1. The Biological Weapons Convention (hereinafter referred to as "the Convention") has always played an important role in the comprehensive prohibition, thorough destruction and non-proliferation of biological weapons. With the rapid development of biotechnology and escalation of bioterrorism threats, it has become all the more imperative and important to discuss within multilateral framework, concrete measures to strengthen effectiveness of the Convention.

2. The Fifth Review Conference decided to hold annual meetings of the States Parties and meetings of experts to discuss issues as the adoption of necessary national measures to implement prohibitions of the Convention, with the aim to promoting consensus and actions by the States Parties. The discussions will make positive contributions to the efforts by the international community to strengthen the Convention within the multilateral framework.

3. As an important forum for States Parties to discuss and seek effective measures to implement the Convention, the Expert Group meetings will help states to formulate or improve their national implementation system taking into consideration of both the good experience of other states and the specific national situation, and hence jointly further comprehensive and effective implementation of the Convention. China attaches great importance to the meetings of experts. China will participate in the debate in a constructive manner, and work with other states to bring the meetings to success. Hereunder are China's practice and proposals with regard to the national implementation measures and biosecurity and oversight mechanism:

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China's Practice

4. China has all along supported the principles and objectives of the Convention and fulfilled its obligations under the Convention in a comprehensive and earnest manner. China has been strictly implementing the prohibition set forth in the Convention.

5. According to the Criminal Law of China and its Third Revision, any illegal manufacturing, trading in, transporting, storing, using, stealing, snatching or robbing of any infectious pathogens constitutes a crime and shall receive criminal punishment according to the seriousness of the harm afflicted. Organizing, leading or participating in terrorist activities constitutes a crime and shall be punished.

6. It has been the consistent policy of the Chinese Government to oppose and prevent the proliferation of biological weapons. China has promulgated and strictly implemented the Regulations of the People's Republic of China on Export Control of Dual-Use Biological Agents and Related Equipment and Technologies. A licensing system is imposed on the export of dual-use biological agents and related equipment and technologies listed on the Export Control List of the said Regulations. The Regulations also introduce "catch-all" principle which obligates exporters not to export any items which may be used for biological weapon purposes. Violators will be subject to criminal or administrative punishment. According to the List of Articles Prohibited from Import and Export by Customs of the People's Republic of China, Law of the People's Republic of China on Border Health Quarantine, Law of the People's Republic of China on Quarantine Inspection of Import and Export Animal and Plant and its Implementation Regulations, China prohibits dangerous pathogenic bacteria, harmful insects, animals, plants, animal and plant products, food and drugs which may cause epidemics from entering and leaving the territory of China. China imposes border health quarantine on humans, animals, plants, animal or plant products, other quarantinable goods as well as their containers, wrapping or matting materials and vehicles entering, leaving or transiting the territory of China.

7. With regard to the practical implementation measures, according to the Customs Law of the People's Republic of China, China strictly supervises and controls the means of transport, goods and other items entering or leaving the territory.
8. With regard to legal, regulatory and administrative approaches for ensuring biosecurity and oversight, according to Law of the People's Republic of China on the Prevention and Control of Infectious Diseases and its Implementation Regulations, China establishes three categories of infectious bacteria and viruses based on toxicity and seriousness of the diseases caused, and strictly administer the using, storing, carrying and shipping of such bacteria and viruses. According to the Regulations on Response to Public Health Emergent Incidents, China administrates the quick response to outbreak of serious infectious diseases so as to effectively prevent, contain and eliminate the harmful consequences. According to Administrative Measures for Genetically Modified Food Hygiene, Regulations on the Safety Administration of Agricultural Transgenic Living Things, Measures on the Safety Administration of Genetic Engineering, Implementation Measures on the Safety Administration of Agricultural Biological Genetic Engineering, China strengthens hygiene supervision on genetically modified food, safety administration of transgenic living things and genetic engineering with an aim to safeguard the security of humans, animals, plants, microbes and the ecological environment.

9. With regard to facilities and equipment, personnel and handling, transport and accountability, licensing and accreditation, according to Regulations on Labor Protection in Workplaces Where Toxic Substances Are Used, China exercises strict safety administration in workplaces where toxic substances are used, including prevention measures, working protection, personnel health monitoring, etc. According to General Guidelines on Biological Safety in Microbial and Biological Medical Laboratory, Measures on the Administration of the Prevention and Control of Infectious Severe Acute Respiratory Syndrome, Tentative Measures on the Administration of Infectious Severe Acute Respiratory Syndrome Virus Research Laboratories, China establishes detailed requirements for the administrative mechanism, design criteria and handling guidelines for laboratories of BL2 and above so as to prevent inter-laboratory infection and leaking of pathogenic microorganisms.

10. According to Regulations of the People's Republic of China on the Storage and Administration of Microbial Bacteria Species, Measures of the People's Republic of China on the Administration of the Storage of Medical Microbial Bacteria Species, Tentative Measures on the Administration of the Storage of Veterinary Microbial Bacteria Species, Regulations on the Administration of Bacteria, Virus, Insect Species Used in the Production of Veterinary Biological Products, China strictly administers the classification, selection, collection, storage, identification, indexing, supply, use and external exchange of microbial bacteria, virus and pathogenic insect species.
11. Those mentioned above are China's major laws, regulations and practice in national implementation measures and biosecurity and oversight mechanisms. (for details, see A Compiled List of Laws Regulations of China in Relation to the Implementation of the Biological Weapons Convention) These laws, regulations and measure have been proven by practice to be effective.

China's Perspectives and Proposals

12. National implementation measures are both basic requirements and guarantee for the States Parties to fulfill obligations set forth in the Convention, and concrete manifestation of the States Parties' political commitment. It is China's belief that all States Parties should take all measures necessary for the prevention and prohibition of the development, production, stockpiling, acquisition and retention of biological weapons.

13. Biosecurity plays an important part in the implementation of the Convention. States Parties should guarantee, through legal and administrative measures, that pathogenic microorganism and toxins be used for peaceful purposes not prohibited by the Convention, and not be used for biological weapon or bioterrorism purposes. At the same time, States Parties should attach importance to safeguarding public health and security.

14. China supports international cooperation in the field of formulating and implementing national implementation measures. States Parties should, on basis of equality, cooperation and mutual respect, provide assistance to countries in need through various means such as technological exchange, financial support and regional workshop.

15. With regard of biosecurity, China holds that risk assessment of microbe should be carried out, physical protection levels, design and operation guidelines of laboratories be established, the wrapping, storage, transfer of pathogenic microorganisms be strictly administered.

16. Secondly, biosecurity licensing and personnel accreditation systems should be established. Organizations and individuals engaged in biosecurity related R&D activities should be accredited according to the evaluation of qualifications and capabilities. Manuals of Code of Conduct should be formulated for R&D personnel in this field. Operation procedures should be laid out to ensure that risk assessment and practical and effective safety measures be in place before any biosecurity-related research activities start. Violators should be punished accordingly.
17. Biosecurity-related knowledge should be popularized. Related personnel should be trained on biosecurity so as to raise their awareness of prevention and capability of accident handling.

18. States Parties should cooperate with related international organizations such as WHO and OIE so as to make full use of their resources and achievements. States Parties can discuss and formulate, on the basis of the guidelines of the WHO and OIE, practical biosecurity standards and handling procedures for the reference of all states. Exchanges and cooperation in biosecurity should be promoted, assistance and support be made available to countries in need. States Parties can also make use of the technical expertise of WHO and OIE to establish and improve national biosecurity and oversight mechanism.