Harmonization of national legal frameworks for biosafety and biosecurity

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Jointly implemented by European Commission and UNICRI
• About VERTIC and the National Implementation Measures Programme

• Biosafety and biosecurity

• International framework for biosafety and biosecurity

• National framework for biosafety and biosecurity

• Assessment and revision of national frameworks for biosafety and biosecurity: the example of EU CBRN CoE Project 53

• Useful tools and publications
About VERTIC

VERTIC

• Status: independent, non-profit making charitable organization based in London, United Kingdom
• Mission: supports the development, implementation and verification of international agreements as well as initiatives in related areas

National Implementation Measures Programme

• Advises States on national implementation of the obligations in international instruments, including the BTWC, CWC, nuclear security instruments, IHR, Codex Alimentarius and UNSCR 1540
• Multilingual team of common and civil law lawyers
• No institutional mandate restrictions: one-stop shopping for States
**Biosafety**: protection of people and the environment from the effects of potentially dangerous biological agents; requires procedures and practices to prevent the risk of infection in the workplace.

**Biosecurity**: protection from losses, theft, spillage or intentional improper use of microbial agents, toxins or information connected with an investigation; directed at guaranteeing the protection of biological materials and corresponding secret information.

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See definitions in WHO Laboratory Biosafety Manual – IHR Joint External Evaluation Mission Reports.
“We must look at [the BTWC] as part of an interlinked array of tools, designed to deal with an interlinked array of problems” – Kofi Annan, BTWC Sixth RevCon

**One Health**: collaborative and multisectoral approach to designing and implementing programmes, policies, legislation and research to achieve better public health outcome
1972 Biological and Toxin Weapons Convention: prohibits development, production, stockpiling, acquisition, retention or transfer of BTW – requires states parties to adopt measures to prevent such activities

2004 UN Security Council Resolution 1540: requires all states to take measures to prevent the proliferation of nuclear, chemical and biological weapons including controls over related materials

2005 International Health Regulations: prevent, protect against, control and provide a public health response to the international spread of disease

Codex Alimentarius: collection of internationally adopted food standards, guidelines, codes of practice aiming at protecting consumers’ health and ensuring fair practices in the food trade
**National implementation:** process by which a State adopts appropriate and effective national legislative and regulatory measures to carry out and enforce the obligations to which it has committed in an international instrument

- Article IV of the BWC
- OP 2 and 3 of UNSCR 1540
- IHR Article 3(4)
- CAC/GL 82-2013, principle 11 para. 22

**Tailored approach:** constitutional processes, legal and technical national specificities

Credit: Carlton Stoiber
Relevant areas of national law:

- Export-import, strategic and dangerous goods, customs laws
- Regulatory systems for dual-use materials, including measures to account for and physically protect relevant materials
- Banking laws, financing of terrorism
- Health laws (public, animal, plant), food and sanitation laws
- Related enforcement measures: criminal procedure laws, etc.
- Related measures to coordinate emergency response
- Criminal law
Types of measures:

• Definitions

• Offences and penalties

• Measures to control authorized activities with biological agents and toxins

• Transfers controls

• Emergency preparedness

• Enforcement
EU CBRN CoE Project 53: Strengthening the national legal framework and provision of specialized training on biosafety and biosecurity in Central Asian Countries

Work Package 1: Objective: assessment and revision of the national legislation and best practices in the area of biosafety and biosecurity, and harmonization with appropriate international regulations such as the IHR, BTWC and Codex Alimentarius including the area of regional emergency response with the aim of coming to a "One Health" system

VERTIC: leading consortium partner (key expert)
Activities: legislation surveys

• comprehensive analysis of a State’s existing legislation for the implementation of the BTWC, IHR, Codex

• BTWC, IHR and Codex survey templates developed by VERTIC, taking into account WHO, FAO and other relevant material

• Relevant national legislation and regulations reviewed

• Legislation survey overview: summary of the findings and recommendations to address gaps and strengthen implementation
Additional activities:

- Review of draft legislation on biosafety and biosecurity

- A report stating national and regional strategies based on the formulated recommendations for legislative improvement will be prepared

Collaborative approach

- Team of International Experts: consortium of implementing organisations

- WP1: Team of International Experts and National Teams of Experts: surveys prepared by national legislative experts and reviewed by VERTIC experts

- Collaboration with relevant international organisations, initiatives and tools: WHO, FAO, BWC ISU and UNODA, etc.
Useful tools and publications

• Fact sheets on the BTWC

• Survey templates (not publicly available)

• Model legislation: VERTIC’s BTWC Sample Act and online Legislation Drafting Assistant

• VERTIC’s BTWC Legislation Database

• Report on Emergency Response Planning in Central Asia: http://coe-project53.istc.int/
Thank you for your attention!

www.coe-project53.istc.int

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