

The New Inter-Sessional Process of the BTWC 2007 – 2010

Lecture No. 10

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2. The First Intersessional Process (i)

- After the collapse, in 2001, of the negotiations for a verification protocol over the 1990s, the 5th Review Conference was resumed in 2002 and based on bilateral negotiations states parties were able to agree a: “Fresh approach to combat the deliberate use of disease as a weapon.”
- Rather than international negotiations for a verification regime, the focus turned into discussions aimed at improving national implementation.

3. The First Intersessional Process (ii)

- Initially the delegations in Geneva were sceptical with regard to the potential of the (first) intersessional process.
- However, by 2005, states were much more positive about the value of such discussions.
- “The intersessional programme of work not only helped to focus States Parties on specific issues but also facilitated new thinking.”

4. The Sixth Review Conference (i)

- The value of the intersessional process was recognised by the States Parties to the BTWC, in the Final Document, which stated:
- “The Conference notes that the Meetings of States Parties and Meetings of Experts functioned as an important forum for exchange of national experiences and in-depth deliberations among States Parties. The Meetings of the States Parties engendered greater common understanding on steps to be taken to further strengthen the implementation of the Convention.”

5. The Sixth Review Conference (ii)

- Agreed “...to discuss, and promote common understanding and effective action on:
- (i) Ways and means to enhance national implementation, including enforcement of national legislation, strengthening of national institutions and coordination among national law enforcement institutions.
- (ii) Regional and sub-regional cooperation on implementation of the Convention.”

6. The Sixth Review Conference (iii)

“...(iii) National, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins.

(iv) Oversight, education, awareness raising, and adoption and/or development of codes of conduct with the aim of preventing misuse in the context of advances in bio-science and bio-technology research with the potential of use for purposes prohibited by the Convention.”

7. The Sixth Review Conference (iv)

“...(v) With a view to enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases: (1) for States Parties in need of assistance, identifying requirements and requests for capacity enhancement; and (2) from States Parties in a position to do so, and international organizations, opportunities for providing assistance related to these fields.”

8. The Sixth Review Conference (v)

- “...(vi) Provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems.”

9. The BTWC 2007 Meetings (i)

- 2007 Discussed: “Ways and means to enhance national implementation... [and]... Regional and sub-regional cooperation on implementation of the Convention.”
- Several Common themes emerged including the “Recognition that there is no ‘one-size-fits-all’ solution for national implementation...”
- “The need to help States Parties build capacity: in addition to guidance on enacting legislation and regulations, States Parties need practical assistance to build their capacity to enforce and manage such measures.”

10. The BTWC 2007 Meetings (ii)

- “The States Parties recognised the value of ensuring that national implementation measures:
- (i) penalize and prevent activities that breach any of the prohibitions of the Convention, and are sufficient for prosecuting prohibited activities;
- (ii) prohibit assisting, encouraging or inducing others to breach any of the prohibitions of the Convention...”

11. The BTWC 2008 Meetings (i)

- The 2008 BTWC meetings focused on:

“1. National, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins.

2. Oversight, education, awareness raising, and adoption and/or development of codes of conduct with the aim of preventing misuse in the context of advances in bio-science and bio-technology research with the potential of use for purposes prohibited by the Convention...”

12. The BTWC 2008 Meetings (ii)

- Biosecurity, in the context of BTWC was defined by the secretariat in a background paper produced for the meeting of Experts. “In the setting of the BWC, it is most commonly used to refer to mechanisms to establish and maintain the security and oversight of pathogenic microorganisms, toxins and relevant resources, as discussed during the 2003 meetings of the Convention.”

13. The BTWC 2008 Meetings (iii)

- “States Parties noted their common understanding that in the context of the Convention... *biosecurity refers to the protection, control and accountability measures* implemented to prevent the loss, theft, misuse, diversion or intentional release of biological agents and toxins and related resources as well as unauthorized access to, retention or transfer of such material.”

14. The BTWC 2008 Meetings (iv)

- States Parties agreed on the value of
- “National authorities defining and implementing biosafety and biosecurity concepts ... such as those produced by the FAO, OIE and WHO...”
- “National governments taking the leading role ... ensuring effective enforcement and regular review of relevant measures.”
- “National governments... using tools such as: accreditation, certification, audit or licensing for facilities, organizations or individuals; requirements for staff members to have appropriate training in biosafety and biosecurity; mechanisms to check qualifications, expertise and training of individuals.”

15. The BTWC 2008 Meetings (v)

- On the issue of **Education** it was agreed that:
- “States Parties noted that formal requirements for seminars, modules or courses, including possible mandatory components, in relevant scientific and engineering training programmes and continuing professional education could assist in raising awareness and in implementing the Convention.”

16. The BTWC 2008 Meetings (vi)

- On the issue of **Oversight** it was agreed that:
“Having considered the oversight of science, States Parties recognised the value of developing national frameworks to prohibit and prevent the possibility of biological agents or toxins being used as weapons, including measures to oversee relevant people, materials, knowledge and information, in the private and public sectors and throughout the scientific life cycle.”

17. Expectations for the BTWC 2009 & 2010 Meetings (i)

- “...enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases...”
- There is a clear role for scientists in engaging on this topic.

18. Expectations for the BTWC 2009 & 2010 Meetings (ii)

- “Provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems.”

