquiry internal and limit it to information already available.

The committee also suggested to investigate whether other plausible explanations for the anthrax outbreak and reported dispersal patterns are available.

At the same time, it expressed the view that Laurasia should also prepare for anthrax infections inside its own borders and assess what national needs might be. To assist its preparedness, Laurasia should also request supplementary information on the nature of the outbreak from relevant international organisations such as the WHO, OIE and FAO.

As the available information on the epidemic still shows important gaps, the committee

considered the opportunity to call for regional joint investigations and engage with other regional partners to formally share relevant information in accordance with mutually agreed protocols.

Finally, the committee suggested to maximise assistance to reduce pressure on the Gondwanan government to take certain courses of action in response to the allegations against Rodinia. Furthermore, by offering anthrax vaccines, the government might be able to obtain additional information on the nature of the outbreak. At the same time, Laurasia should also try to resist or delay any action Gondwana might consider under BTWC Article VII, perhaps in coordination with Laurussia. It could also suggest convening a meeting under Article V to multilateralise the debates on containing the epidemic, organising assistance regionally and investigating the outbreak's origins. This way rather than standing alone, Gondwana would benefit from shared responsibility in addressing the crisis.

Instructions for Laurussia

Laurussia has continued its shuttle diplomacy between Gondwana and Rodinia. It also continues to help with Gondwanan assistance needs in the field.

However, certain developments require that the government considers its position with regard to the outbreak. The national investigation by Gondwana has confirmed the different sources of outbreak. Laurussia's own experts who had travelled to Gondwana essentially confirm the results.

Moreover, DNA analysis in the Laurussia Reference Laboratory has revealed that the anthrax bacteria are not indigenous to the central part of Earthland. Spores show signs of having been manipulated. The government has not yet communicated the latter information to anybody.

The advisory committee is therefore asked to prepare a course of action weighing benefits and disadvantages:

- A decision on whether and how to make findings public. How can this be done without escalating the conflict further? Who should be involved in the follow-up of the findings?
- Is the government compelled to communicate the results of the DNA analysis to
 - Gondwana?
 - BTWC States Parties?
 - Relevant international organisation?
 - The UN Secretary-General or any other UN body?
 - The general public?
 - Others?

- Or should the findings be treated primarily as a veterinary / zoonotic outbreak?
- Please argue the advantages / disadvantages of each one of the options.

Considerations by the Laurussian advisory committee

Aware of the explosive nature of the reference laboratory's findings, the advisory committee considered at length how to make the results public. Under the modalities of the bilateral agreement concerning the sampling and analysis with Gondwana and more generally under the Nagoya Protocol Laurussia cannot announce the results. Therefore, the Laurussian government should transmit the analytical report to Gondwana and if necessary, pressure the Gondwanan government not to selectively disclose the findings.

Even so, the committee realised that publishing the report risks to escalate the tensions with Rodinia, especially if Gondwana were to accompany the release with accusations of deliberate use of a biological agent. To this end, it recommended the government to offer to take up the matter with Rodinia and seek further clarification about the circumstances of the outbreak, to urge Gondwana to forward the full report to relevant international organisations, and to encourage the Gondwanan government to discuss the findings on a regional level to encourage transparency and coordinated action. The committee also noted certain drawbacks of its recommendation, notably increase of tensions, possibly on a regional level, with Rodinia and consequences for regional trade and economic activities. Finally, it proposed that Laurussia take a multilateral initiative to defuse tensions, perhaps by convening a meeting under BTWC Article V to allow discussions on matters relating to the outbreak different from health considerations.

Third breakout session: *Critical decision-making*

General setting

Gondwana's Foreign Ministry has informed Laurussia (as the mediator in the discussions with Rodinia) that its Presidency has instructed the advisory committee to prepare a formal request for assistance under BTWC-Article VII. The request is to be addressed to the presidency of the UNSC. The final decision about the submission is expected in 5 days.

