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The Biological Weapons Convention: Looking Ahead

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and Chairman of the BWC meetings in 2007*

Thank you for inviting me to address this part of the programme. I am very pleased to be here to look ahead, at the future of the Biological Weapons Convention.

In the months since the conclusion of the Sixth Review Conference in December 2006, we have seen the usual variety of reports and analyses, in a range of specialist journals and other media. One or two I wrote myself. It is interesting to see the diversity of opinion. Some view the Conference as a great success, restoring the BWC to unity, health and vigour after a decade of division, rancour and stalemate. Others focus on what they see as the modest extent of the agreements, and regret that the States Parties did not go further. One point that everyone seems to agree on, however, is that the result could have been much worse. As President, I suppose I should take some comfort from that.

The most telling analyses are those that characterise the outcome of the Review Conference not as a diplomatic triumph that makes the world safer from biological weapons, but rather as a **basis** for coordinated action that has the **potential** to reduce the threat of development, acquisition or use of BW. In other words, the success of the Conference is a means to an end, not an end in itself. What I want to talk about today is how that potential is being realized, and what the States Parties - and others - need to do to ensure that words are converted to action.

First, let us take a look at exactly what the Conference did agree, and the factors that made the agreements possible. For this, we need some historical context. Remember that the BWC -- in contrast to its younger cousin, the Chemical Weapons Convention -- is a simple instrument, only a few pages long. Its prohibitions are clear, succinct, categorical and definitive, but it is an instrument of principle rather than procedure. It contains no provision for monitoring or verification of compliance, no provision for an implementing organization, no details of how alleged breaches should be investigated, no organized means of helping States Parties meet their obligations. Many have considered this a serious shortcoming. For much of the history of the BWC, States Parties and others have fretted about the effectiveness of the treaty as a practical barrier against the development of biological weapons.

In the 1990s, negotiations were begun on a protocol to strengthen and verify the BWC, but after many years of work, the effort collapsed in disagreement and recrimination in 2001. When the Fifth Review Conference later that year foundered on these sharp differences, it seemed possible that multilateral efforts against biological weapons could come to a complete halt. Yet this did not happen. Thanks to the resourcefulness and determination of the States Parties, the BWC embarked on a new course: one that is arguably better suited to the unique challenges posed by biological weapons in today's world.

First came a period of damage control and resuscitation. At the resumed session of the Fifth Review Conference in 2002, States Parties succeeded in putting their differences to one side

in order to establish a work programme for 2003 to 2005, at which they would work on several specific topics related to better implementation of the Convention. There would be no attempt to negotiate or agree on binding measures, or even recommendations. Expectations were correspondingly low. And yet, to the surprise of many, the process was a success. Experts from all around the world gathered to share experiences and ideas on how to deal with the threat posed by biological weapons. Officials from health, science and agriculture ministries made connections with their counterparts in defence, justice, foreign affairs and security agencies. In the period after the terrorist atrocities of September 2001, there was great interest in cooperating against the possibility of bioterrorism, and this gave a further boost to the project.

Just as importantly, the expert meetings provided an opportunity for the world's scientific community and medical professionals to become directly engaged in developing a response to a threat that, in a sense, had become too widespread and all-pervasive for governments to tackle alone. The extraordinary advances achieved in biosciences meant that biological weapons were - in theory - within reach of the smallest laboratory and most modest budget. No government or international organization could hope to monitor effectively the tens of thousands of small biotechnology facilities in operation worldwide. Clearly, this was a problem that needed a collective, multifaceted and multidimensional approach. The work programme of 2003 to 2005 showed that such an approach could work, and started to develop the necessary network of collaboration and coordination: a network that must weave international, regional and domestic strands into a flexible and resilient fabric of oversight and prevention.

Seen in this context, the Sixth Review Conference was in a sense a natural progression: an opportunity for States Parties to consolidate and formalise the new approach they had collectively developed. The Conference built on the good results of the intersessional process and the confidence it had engendered among States Parties. Our goal was to transcend the divisions of the past, and settle the BWC on its new course. This was a challenge, certainly, but one which the States Parties were ready to tackle. The constructive, practical and realistic manner in which all States Parties approached their preparations for the Conference, while maintaining their long-standing goals and positions of principle, demonstrated their recognition of the fundamental importance of the BWC, and provided a much-needed proof of the great potential of multilateral diplomacy. It was a difficult Conference, but ultimately a successful one.

The Review Conference agreed on a Final Declaration embodying a common vision for the Convention and its implementation, ending a ten-year gap and resolving many of the issues that had so divided States Parties. This in itself was a fundamental step forward that will open the way for improved collective action against the threat of biological weapons. The Conference also agreed on many practical measures, including:

- A detailed new intersessional work programme to help ensure effective implementation of the Convention until the Seventh Review Conference in 2011;
- Specific measures to obtain universal adherence to the Convention;
- An update of the mechanism for the confidence-building measures, and foreshadowing a more thorough review in 2011;

- Requiring States Parties to nominate a national point of contact to better coordinate various aspects of national implementation and universalisation; and
- Various measures to improve national implementation, including of Article X of the Convention dealing with the peaceful uses of biological science and technology.

