Panel: National Implementation

Emerging themes from discussions and key issues

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Regional Workshop on National Implementation of the BWC

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BWC national implementing legislation IS important

Demonstrates political support for the BWC
Prevents biological weapons proliferation
The process of developing and enforcing legislation is helpful for identifying other national implementation requirements and training/assistance needs
Encourages investment in ‘bio’ sector
Legislation/regulations is one element of national implementation

Also:
Awareness-raising, education, training of scientists (role for codes of conduct)
Awareness-raising for parliamentarians
Training for law enforcement/border control officials
No “one-size fits all” approach to national implementation, including legislation

Omnibus CBRN law?
CBW law?
BWC Act?
Or many laws covering all BWC obligations, e.g. penal law, customs/border control, quarantine, human/animal/plant health etc?
Having a national oversight agency for BWC implementation and enforcement is helpful

Such an agency will have more authority than a BWC national focal point
Structure will depend on State’s national needs
• Separate agency or different agencies responsible for aspects of BWC national implementation
• BWC authority or joint BWC/CWC authority
Need a coordination mechanism between relevant government ministries/agencies
Many States are experiencing challenges in adopting BWC implementing legislation

Overcoming challenges in passing legislation
- Involve all relevant stakeholders early in the process
- Identify a lead agency
- Use the most effective method for addressing legislative gaps in accordance with your constitutional processes and national politics
- Ensure you have political support for national implementing legislation, including parliamentarians
Control lists for biosecurity and transfers are helpful

May need to be tailored to suit national situation, especially to take account of endemic diseases
Consider whether it is best to have separate lists for biosecurity/biosafety and for transfers
Tailor penalties and law enforcement mechanisms

Ensure penalties are proportionate to the severity of the offence
Establish appropriate law enforcement mechanisms to ensure compliance with national implementing legislation
Law enforcement will require specific training and resourcing
Cooperation and Assistance

Many States have similar difficulties - helpful to share experiences with other States, especially at the regional level

Regional approaches can be helpful – role for ASEAN? Assistance needs for implementation and enforcement were highlighted
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