In response, Laurussia, after urgent private consultation with Gondwana, has decided to invite countries of the region to an informal emergency meeting to try and find a practical, mutually agreeable solution to the worsening situation. The invitation refers to BTWC Article V, but it is sent individually to the invited countries.

Laurasia and Gondwana have replied that they are ready to participate in these consultations. So have other countries of Earthland, including Middle Earth.

Rodinia has indicated that while it appreciates the Laurussian initiative, it will not attend the conference, as it does not see the relevance of the BTWC in this matter. Rodinia has consulted with the government of Laurasia, which has agreed that its delegation to the conference will represent Rodinian interests. Rodinia has indicated that it remains open to consultations in a framework that fully respects its interests.

To focus negotiations on resolving the current situation, Laurussia has put forward three questions for consideration at the emergency diplomatic conference:

- Is there sufficient information available to determine that Gondwana “has been exposed to danger as a result of violation of the Convention”? If not, how/by whom should such data be obtained.
- What political steps could be taken to restore a climate of mutual trust and cooperation among all states of Earthland, and to facilitate assistance necessary to contain the outbreak?
- Which practical measures can conference participants undertake to assist the victims of the outbreak?

Decision-making

Instructions for Gondwana

Gondwana has now received the results from the DNA analysis at the Laurussia Reference Laboratory. They confirm that the anthrax bacteria are not indigenous to the central part of Earthland. Spores show signs of having been manipulated. The Gondwanan government

considers that the analysis scientifically proves its suspicions that the outbreak was not a natural occurrence. The results from the Laurussia Reference Laboratory support the conclusions of its own epidemiological investigation. Moreover, its intelligence sources suggest with a high degree of confidence that Rodinian counter-insurgency forces are responsible.

Gondwana has agreed to attend the conference as it sees it as an opportunity to marshal political support for its position in the region, and to encourage political and material assistance for its efforts to contain the outbreaks and to prevent future outbreaks. Gondwana is not interested in escalating the conflict with Rodinia but is seeking political support that might lead into a situation of reduced tensions, and possibly retribution at a later stage.

At the same time, Gondwana feels wholly justified to address the matter as a BTWC issue and take it to the Security Council under Article VII to mobilise assistance. At this stage, it has not taken a final decision on triggering Article VII but is actively preparing the necessary demarches to this effect – it may consider not to dispatch the request if satisfactory political and security solutions that would prevent any future bioweapons use can be found and assistance from other countries was forthcoming. Those responsible for the attacks should be held to account, consistent with international practice and law.

The advisory committee has been tasked to set out the negotiation position of Gondwana on the three issues raised in the invitation by Laurussia.

- Please define the key elements of Gondwana's starting position for the negotiations with respect to the three questions circulated by Laurussia.
- Clarify the degree of flexibility that the delegation will have with regard to those questions and delineate any potential outcomes that would clearly not be acceptable to Gondwana.

Instructions for Laurasia

Laurasia remains protective vis-à-vis Rodinia but is concerned that elements of the Rodinian state may have engaged in illegitimate methods of war-fighting during the counter-insurgency operations. Having assisted and shared intelligence with Rodinian security forces for several decades, it is acutely aware that the rodenticide reportedly used last year and releases of anthrax bacteria were considered in the framework of a small covert CBW counter-insurgency programme.

Following last year's cases of seeming haemorrhagic fever, it had questioned Rodinian officials, who asserted that the covert programme had long been terminated. On this basis, Laurasia prepared to argue that there is no evidence to prove conclusively the deliberate release of a biological agent by Rodinian security forces.

Laurasia has consulted with Laurussia and (at senior level) with Gondwana about the outcomes of the investigation conducted – it has yet to see any detailed information that would compel it to consider the possibility that the outbreak, serious as it is, represents a major crisis.

