

THE BIOLOGICAL WEAPONS CONVENTION IN 2008: Bringing Biologists on Board

Statement by Ambassador Georgi Avramchev
Chairman of the 2008 Meetings of the Biological Weapons Convention
to the 2nd International Forum on Biosecurity

Thank you for inviting me to speak at this conference. I have found the discussions highly relevant and engaging, and I hope that at the meetings of the Biological Weapons Convention later in the year we will be able to replicate the high standards you have set here in Budapest. The issues we are addressing here are of growing importance, not only to us as individuals -- irrespective of whether we have scientific or diplomatic backgrounds -- but also for the long-term well-being of the international community, whether that be through economic development, the fight against hunger and disease, or preventing the biological sciences being used for malign purposes.

I have been asked to focus my comments on ways in which scientists can contribute to international discussions on how to ensure that the life sciences are used solely for our collective benefit. I believe that events such as this meeting make a vital contribution. Putting issues, such those we are gathered here to consider, on the agendas of relevant scientific organisations will raise awareness of the importance of our task and strengthen the community of motivated, informed scientists that plays such an important role in the work of the BWC.

For this reason, I want to take this opportunity to thank the organisers of this event for all their hard work, especially the InterAcademy Panel, the InterAcademy Medical Panel, the International Union of Microbiological Societies, the International Union of Biochemistry and Molecular Biology, the International Union of Biological Science, the Hungarian Academy of Science and the US National Academies.

At the outset, I would like to endorse the goal of this Forum in encouraging communication and cooperation among the experts and organizations, especially as they relate to:

- Building a culture of responsibility within the science community;
- Identifying standards and practices for research oversight; and
- Providing scientific advice to governments and international organizations and developing the role of the science community in global governance.

The Biological Weapons Convention

These aims are particularly close to my own field of interest - the Biological Weapons Convention, or BWC. I hope that the BWC will be one international regime to benefit from closer cooperation and enhanced communication with the scientific community. Recent years have seen improvements in the ways in which scientists can contribute to meetings of the BWC. I believe that the BWC States Parties are keen to embrace the scientific community as a key stakeholder, and this is a trend which I hope to reinforce and build upon during my Chairmanship. I hope that everyone here today, as well as the organisations that

you represent, can take advantage of this years' BWC meetings to build stronger working relationships between the security and science communities.

The BWC traditionally sits at the nexus between the two communities. After all, the treaty was created to ensure that the life sciences are used only for the benefit of humanity. It matches prohibitions (ensuring that the life sciences are not used for malign purposes) against protections for scientific freedom (enshrining the right to conduct scientific activities for peaceful purposes). Negotiated over 35 years ago, at the height of the Cold War, the BWC is an elegant and concise piece of international law whose key obligations can be summarised as follows:

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

The BWC was, and is, a *security instrument*. Over much of its history, its members have argued about the need to add verification machinery to the treaty -- in the form of inspections, monitoring and so on -- but these efforts ultimately foundered in 2001 in the face of intractable political and technological challenges. This was a difficult time in the Convention's history, and many States Parties -- as well as other observers -- feared that it might mark the end of collective, multilateral efforts against biological weapons. But, happily, these fears proved unfounded. Rather than grind to a halt, international efforts instead moved off in a different and remarkably productive direction.

Members of the BWC realised that because of the pervasiveness of biotechnology and rapidity of change and development in the biosciences, governments alone could not confront the threat of biological weapons in the traditional arms control sense. No government or international organisation can hope to monitor the tens of thousands of small biotechnology facilities spreading around the world. The number of facilities and the capability of the technology are ever increasing, while the cost and size of the equipment drops steadily.

Recognising this, the member states of the BWC developed a new approach to incorporate the efforts not only of the defence and security sector, but also of the public health, agriculture, law enforcement, and education sectors, as well as the international scientific community and commercial industry. If the potential problem lies in many hands, runs the logic, so must the solution. From 2003-2005, BWC members held a series of meetings looking at both synergies and coordination among different sectors and actors nationally, and

to boost cooperation regionally. This innovative endeavour succeeded, and has laid the foundations for our current work.