19. The Future of the Biological and Toxin Weapons Convention.

- Scientists have always played a role in the BTWC either through ad hoc requests by states parties or through contributing to the review conference background papers.
- The Additional Understandings that have emerged from successive Review Conference have made various requests to the scientific and professional community.
- However, the role of scientist in the BTWC is likely to grow.

20. Role of Scientist in the BTWC

Dimension of the BTWC	Action suggested for life scientists
<i>Development dimension</i>	<ul style="list-style-type: none"> •Clearly identify where technology can be transferred safely and legally •Facilitating transfers of peaceful: agents; technologies and expertise
<i>Compliance dimension</i>	<ul style="list-style-type: none"> •Supporting the implementation of the BTWC's Article IV •Reinforcing the normative element of the BTWC; •Ensure states are aware of their responsibilities •Supporting a continuous process of awareness-raising;
<i>Research dimension</i>	<ul style="list-style-type: none"> •Helping to draw the line between permitted and prohibited research in the future and flagging research of concern; •Contributing to research oversight committees, which would conduct pre-project reviews.
<i>Institutional dimension</i>	<ul style="list-style-type: none"> •Building relations and drawing attentions to areas of concern. •Contributing to the Inter-Sessional process topics.

Sample Questions

- 1. Assess the different definitions of Biosecurity?**
- 2. Should the states be regulating science and “taking the leading role in ensuring effective enforcement” of Biosecurity?**
- 3. Discuss whether Biosecurity Education should be mandatory? Do you think scientists have a responsibility for the misapplication of their research results?**
- 4. Do you think the oversight of science is possible or indeed useful? Would national frameworks and “measures to oversee relevant people, materials, knowledge and information” be useful?**

References

(Slide 2)

United Nations (2002) “*Final Document*” BWC/CONF.V/17, Geneva: United Nations. Available from [http://www.opbw.org/rev_cons/5rc/docs/rev_con_docs/i_docs/BWCCONF.V-17-\(final_doc\).pdf](http://www.opbw.org/rev_cons/5rc/docs/rev_con_docs/i_docs/BWCCONF.V-17-(final_doc).pdf)

Mahley [US] (2001) “*Statement by the United States to the ad hoc group of biological weapons convention states parties*” Geneva, Switzerland July 25, 2001. <http://missions.itu.int/~usa/press2001/0725mahleybriefing.htm>

(Slide 3)

United Nations (2005) “*Report of the Meeting of States Parties*”, BWC/MSP/2005/3, 14 December 2005, Geneva: United Nations. Available from http://www.opbw.org/new_process/msp2005/BWC_MSP_2005_3_E.pdf

(Slide 4-8)

United Nations (2006) “*Final Report*” BWC/CONF.VI/6, December 8, 2006, Geneva: United Nations. Available from <http://daccessdds.un.org/doc/UNDOC/GEN/G07/600/30/PDF/G0760030.pdf?OpenElement>

(Slide 9 and 10)

United Nations Office at Geneva (2007) Biological Weapons Convention Experts Meeting Concludes. News and Media. Available from [http://www.unog.ch/unog/website/news_media.nsf/\(httpNewsByYear_en\)/EC3FF1F841C0FDA0C1257341004CD9E6?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/EC3FF1F841C0FDA0C1257341004CD9E6?OpenDocument)

(Slide 11)

United Nations (2008) “Report of the Meeting of States Parties”, BWC/MSP/2008/MX/3 8 September 2008, Geneva: United Nations. Available at <http://daccessdds.un.org/doc/UNDOC/GEN/G08/630/84/PDF/G0863084.pdf?OpenElement>

(Slide 12)

Implementation Support Unit (2008) “*Biosafety and Biosecurity*” (BWC/MSP/2008/MX/INF.1). Geneva: UNOG. Available at: <http://daccessods.un.org/access.nsf/Get?Open&DS=BWC/MSP/2008/MX/INF.1&Lang=E>

(Slide 13)

United Nations (2008) “Report of the Meeting of States Parties”, BWC/MSP/2008/MX/3 8 September 2008, Geneva: United Nations. Available at <http://daccessdds.un.org/doc/UNDOC/GEN/G08/630/84/PDF/G0863084.pdf?OpenElement>

(Slide 14-16)

**United Nations (2008) "Report of the Meeting of States Parties",
BWC/MSP/2008/MX/3 8 September 2008, Geneva: United Nations. Available at
<http://daccessdds.un.org/doc/UNDOC/GEN/G08/630/84/PDF/G0863084.pdf?OpenElement>**

(Slide 17)

**United Nations Office at Geneva (2009) Disarmament: Meeting of Experts (24 - 28
August 2009) - Information for Action. Available from
[http://www.unog.ch/80256EE600585943/\(httpPages\)/F1CD974A1FDE4794C125731A0037D96D?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/F1CD974A1FDE4794C125731A0037D96D?OpenDocument)**

(Slide 18)

**United Nations (2008) "Report of the Meeting of States Parties",
BWC/MSP/2008/MX/3 8 September 2008, Geneva: United Nations. Available at
<http://daccessdds.un.org/doc/UNDOC/GEN/G08/630/84/PDF/G0863084.pdf?OpenElement>**

(Slide 20)

**Revill. J & Dando. M. R (2007) "*Life Scientists and a Culture of Responsibility: After
Education. What?*" *Science & Public Policy* Special Issue. 35(1), February 2008.
Available from
<http://www.ingentaconnect.com/content/beechnet/spp/2008/00000035/00000001/art00005>**