Even though it has declined the invitation to the diplomatic conference, Rodinia has communicated its position as follows:

- It denies all involvement in illegal bio-warfare activities;
- It questions whether the outbreak was the result of a deliberate release and not simply a flaring-up of a natural outbreak given seasonal factors, etc.;
- In any event, it wants to see independent and conclusive evidence to demonstrate that the outbreak was not natural before it is willing to engage in such discussions; and
- It sees no justification to invoke the BTWC in the matter, or to take it to the UNSC;
- Rodinia remains willing to engage in any regional process that is inclusive and not based on politically motivated accusations of responsibility that cannot be proven beyond reasonable doubt.

Laurasia's own basic position remains as outlined before:

- Supportive of Rodinia but concerned about some of its domestic policies vis-à-vis minorities;
- Concerned about ethnical tensions and interested in long-term stability both internally and in the entire region, and
- Interested in developing and deepening its political and economic relations with other regional countries, including Gondwana.

Please define critical elements of Laurasia's starting position for the negotiations, clarify the degree of flexibility that the delegation will have, and delineate any potential outcomes that would clearly not be acceptable to the government.

Instructions for Laurussia

Having now transmitted the results from its reference laboratory to Gondwana, Laurussia is convinced that a peaceful solution must be found, that parties should take steps to de-escalate, and that the focus of discussions should firmly be on helping the victims and preventing any further outbreaks rather than on assigning blame.

It is concerned that taking the issue to the UNSC may complicate matters both politically and on the practical level of assistance provision. For instance, decisions in New York might be delayed or blocked. Laurussia also fears that taking the issue to the Security Council might be counterproductive for a political solution at the regional level and complicate the ongoing veterinary and public health assistance to Gondwana.

Laurussia does not exclude that at the appropriate stage (for instance, after the crisis is over and on the basis of an independent and competent investigation), other issues might be addressed (including whether indeed Gondwana had been exposed to a danger because of a breach of the BTWC, and which actor(s) were responsible for that danger).

Laurussia intends to retain its neutrality in the matter and aims at avoiding further escalation of the conflict, containing the outbreak and facilitating assistance to victims.

Laurussia has called the informal conference to find, if at all possible, a political solution before the matter will be brought before, or taken up by, the Security Council. To this end:

- Define the scope of outcomes for each of the three negotiation items that in the advisory committee's view would serve to prevent further outbreaks and strengthen capacity to contain and manage the on-going outbreak, and to stabilise the situation.
- Outline how to facilitate compromise in each of the three negotiation areas as the inviting party).

Outcomes

Gondwana, Laurasia and Laurussia each set up three working groups and tasked each working group with formulating policy advice on one of the questions put forward by Laurussia.

The third breakout session comprised three phases. During the first phase, the working groups drafted their respective recommendations and then proceeded to develop a national consensus position. During the second one, the corresponding working groups from each country met to negotiate – if possible – a shared position on the question they had been assigned by their respective governments. In the final phase, each working group reported back to the national advisory committee that then proceeded to update the national consensus position.

Gondwana

Gondwana maintained its position that it was the victim of a BW attack and asserted that it has the evidence to back up its claims. However, in view of the outcome of the consultative round it decided that it would not declare a breach of the BTWC and that, in consequence, it would not invoke Article VII. The main priority is to respond to the veterinary and health crises.

The country justified its position by pointing to the joint proposal by Laurussia and Laurasia for a coordinated response. This initiative will likely inspire trust and stimulate cooperation among all Earthland states. It also expressed the opinion that the coordinated

response should continue in the same format as the conference called by Laurussia and involve the same parties.

Gondwana also supported Laurussia's proposal to reconfirm the DNA analysis and epidemiological results through an appropriate international and independent body.

Finally, it endorsed the idea to investigate the cause of the outbreak once the epidemic is under control. It remained firm in its advice that the perpetrator(s) must eventually be held to account.

Laurasia

Convinced that to contain the outbreak, which is now threatening other countries too, the first priority must be to lower the tensions between Gondwana and Rodinia, Laurasia made strong assistance commitments. The country also believed that an additional independent investigation is required, which can be undertaken by other Earthland states and with the support of international organisations. Laurasia also requested the establishment of a regional coordination mechanism for information sharing among national focal points and suggested developing mechanisms to interact and work with the media. It hoped for Gondwana's cooperation and urged it not to trigger Article VII.. It also intended to have an expert level meeting in Rodinia.

