

# VERIFICATION RESEARCH, TRAINING AND INFORMATION CENTRE

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## **STATEMENT BY VERTIC TO THE MEETING OF STATES PARTIES OF THE 1972 BIOLOGICAL AND TOXIN WEAPONS CONVENTION**

**Delivered by Scott Spence, Programme Director for National Implementation**

Geneva, 4 December 2017

Mr Chairman, Distinguished Delegates, Ladies and Gentlemen,

VERTIC thanks the States Parties to the BWC for the opportunity to take the floor today. We also lend our full support to the Joint NGO Statement given by Dr Filippa Lentzos on behalf of a number of institutions and individuals whose commitment to the success of this Convention remains undeterred.

Mr Chairman, I recently returned from a first round of Fact-Finding Visits in Southeast Asia under the auspices of EU CBRN Centres of Excellence Project 61, which has the purpose of addressing outstanding chemical safety and security issues in areas of legislation and regulation, prevention, detection, preparedness and response. Malaysia, for example, has been surely handling the VX incident in Kuala Lumpur's international airport in February, which is due in no small part to the clear guidance found in their Chemical Weapons Convention Act of 2005. Though the incident was arguably a black swan – a rare event but one with serious consequences – the Malaysian authorities were in a position to effectively respond as they are armed with a law that includes a definition for 'chemical weapon', enables the authorities to investigate, prosecute and punish offences involving toxic chemicals and chemical weapons, and facilitates investigations and international co-operation.

Applying this example to the Convention under discussion this week, we must consider whether the majority of States Parties are armed with robust legislation to implement their BWC obligations and whether they could effectively manage a black swan involving the criminal or terrorist use of biological agents or toxins. Lamentably, the answer is no as we demonstrate in the report we prepared for last year's Review Conference, which is available on our website and in hard copy outside this room in four languages. For example, out of the 131 States Parties whose legislation we have surveyed in the past few years, only 16 have a definition for 'biological weapon' in their legislation; only 51 criminalise the use of a biological weapon; only 35 criminalise engaging in activities involving dangerous biological agents or toxins without authorisation; and only 44 require licensing for activities involving dangerous biological agents or toxins. There are many more statistics in the report but most of them are as discouraging as these.

Some States Parties have nevertheless decided that the status quo is unacceptable, that legislation to implement the Convention is imperative for public health and national security, and that they face no choice but to take concrete steps to rectify the gaps. VERTIC is honoured to be co-operating with a number of them through several projects. For example, with funding from the Counter Proliferation Programme of the UK's Foreign and Commonwealth Office, we have been providing expert guidance



on legislative implementation of the BWC to Cameroon, Côte d'Ivoire, Malawi and Sierra Leone through Project 3 of European Council Decision 51 of 2016. We will be speaking more about our efforts in these countries during a side event organised by the European Union on 7 December.

Under our Contribution Agreement with the Global Partnership Program of Global Affairs Canada, we worked with Jamaica in October to continue development of a bill to implement the BWC, CWC and strategic trade controls, and with Antigua and Barbuda this month to develop a comprehensive Weapons of Mass Destruction bill. We will be in Barbados next week to work with officials from several ministries and agencies as they take steps to implement this Convention, the CWC and a number of international instruments for nuclear security.

In October, under contract to the US State Department, we worked with officials in Ghana to draft a bill to implement the BWC, including biosecurity measures. We heard about this workshop in detail at last week's side event sponsored by the US and Malaysia.

In co-operation with the World Organisation for Animal Health, we have worked with Belize, Panama and soon another Central American country on the implementation of legislation to prevent biothreats to animal health.

Finally, as the lead on Work Package 1 of EU CBRN Centres of Excellence Project 53, we have been working with seven countries in Central Asia on implementation of the BWC, including assistance to finalise four draft implementing laws. In the new year, we will be working with the national teams to assess how their governments are implementing the International Health Regulations and Codex Alimentarius, using tools we have especially developed for this project, as they recognise that biosecurity, public health and food safety are best achieved by implementing these international instruments in a holistic and mutually reinforcing manner.

Thank you Mr Chairman.