Current BWC Initiatives

In 2006, BWC members met to review the operation of the treaty. These five-yearly review conferences look at how the BWC has performed since the last review, examine relevant developments in science and technology, and consider how to respond to emerging challenges and problems. The 2006 Sixth Review Conference was highly praised as one of the most successful ever. It saw States Parties agree on a number of important new ways to reinforce their efforts against the threat of biological weapons, including:

- A plan of action to increase the membership of the treaty;
- The nomination of national contact points to facilitate communications relevant to the BWC;
- Ways to improve national implementation, including of Article X of the Convention dealing with the peaceful uses of biological science and technology;
- Establishment of an Implementation Support Unit for the Convention, addressing a long-standing need for institutional support for the efforts of States Parties; and
- A detailed new intersessional work programme to help ensure effective implementation of the Convention until the Seventh Review Conference in 2011.

Intersessional processes form the backbone of the treaty's efforts to stay relevant in our rapidly evolving world. Each year the BWC hosts international meetings on specific issues. The topics are agreed upon by all members in advance and are those thought to be particularly important in the global fight against the deliberate spread of disease. Each year, two meetings take place: one in the summer at the 'expert level', where world experts on technical aspects of the issues under consideration assemble; and the other at the end of the year, at the 'diplomatic level', to consider how best to place the technical discussions of the Meeting of Experts into the political framework of the BWC and the individual national frameworks of its members. This second meeting is known as the Meeting of States Parties.

The meetings are designed to discuss, and promote common understanding and effective action on various issues – not to negotiate binding international commitments. The meetings have proven highly successful in bridging gaps between the viewpoints of members and creating an atmosphere of practical and constructive collaboration. The annual meetings also provide the conceptual underpinnings for decisions, taken at a later date, by members on any necessary additional action. For this reason, expert scientific input is vital to ensure that our efforts retain their validity, both in terms of technical accuracy and through engagement with our stakeholders – including scientists.

By the end of this year, the BWC will be halfway through its current intersessional process. Last year, our meetings focused on how the international obligations of the treaty are translated into domestic measures (laws, regulations, etc.) through national and regional action. In 2009, the BWC will consider the promotion of capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases. In 2010, we will move on to consider the provision of assistance, and coordination with relevant organizations, in the case of alleged use of biological or toxin weapons. I am sure that these meetings will offer many more opportunities for input from scientific experts. But I would like to focus now on the topics we are considering this year.

2008 Meetings of the Biological Weapons Convention

Of all the topics in the current intersessional process, the issues under consideration this year are perhaps the ripest for forging new relationships between the BWC and the scientific community. This year we are dealing with:

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

I am still at an early stage in my preparatory consultations with BWC members on these topics and how they should be tackled. As my thoughts on these issues develop, I will be in a better position to provide details about how we might organise our efforts to make best use of our meetings. At the moment, I am deliberately keeping my comments broad, in order to allow the process to develop organically according to the demands of BWC members and the technical nature of the issues under consideration. On the first topic, biosafety and biosecurity, I am hoping to set time aside for:

- Contributions from relevant international organisations (such as the World Health Organization, the World Organisation for Animal Health, the Food and Agriculture Organization, and the Organisation for Economic Cooperation and Development), as well as professional scientific associations, including regional biosafety societies;
- A thorough consideration of risk management approaches; and
- The identification of useful components when developing or revising national regimes for biosafety and biosecurity.

The second topic naturally falls into three separate areas:

- Scientific oversight, including relevant scientific and technological advances since the Sixth Review Conference in 2006;
- Outreach on the BWC, 1925 Geneva Protocol and UN Security Council Resolution 1540, including aspects of education and awareness raising; and
- Codes of conduct.

From my perspective, having been charged with chairing the BWC meetings on these issues, it should be obvious why I believe this meeting in Budapest is particularly well timed. I am sure you can see why I am so grateful to its organisers for assembling such a large number of relevant experts: they have already done so much of the hard work for me. I can promise that the discussion held at this forum will feed directly into my preparations for this year's BWC meetings, and I would like to thank each and every one of you who has contributed, and who will contribute, over the course of this meeting.