Laurussia

The country pledged continued assistance to Gondwana until the epidemic has subsided. It also agreed to additional analyses of the samples its reference laboratory had collected to have the results confirmed by an international body such as the WHO or OIE. It supported an investigation into the origins of the outbreaks and to this end had already called on Interpol for assistance. However, as the suspected culprit is now a country rather than a non-state actor, Interpol's mandate may limit the role it can play in such an investigation.

Laurussia also proposed to maintain the regional dialogue to continue exchanging information. It believed that Rodinia should eventually also be invited again to join the consultations. It also suggested that the Earthland states should consider the possibility of a future biological incident and explore ways how they can jointly prepare and respond to such an eventuality. In particular, terms of reference should be drafted; a technical expert meeting should be convened to prepare for such an eventuality; and a joint investigative mechanism should be created.

Fourth breakout session: *Evaluation*

Instructions for Gondwana, Laurasia and Laurussia

In the light of the outcome of the diplomatic conference, the crisis committee has been instructed to:

- Review the national decision-making process with regard to the crisis with special attention to how the process can be ameliorated on both the domestic and international levels
 - Identify and characterise the problems encountered
 - What solutions are to be recommended?
- Characterise how the BTWC and its Article VII in particular have shaped national decision-making.
 - Was the influence positive, negative or neutral?
 - How did Article VII impact on crisis management – both from the political and health crisis perspectives?
 - In view of the experiences, which suggestions / amendments can be recommended for the South African working paper on Article VII?

The answers to these questions and the plenary discussion offered several relevant insights for future consideration.

Discussion and observations

Even though the scenario of the third TTX bore many resemblances with those used in the previous exercises, it also had important differences. First, it stepped away from a mass casualty epidemic scenario and raised the question whether Article VII also has a bearing on a deliberate incident involving a zoonotic pathogens such as anthrax bacteria. Their spread is slow and given that their release targeted cattle, human fatalities and other casualties remained fairly low. None of the participants argued that Article VII was of no relevancy to the contingency.

Second, the insertion of a consultative meeting in line with the objectives of BTWC Article V into the scenario offered an alternative to invoking Article VII. The first TTX in November 2016 uncovered potential hindrance of humanitarian assistance already being provided via other channels as well as a significant risk of conflict escalation as activation of the article inevitably implies deliberate use. Moreover, given the lack of clarity about the UNSC's role in the decision-making chain, the uncertainty about how the UNSC might decide or about whether a veto could block an emergency assistance request, further reduced the attractiveness of the provision. Participants thus wondered what roles BTWC Articles V and VI might play in the process. During the second TTX in May 2019 participants, many of whom were emergency responders or coordinators, were requested to reflect on possible contributions by both articles. They essentially dismissed any value Article VI might have because of the recourse to the UNSC. Article V they viewed more favourably, especially because it promotes consultation and cooperation among BTWC states parties and therefore holds the potential of escalation prevention. However, they expressed deep concern about the time frames to organise the consultative meeting and produce actionable conclusions. An epidemic will not wait for the outcomes, they concluded.

The phrasing of Article V and its interpretation by states parties starting at the Third Review Conference (1991) appear to limit the provision's utility in a regional setting. However, at the same review conference, parties also allowed that 'a formal consultative meeting could be preceded by bilateral or other consultations by agreement among those states parties involved in the problems which had arisen'. The phrasing opens the door to a consultative process similar to the one simulated in the third TTX and therefore to a role for BTWC states parties in case one of the them becomes the victim of a BW attack or any other treaty violation.

