

# BACKGROUND INFORMATION ON THE BIOLOGICAL WEAPONS CONVENTION AND OVERSIGHT OF THE LIFE SCIENCES

## The Biological Weapons Convention

The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, commonly known as the Biological Weapons Convention (BWC) or Biological and Toxin Weapons Convention (BTWC), opened for signature in 1972 and entered into force in 1975. It was the first multilateral disarmament treaty banning an entire category of weapons. It effectively prohibits the development, production, acquisition, transfer, retention, stockpiling and use of biological and toxin weapons and is a key element in the international community's efforts to address the proliferation of weapons of mass destruction. It remains the most suitable international framework for developing requirements for common national science oversight and management arrangements and for harmonising those already in place. It is the primary global, multilateral forum for addressing biological weapons, the threats posed by the malign use of biology and for ensuring that the life sciences are used solely for the collective benefit of humanity.

Throughout the 30 years since its entry into force, the BWC has continued to evolve - adapting to best fit the risks and threats confronting global security. The five-yearly review conferences have added a range of additional agreements, for example, a mechanism for annual exchanges of information to enhance transparency and build confidence. More recently, annual meetings have been used to reach common understandings on measures to improve the implementation of the Convention<sup>1</sup>. This multilayered approach has helped to translate international obligations into effective national action. By the end of 2008 common understandings will be added to the BWC regime covering biosafety, biosecurity, oversight of science, education, awareness raising and codes of conduct.

### Key Provisions of the Biological Weapons Convention

Article	Provision
Article I	Never under any circumstances to acquire or retain biological weapons.
Article II	To destroy or divert to peaceful purposes biological weapons and associated resources prior to joining.
Article III	Not to transfer, or in any way assist, encourage or induce anyone else to acquire or retain biological weapons.
Article IV	To take any national measures necessary to implement the provisions of the BWC domestically.
Article V	To consult bilaterally and multilaterally to solve any problems with the implementation of the BWC.
Article VI	To request the UN Security Council to investigate alleged breaches of the BWC and to comply with its subsequent decisions.
Article VII	To assist States which have been exposed to a danger as a result of a violation of the BWC.
Article X	To do all of the above in a way that encourages the peaceful uses of biological science and technology

The unique challenges of ensuring biology is not used for malign purposes have led to the evolution of a different type of regime. The BWC does not have an international organisation to oversee its implementation. Instead, it has an Implementation Support Unit (ISU) to assist states in their efforts to implement the treaty and to act as a focal point for exchanges of information on efforts to tackle biological weapons. More information can be found online on the Unit's web pages ([www.unog.ch/bwc/isu](http://www.unog.ch/bwc/isu)). As it has no executive council, or standing bureau, BWC activities are driven by its States Parties in a more fluid and organic manner. Successive Chairs of annual meetings have been mandated to assist in the coordination of such initiatives. Annual meetings provide the framework for States Parties and other stakeholders to keep up to date with ongoing individual and collective activities and coordinate their efforts. They also provide a valuable opportunity to feed the results of all relevant initiatives - both under the Convention and those more removed - into global multilateral efforts to deal with biological weapons. Recent meetings have seen considerable success in engaging broader stakeholder communities, including those from government, science, industry, health, agriculture and the environment. Representatives from relevant international, regional, national and non-governmental organisations from all stakeholder communities are now regular and enthusiastic participants in the BWC process. It has become *the* international forum for dealing with biological weapons.

<sup>1</sup> The full text of the treaty and additional agreements can be found in the document "Text of the BWC and Additional Understandings" which is on the BWC website at: [www.unog.ch/bwc](http://www.unog.ch/bwc). All other documents discussed in this paper can also be found on this website.

## Relevant Additional Agreements

- The Convention covers all relevant scientific and technological developments;
- Scientific communities should only be involved with life sciences activities for prophylactic, protective and other peaceful purposes;
- To take all necessary safety and security provisions to protect populations and the environment;
- To have national export control regimes;
- To nominate national focal points to facilitate domestic, regional and international coordination and information exchange;
- To include information on the Convention and the 1925 Geneva Protocol in educational materials and programmes;
- To promote the development of training and educational programmes for those granted access to biological resources; and
- To promote awareness amongst relevant professionals and encourage the development of codes of conduct.

## Common Understandings

Relevant common understandings are reflected in the reports of Meetings of States Parties from 2003, 2005 and 2007. Common understandings from 2003 relate to the security and oversight of pathogenic microorganisms and toxins<sup>2</sup>. The 2005 report deals with codes of conduct and includes understandings on scope, the role of stakeholders, content, adoption and promulgation<sup>3</sup>. The 2007 report covers national measures to implement the Convention and includes understandings on scope, harmonization, enforcement, impact of scientific progress, regional and international cooperation and access to necessary resources<sup>4</sup>. The 2008 Meeting of States Parties (1-5 December) will work on common understandings on concepts and approaches, building capacity, and risk management for biosafety and biosecurity, as well as on oversight of science, education and raising awareness, and codes of conduct.

## Sources for Additional Information

As part of the review conference process, States Parties review the relevance of scientific and technological developments to the global ban on the malign use of biology. The last review took place at the Sixth Review Conference in 2006. Submissions by States Parties were compiled into a background information document by the Secretariat<sup>5</sup>. The next full review will take place at the Seventh Review Conference, scheduled for 2011. In the interim, additional information is provided, as it becomes available, on the website of the ISU.

To facilitate States Parties' preparations for their discussions this year, the ISU prepared a background paper on the oversight of science<sup>6</sup>. During the Meeting of Experts held in August, States Parties, international organisations and other stakeholders produced a wide variety of relevant resources<sup>7</sup>. Substantive elements from these contributions were compiled and annexed to the report of the meeting<sup>8</sup>. The Chair and the ISU have since produced a coherent, compressed synthesis of contributions<sup>9</sup>. This synthesis will be discussed in detail at the Meeting of States Parties in December.

Additional information on all aspects of the BWC and related activities can be found on the ISU website. A dedicated section on relevant science and technology can be found at: [www.unog.ch/bwc/science](http://www.unog.ch/bwc/science). Details of this year's meetings, official and informal documents, statements, presentations, interventions, posters, panel discussions and other resources generated by Meetings of Experts and Meetings of States Parties can also be found on the website at: [www.unog.ch/bwc/meeting](http://www.unog.ch/bwc/meeting).

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<sup>2</sup> BWC/MSP/2003/4 Vol.I, Report of the Meeting of States Parties

<sup>3</sup> BWC/MSP/2005/3, Report of the Meeting of States Parties

<sup>4</sup> BWC/MSP/2007/5 Report of the 2007 Meeting of States Parties

<sup>5</sup> BWC/CONF.VI/INF.4 Background Information Document on New Scientific and Technological Developments Relevant to the Convention

<sup>6</sup> BWC/MSP/2008/MX/INF.3 Oversight of Science - Submitted by the Implementation Support Unit

<sup>7</sup> See the 2008 Meeting of Experts web pages at: [www.unog.ch/bwc/meeting](http://www.unog.ch/bwc/meeting)

<sup>8</sup> BWC/MSP/2008/MX/3 Report of the meeting of Experts

<sup>9</sup> The synthesis was annex to a letter from the Chairman to States Parties dated 10 October 2008. The text of the letter and a copy of the annex can be found on the BWC website.