On 14 February, I wrote to States Parties, providing them with my initial thoughts on how we might manage the program for the year. Since then, I have been meeting with states, bilaterally and collectively, to hear their feedback. In light of these contributions, I have been evolving my thinking and further developing my approach. But I am not interested only in

the views of the governments of States Parties to the BWC: I want to cast my net much more widely. So I would encourage anyone here today, who is interested in providing feedback or contributing to the Meeting of Experts in any way, to get in touch with me directly, or with the Implementation Support Unit, to discuss how we can work together to ensure that the appropriate scientific expertise is present and playing its role in the work of the BWC. To help you understand how you can get involved and help, let me outline how our meetings work and speak a little of how I hope they will unfold.

Plans for the Meeting of Experts

The Meeting of Experts will be held in the United Nations Office in Geneva, Switzerland from 18 to 22 August 2008. I encourage you to all enter these dates into your diaries now. As I have said to States Parties, the topics we have to deal with this year cover a wide range of technical and policy issues, and involve many actors at the international, regional and national levels. As a result, we will need to plan carefully and prepare well in advance to ensure that we deal with the topics comprehensively and efficiently in the very limited time we have at hand -- just one week.

We will need to make best use of all of the tools at our disposal. Some resources will be familiar to those of you who have participated in BWC meetings in the past (such as the background papers produced by the Implementation Support Unit); others we will be developing during the course of the year.

Background Documents

As was done in previous years, to help States Parties prepare for the Meeting of Experts, I have tasked the ISU with putting together four background papers:

- One on biosafety and biosecurity, including details of how the terms are used and their meanings in different settings, previous agreements, understandings and proposals in the BWC setting, and relevant international developments since the last time we considered these issues in 2003;
- A second on codes of conduct, looking at previous agreements, understandings and proposals as well as relevant international developments since the 2005 meetings on this issue;
- A third paper on the oversight of science, bringing together thoughts and approaches to this issue as found in publications and output from relevant international and national scientific organisations; and
- A fourth paper on outreach, education and raising awareness, including a general introduction to the various measures that have been used to complement formal legislation and regulatory mechanisms, both in biological science and other areas.

These papers will draw heavily on information provided by experts in the various fields. So one way in which scientists, such as many of you here in this room, can contribute to the work of the BWC this year, is by continuing to produce relevant documents and reports. If you are interested in how these background papers are put together, or want to provide information, perspectives or have suggestions, please get in touch with the Implementation Support Unit.

Improving Information Sharing

Since I took over the Chair of the BWC, I have been thinking hard on how we can improve how information is gathered and shared. Given the time constraints that we will be under, and the breadth of our two topics, I have been looking at ways in which we might allow States Parties to share information on their own national practices more efficiently. In past years, considerable time at our expert meetings has been devoted to States Parties making factual reports on their own national arrangements relevant to the topic. For example, Hungary might make a presentation outlining its national regulations and practices in the area of biosafety. This is a useful exercise, and indeed the exchange of national experiences has been cited as one of the major benefits of the intersessional work programme. But it is time consuming, so I am looking at the possibility of collecting this information in advance of the meeting, and making it available online in a *compendium of national approaches* to biosafety, biosecurity, scientific oversight, and outreach on the BWC.

This new online data set, compiled from information provided voluntarily by States Parties in advance of the meeting, would build upon current legislative databases, by looking at how states implement their non-proliferation commitments through the protection of relevant biological resources, administrative regimes and guidance, and awareness raising. Much of the information which I envisage will be contained within this compendium will be produced anyway for national statements, presentations and working papers. I would encourage you, as concerned scientists, to contact your foreign ministries if you believe that you have something to contribute to your national preparations for the Meeting of Experts.

This compendium would not replace any existing arrangements. It would not preclude national contributions from being re-released as official documents of the meeting. Rather it would build upon current procedures by providing a central focal point where relevant national information can be accessed more easily without having to hunt through the various statements, presentations and papers.

I am also encouraging delegations to introduce their national approaches in summary rather than reiterate them in full. Having the compendium in place before the meeting will ensure that all participants, and interested parties unable to travel to Geneva, will have the opportunity to review the information provided at their leisure. This will hopefully increase the amount of time at our disposal for interactive discussions between experts and maximise the benefits of bringing so many people together in one place and at one time.

Experts at the Meeting

On the issue of bringing experts together, I have also requested states to think about what expertise they will be including in their own delegations, as well as to suggest to me those individuals and organisations that they would like me to invite as informal ‘guests of the meeting’.