The third difference with the previous two workshops is composition of the participants. Diplomats and government officials made up 60% of the attendees, many of whom will attend the Ninth Review Conference in 2021 and therefore can consider concrete options to operationalise Article VII in constructive and cooperative ways. As a result of the pres-

ence of representatives of key international organisations during the discussions, the possible contributions of FAO, Interpol, OIE, UNOCHA and WHO to an Article VII process, albeit withing the limits of their respective mandates, also became much concreter.

The TTX confirmed findings from the previous workshops and in several instances put questions in sharper relief. The points below summarise the most important issues.

Implications of triggering Article VII

- A key concern remains that as soon as an Article VII request has been transmitted to the UNSC, BTWC states parties lose control over the process. The November 2016 and the May 2019 TTXs illustrated abundantly that the provision's invocation may considerably complicate emergency responses already underway. In both instances participants expressed a clear preference for mechanisms that allow for a higher degree of predictability of outcomes before turning to the UNSC.
- The uncertainties about the procedures to activate Article VII was viewed as another factor that might increase tensions.
- The inclusion of a consultative round in the scenario of the August 2019 TTX yielded significantly different outcomes. Because participants this time were in a position to consider alternatives to addressing an Article VII request to the UNSC, they also came to realise how the provision actually limited options to resolve the crisis (in its many facets). In particular, efforts to de-escalate the conflict to maximise the opportunities to address the veterinary and health crises became a major preoccupation of the participants.

Size and scope of an incident

- The scenario used for the third TTX differed in the nature and size of the outbreak compared to the earlier exercises. No participant claimed that Article VII is not applicable to zoonotic diseases or small-scale outbreaks that are the consequence of a violation of the BTWC provisions. This underscores the relevancy of the provision in cases of armed conflict or terrorism.
- Notwithstanding the previous point, concrete and coordinated action in support of an Article VII request may depend on the scale of the outbreak. Presently no agreed definition or sets of criteria have been elaborated or agreed. Relevant international organisations may have certain thresholds before intervening, such as the standard for the WHO laid out in the International Health Regulations.
- Less clear is whether states parties would consider requests for emergency assistance for other types of events contrary to the BTWC obligations, such as an accidental release from an illicit BW research or production facility with cross-boundary implications.

Information scarcity and the impact on Article VII

- The dearth of quantitative information, the uncertainties about speed and range of the epidemic, and the demands to have the allegation of the deliberate nature of the outbreak confirmed contributed significantly to the reluctance to trigger Article VII.
- Consistent with the findings from the previous TTXs, participants recognised the need for formal communication channels to be able to request or exchange information. Legal frameworks for sharing information should ideally be developed before an emergency breaks out.
- They also recognised the need for procedures to interact with the media

Evidential support and confirmation of findings

- All three TTXs came across the demand for supporting evidence when triggering Article VII. The BTWC, however, has no institutional framework to launch an investigation of alleged use. Available mechanisms – the UNSG’s mechanism, the Interpol resources, the procedures run by the FAO, OIE or WHO – all exist outside the disarmament treaty. It is also not clear whether collected data can be shared among partner organisations or with BTWC states parties. Indeed, many restrictions apply. The possibility that a factual investigation may identify the perpetrator(s) may also compromise the need for perceived neutrality among all parties to a conflict to be able to function in a conflict zone.
- The demand for solid evidential quality will likely be high. There exists no laboratory network to support the BTWC (similar to the one under development for the UNSG’s mechanism or available to the Organisation for the Prohibition of Chemical Weapons). As the third TTX illustrated, even the findings of a highly qualified national reference laboratory in a BTWC state party had to be validated by another, preferably international and neutral institution.
- A balance may have to be struck between the need for supporting evidence and the demands for speedy emergency assistance. Insistence on a high evidential standard might delay or slow down relief operations.

International organisations

- Several of the international organisations attending the TTX noted that activation of Article VII might ‘securitise’ their work in the field contrary to their mandate to provide emergency assistance or investigate outbreaks. While BTWC states parties have repeatedly referred to such organisations to organise and provide emergency assistance in their consideration of Article VII at review conferences, matters may prove more complicated in practice.