Perhaps more significantly, the Conference decided to establish an Implementation Support Unit for the Convention, addressing a long-standing need for institutional support for the efforts of States Parties in implementing the Convention itself and the decisions of the review conferences.

So that is what the Sixth Review Conference agreed. Let us look now at what is being done to implement those agreements, and at what needs to be done over the next few years.

First, the Implementation Support Unit is now operational, and was officially launched on 20 August, the opening day of the 2007 Meeting of Experts. The three staff of the ISU are busy working to fulfil the terms of its mandate. The new system for secure electronic distribution of the confidence-building measures is already operational, and indeed a record number of States Parties have participated in the CBMs this year. The ISU is working with several States Parties which have approached it for assistance, whether on national implementation, or to help develop their own projects for regional cooperation or universalisation efforts.

Implementation of the other decisions of the Review Conference is also well under way. The decision to undertake coordinated action to encourage non-members to join the Convention is already bearing fruit, with four states - Kazakhstan, Montenegro, Trinidad and Tobago and Gabon - having joined since the Conference concluded. This has increased the number of States Parties from 155 to 159. Many States Parties have already nominated their national contact points, and are in regular contact with the Implementation Support Unit.

The Meeting of Experts, which was held from 20 to 24 August, marked the formal commencement of the new intersessional work programme. The meeting considered the following two topics:

- (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.

National experts from 93 States Parties participated, along with international organisations such as Interpol and the Organisation for the Prohibition of Chemical Weapons, and regional bodies such as the African Union and the League of Arab States. The result is that experts from across different departments and agencies had the opportunity to share information and experiences. The meeting developed synergies both within and across delegations. Experts will now go back to their capitals and engage with their governments with a broader perspective, new ideas, and greater confidence. This will help move the BWC higher on national agendas, and will give a renewed impetus to national implementation and regional cooperation activities in many States Parties. This is very much the role these meetings of experts play.

There was a large amount of material presented at the Meeting of Experts, but several common themes emerged from the discussion. These included:

- Recognition that there is no “one size fits all” solution for national implementation: approaches should be tailored to the individual circumstances and needs of each State Party;
- The need to make use of the BWC Implementation Support Unit as a catalyst in better coordinating and managing activities; and
- 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.

On this last point, I should note that during the meeting, a range of delegations, including the European Union, the United States, India and Pakistan, made offers to provide assistance to others in implementing the obligations of the Convention.

The results of the Meeting of Experts will form the basis for the work of the Meeting of States Parties (10-14 December 2007), which will consider options for developing common understandings and effective action on the two topics. I am currently discussing with delegations how we can make this meeting more effective. One criticism of the 2003-2005 process was that the meetings of States Parties tended to be re-runs of the meetings of experts, and offered little beyond a further chance for officials to network and exchange experiences. So this time we are exploring ways to add more value. One key concern is to ensure that the outcome of the meeting is a product that is useful to those States Parties which were unable to participate, and therefore unable to take advantage of the opportunities to make contacts and exchange information. These tend to be the smaller States Parties who in fact have the greatest need for help and encouragement with national implementation.

I would also like to see closer involvement of NGOs, the scientific community, academics, commercial industry and civil society. This will be particularly important next year, when our work will turn to the important topics of biosafety and biosecurity, and education and awareness-raising. The 2008 meetings will be a strategic opportunity to engage once again with the scientific, medical and educational communities and continue to develop a coordinated, interlinked approach to the prevention of the misuse of biological science and technology. In subsequent years, we will deal with international cooperation and assistance for combating infectious disease, and for responding to cases of alleged use of biological weapons. Again, work in these areas will require integration and coordination with other agencies and activities, illustrating once more that our task is a shared one.

Indeed, I think that this concept of collective action on different levels, of a network of shared tasks and responsibilities, is the key to building and maintaining a strong regime to prevent the development, acquisition or use of BW. The BWC has an important role to play, both as a clear and fundamental legal norm, and as a forum for coordination of the various activities.

Overall, I think it is fair to say that, thanks to the creative and constructive efforts of the States Parties, the BWC is in good shape and ready to confront the challenges it faces. The outcome of the Sixth Review Conference has given the States Parties a solid basis for their efforts. The result is encouraging, especially in light of the difficulties and divisions the

Convention has experienced in the past. But much remains to be done: all States Parties need to continue to work hard to turn words into action, to overcome their remaining differences, and to convert their shared vision into reality. They must make good use of the resources and capabilities of the ISU, they must contribute actively and creatively to the intersessional process, they must work diligently to persuade non-parties to join the BWC, and they must continue to improve their own national measures. If they do all this, consistently and conscientiously, I am confident that the Biological Weapons Convention can make a genuine and significant contribution to reducing the risks of biological weapons being developed or used, well into the future.

Thank you very much.
