

**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**

Geneva, 10 – 14 December 2012

Statement

Strengthening national implementation (agenda item 8)

Delegation of Germany

Mr. Chairman,

Germany very much welcomes that national implementation is among the standing agenda items in the current intersessional process. We hope that further progress will be achieved towards the 8th Review Conference.

National implementation of the Convention is a pivotal point of the success of the BTWC. We welcome that we have been seeing some progress in this field. However, in our view there is still considerable work to be done in this area, both nationally and at the level of the BTWC at large.

States parties need to enact and enforce appropriate national implementation measures in order to honour fully their obligations under the Convention. The BTWC community at large may want to move towards a common understanding and a common set of measures that are appropriate for full national implementation of the Convention.

For national implementation to contribute to the development of an effective BTW regime, it is not sufficient to introduce the provisions of the BTWC into national law. Rather, a variety of measures has to be taken at various levels – legislative, administrative and penal – and across a broad spectrum of regulatory issues – extending from armaments to dual use items,

from monitoring infectious diseases to genetic engineering. While it is true that some of the problems differ according to the various national legal systems, the basic issues have to be addressed by all States Parties to the Convention.

Germany ratified the Biological Weapons Convention with the Biological Weapons Implementation Act of 21 February 1983. At that time, German legislation, which fulfilled the obligations under Article I of the Convention prohibiting biological weapons activities, had already been in place since 1955 after we acceded to the Western European Union in 1954. Our legislation has, over the years, undergone a number of changes and amendments, all aimed at making the BTWC an effective tool. Germanies laws and regulations are fully listed in the legislative data base of the committee pursuant to UN Security Council Resolution 1540. We would like to underline that individual states parties can benefit from this data base which we consider very useful for the implementation of the Convention.

We understand the difficulties that some states parties may have in incorporating all the objectives of the Convention into national law and regulations, since national implementation of the BTWC obligations encompasses a broad range of policy areas and topics, including in the area of bio-safety and bio-security. Nonetheless, all states parties need to implement the Convention at the national level, even if they do not have or consider not to have relevant materials and institutions within their territory.

In this context, Germany would like to draw the attention once more to the renewed BTWC Action of the European Union, enacted on July 23, 2012. Under this action interested states parties have the opportunity to cooperate with the EU and receive assistance, if needed, for their national implementation of the Convention.

Germany welcomes the idea of the peer review process, introduced by France at the Seventh Review Conference, as one option to evaluate national implementation and to share best practices in this field. We believe that this concept merits further consideration in the intersessional process.

Thank you, Mr Chairman.