- There exists a need to establish formal communication channels to transmit a request for emergency assistance to an international organisation. Without such pre-arranged channels there cannot be a formal process.
- As BTWC states parties are considering ways of triggering Article VII and preparations for such triggering, the international organisations noted that they have no mandate or procedures for participating in either phase.
- For international organisations, the emergency response could differ considerably based on an expectation of a single trigger event or of a sequence of events.
- Without any clear guidance how to operationalise Article VII, the considerable risk exists that assistance efforts may lead to duplication rather than adding value. In most conceivable instances internationally coordinated emergency responses will already have been initiated well before the first indications of a deliberate origin of the epidemic emerge.
- Efforts to involve all possible partners in emergency assistance – BTWC states parties, international organisations, non-governmental organisations, etc. – in discussions to better understand each other’s mandates, capabilities and limitations should be initiated, and where they already exist, expanded. International organisations in particular may have developed the understanding of their mandate in light of possible requests under Article VII.
- Communication channels between the BTWC community (the ISU?) and other international bodies should be explored, arranged and tested.

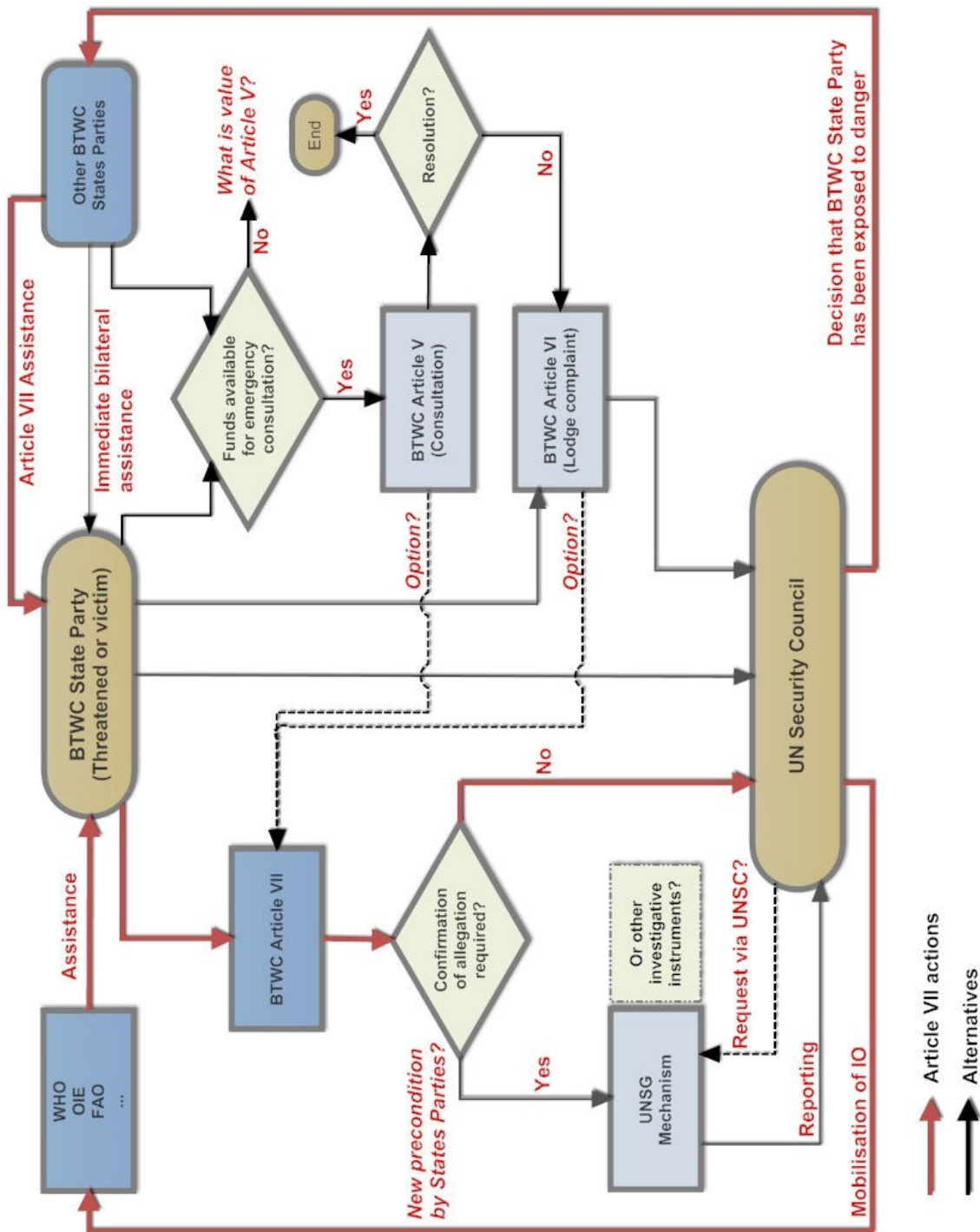
Recommendations for the South African Working Paper