In addition, there are well-established mechanisms for individuals and other organisations that attend BWC meetings, to voice their opinions and to contribute to the discussions. Time is usually set aside for such bodies to make statements to delegations, and conference rooms are available (at no cost) to host side-events, lunchtime seminars, and other ancillary workshops.

I am hopeful that this year we will be able to build upon the innovation, made by the 2007 Chairman, of informal discussion panels. It is my plan to invite a small number of highly qualified individuals from key disciplines to interact with me, amongst themselves, and with delegations on specific aspects of the topics under consideration. These panels will provide an important interface between the scientific and policy-making communities at the international level. This flexible format can be used to address pressing issues and to shape the debate on our topics for this year.

I have also been thinking about how we can improve the experience that experts have at BWC meetings. We have received some feedback that in the past, our sessions have been a little too orientated towards the diplomats in delegations, leaving experts frustrated that they are not able to contribute more to the discussion and interact with each other. Therefore, I have proposed to BWC members that we should develop additional informal events around the margins of the meeting to provide a better chance for scientific experts to interact. Our thinking on this is still developing and if you have any ideas, I would like to hear about them.

One idea that has so far received broad support is to hold *poster sessions* for experts. Although many of the diplomats I have spoken with were unfamiliar with this concept, national scientific experts have jumped at the idea and seem to have reassured their colleagues in ministries of foreign affairs. If we do proceed with the poster session idea, I would most strongly encourage you to participate.

On the outcome of the Meeting of Experts, I would expect that the outcome document will closely resemble those produced in the past. It will probably comprise the usual procedural details (such as who came, how many sessions we held, how many presentations took place, etc.), to which would be annexed, under my authority as Chairman, a list of the perspectives, recommendations, and proposals put forward during the meeting.

Meeting of States Parties

The Meeting of States Parties for 2008 will take place in the United Nations Office in Geneva from 1 to 5 December. While you still have your diaries out, I would encourage you all to add these dates as well. It will likely take the technical discussions from our summer meeting and place them within the broader context of the BWC. States Parties will consider how to integrate the best ideas into their efforts under the Convention.

The substance of the Meeting of Experts will be transmitted to the Meeting of States Parties through a variety of mechanisms:

- *The report of the Meeting of Experts* – including its annex on the substantive elements of the discussions in August, so it will be important to ensure that this document reflects those discussions as closely as possible. As in previous years, I will prepare a "synthesis paper" that reflects the main elements of the substantive annex.
- *Official documents* – all of the background documents prepared for the Meeting of Experts will also be available for the Meeting of States Parties.
- *Online information* – The ISU will maintain the compendium of national approaches throughout the course of the year, updating it as more information becomes available. Data submitted by states and the international organizations participating

in this year's BWC meetings will also be distributed from time to time via the ISU's website.

- *Expert participants* – Many delegations will have similar membership at both meetings, ensuring that the discussions that take place in August are reflected in the meeting at the end of the year.

Although it is early in the year to be thinking about the Meeting of States Parties, it will be important to bear in mind our ultimate objective throughout the duration of our efforts. That objective, as the mandate for these meetings describes, is to find ways to take effective action on the topics under consideration. Effective action on biosafety, biosecurity, the oversight of science, as well as on outreach activities, will depend heavily on the efforts of scientists. Your contributions will be key to achieving success for the BWC meetings this year.

I believe the BWC is standing ready to reinforce how it works with you as scientists. We are open to hearing your views, to taking on board your opinions and taking advantage of your expertise.

Conclusions

I would like to conclude by summarising the different ways in which you can contribute to this year's meetings of the BWC. You can:

- Hold events, like this one, on biosafety, biosecurity, oversight of science, as well as outreach;
- Continue to produce reports and documents on these issues;
- Place these issues on the agendas of scientific organizations of which you are members;
- Contact the ministry of foreign affairs of your country about their national preparations for BWC meetings and the composition of their delegation;
- Provide feedback (personal, or from your organizations) on these issues, as well as on our plans to tackle them;
- Plan and hold side events, lunchtime seminars and ancillary workshops during BWC meetings;
- If invited, take part in discussion panels;
- Make statements to BWC meetings on your views;
- Prepare for and actively participate in poster sessions.

I would like to finish by thanking you very much for your attention. I will happily do my best to answer any questions you might have.