- To guide their deliberations the breakout groups received the working paper on Assistance, Response and Preparedness submitted by South Africa to the Meeting of Experts.¹⁰ They were requested to advise their government on concrete proposals for the 2019 Meeting of Experts, including possible recommendations to supplement or modify the elements in the working paper. The following comments were offered:
 - In general, the draft guidelines offered a useful template for considering the invocation of Article VII.
 - Nevertheless, the TTX revealed some practical problems. In particular, the guidelines should be better aligned with rather than duplicate existing emergency assistance processes developed by international organisations. They should aim to clarify or complement the existing processes.

¹⁰ The working paper is reproduced in Appendix 2.

- Many participants deemed the working paper as currently drafted to be confusing. They suggested that it be rearranged and split into three parts. One part could contain general guidelines for states parties concerning Article VII. A second part could focus on the types of information the UNSC might need for its decision-making. The final part could detail the necessary information to request or provide emergency assistance.
- It was noted that paragraph 6 of the working paper reflects a specific interpretation of Article VII (alleged BW use) and may therefore prove problematic.

Appendix 1 – Possible decision flows



Appendix 2 – Working paper by South Africa

BWC/MSP/2018/MX.4/WP.3

**Meeting 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**

26 July 2018

English only

2018 Meeting

Geneva, 4-7 December 2018

Meeting of Experts on Assistance, Response and Preparedness

Geneva, 14-15 August 2018

Item 5 of the provisional agenda

**A set of guidelines and formats to assist a State Party, if required,
when submitting an application for assistance in the framework of Article VII**

Implementation of Article VII

Submitted by South Africa

I. Introduction

1. In 2014, 2015 and at the Eighth Review Conference, South Africa submitted papers containing proposals on the implementation of Article VII. The paper has continuously been refined to incorporate comments made by State Parties.
2. South Africa is re-submitting the refined proposals in this paper as a number of States Parties have indicated their support for the proposals. South Africa is willing to engage further with States Parties on the proposals contained herein.

II. Discussion

3. Article VII of the BTWC requires States Parties to “provide or support assistance, in accordance with the United Nations Charter, to any State Party to the Convention which so requests, if the Security Council decides that such a Party has been exposed to danger as a result of violation of the Convention”.

Objective

4. The primary objective of Article VII is to provide assistance to a State Party that has been exposed as a result of a violation of the Convention. Therefore, the sole purpose of the assistance provided in terms of this Article should be humanitarian in nature.
5. The following can be deduced from the requirements of Article VII:

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- The Article requires that the request for assistance be forwarded to the United Nations Security Council (UNSC) and the provision for assistance would be dependent on a decision by the Security Council
- The Article does not elaborate on whether that decision would be based on an investigation or the credibility of the information provided to the UNSC in the request for assistance
- Any issues related to an investigation would not be covered under this Article. Whilst it is accepted that an investigation should follow the provision for assistance, the investigation would not be invoked by this Article, but by Article VI.

State Party Options

6. A State Party should have three options to obtain assistance when it has been subjected to the alleged use of biological weapons, and should be able to utilise as many of these options as it deems necessary. The State Party may:

- Obtain assistance on a bilateral basis from other States Parties, States or International Organisations (WHO, OIE, FAO) without invoking Article VII of the Convention;
- Request assistance from other States Parties without invoking Article VII of the Convention. States Parties that are in a position to do so may provide assistance without UNSC approval. In this regard, an agreement by States Parties at the Review Conference would be required; and
- Request assistance from the UNSC in accordance with Article VII of the Convention. If the request is approved by the UNSC, States Parties would be obliged to provide assistance.

III. Application for assistance

7. While it is accepted that an investigation of alleged use should follow the provision of assistance, that should not hamper the humanitarian objective of this Article. Furthermore, an investigation of alleged use may take so long that the provision of assistance will be too late when finally approved.

Guidelines

8. Information accompanying the request for assistance would be useful to States Parties in their preparation to provide assistance, although such information should not be a prerequisite for the provision of such assistance.

9. In the case when assistance is requested from the UNSC, the information provided with the request for assistance will play a crucial role in helping the UNSC to make a prompt decision. The quicker the decision is made, the faster the provision of assistance. The requesting process followed to apply for assistance as well as the information provided to support the application is the prerogative of the State Party requiring the assistance.

10. The following information could be useful to the UNSC in making a decision:

- (a) Name of the State Party.
- (b) National Point of Contact of the State Party.

- (c) Date and place of first reported case. If there was a related event, a description of the event. To the extent possible, the date and time, when the alleged event(s) took place and/or became apparent to the requesting State Party and, if possible, the duration of the alleged event(s).
- (d) Severity of the event. Number of cases and the number of fatalities, if any.
- (e) Symptoms and signs – diagnosis if possible. Information on the initial treatment and the preliminary results of the treatment of the disease.
- (f) A description of the area involved.
- (g) All available epidemiological information.
- (h) Actions taken to manage the outbreak.
- (i) International organisations already involved in the provision of assistance.
- (j) States already involved in the provision of assistance.
- (k) Indications of why the outbreak is considered to be the result of a biological attack.
- (l) Characteristics of the agent involved, if available.
- (m) Types and scope of assistance required.
- (n) Indication of any investigations conducted or being conducted.
- (o) Contact details for coordination of assistance if different from National Point of Contact.
- (p) Licensing requirements for health care personnel and measures to address such requirements.
- (q) Immigration processes for personnel and equipment for the provision of assistance.

IV. Command and control

Principle

11. The State Party remains primarily responsible for the health care of its population, hence it should be in overall control of all response activities.

Guideline on Levels of Response

12. The level of response will depend on the nature of the disease, the geographical area where the outbreak occurred, the status of the public health system of the State and the potential of international effects. Generally, it can be accepted that the health systems (human, veterinary and plant) of the State would always be the first line of response. Responses from neighbouring states, and regional and international actors would be determined by the factors listed above.

13. International organisations, particularly the World Health Organisation (WHO) and World Organisation for Animal Health (OIE) would become involved at an early stage due to their presence and their involvement with States. In most cases, assistance in accordance with Article VII would be additional to and following the assistance provided by

international organisations. The State may at any time request an international organisation (WHO, OIE) or other States to assume command on its behalf.

Licensing of Medical Personnel

14. The requesting State Party should provide temporary licenses to health care personnel upon arrival if required.

V. Laboratory samples

Guideline

15. The existing procedures for sample handling should be utilised during Article VII assistance. The State Party remains the owner of all samples collected during the provision of assistance.

VI. Conclusion

16. It is proposed that a set of guidelines be developed and maintained at the ISU to aid a State Party, if required for the application for, and implementation of assistance in case of alleged use of biological weapons against it.

17. The guidelines above could be useful in this regard. The guidelines could be updated as and when required to maintain relevance.
