



Best practices for successful assistance

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Workshop in Support of BWC Action Extended Assistance Programmes

29 March 2017, Geneva

Preparing for assistance activities and interacting with the State

- Identify or confirm a national focal point for liaison over assistance activities
- Secure a commitment from the host government as well in advance as possible, in writing and with firm dates, for an assistance activity
- Agree an agenda or programme of work
- Encourage the host country to have a representative group of participants for the assistance activity and suggest possible government departments/ministries or agencies and other national stakeholder groups, as examples
- Determine which materials will be necessary for the assistance activity, including electronic and/or paper copies of model legislation, regulatory guidelines, fact sheets, existing draft legislation, sample legislation in force in a similar State, etc.
- Determine whether additional external experts with relevant expertise should join the mission
- Clarify early on who will be responsible for providing/paying for venue, catering, interpretation (if necessary), and equipment for the assistance activity
- Travel logistics: flights, hotel, visas, health, budget



Carrying out assistance activities

Our assistance activities generally fall under six categories:

- Legislation surveys:
 - They are a comprehensive study of laws/regulations in force in a State to implement the BWC
 - Senior Legal Officers and Legal Officers prepare legislation surveys
 - We look at measures in national legislation to cover definitions, offences, preparations, jurisdiction, biosafety/biosecurity, transfers control, and enforcement
 - We attempt to locate as many laws and regulations as possible for our surveys through open sources – these are then added to our publicly available BWC Legislation Database
 - We prepare the surveys, to the extent possible, in national languages
 - We share the surveys with national officials and ask for their feedback in order to revise and finalise the survey
 - These surveys are confidential and are not shared with anyone apart from officials of the concerned State
 - We have completed 146 initial surveys to date (and revised/updated many more)



Carrying out assistance activities

- Remote review of an existing draft bill:
 - This is assigned to a VERTIC Legal Officer or Senior Legal Officer
 - We aim to complete our review as timely as possible (ideally within two weeks; this may be delayed if translation is necessary)
 - We comment directly on the draft bill

- A legislative drafting workshop in capital:
 - This will be conducted by two Senior/Legal Officers based on language and regional expertise or familiarity with the country file and requesting country/country official; we may co-ordinate with other providers
 - The workshop normally requires three business days
 - Ideally, the number of workshop participants is kept small (5 or less but no more than 10)
 - We go through our model legislation (“Sample Act”) line by line and tailor it according to the country’s requirements
 - We develop a “National Action Plan” or “Next Steps” document to keep the process moving

Carrying out assistance activities

- A universality workshop in capital:
 - This will be conducted by one Senior Legal Officer/Legal Officer based on language and regional expertise or familiarity with the country file and requesting country/country official
 - This is closely co-ordinated with and/or carried out with the BTWC ISU
 - The workshop would normally require one business day
 - The number of workshop participants can be as large or small as the host country wishes

- A hybrid universality/legislative drafting workshop in capital:
 - A combination of the previous two types of activity

- Other:
 - Working with countries to develop biosecurity policies, to drive legislative development
 - Working with countries to draft a UNSCR 1540 Action Plan
 - Working with countries to set up a National Authority



Follow-up after assistance

- We follow up by email, phone and post to offer ongoing assistance and encouragement for the development and adoption of implementing legislation
- We have gone on follow-up activities to several countries to build on and facilitate work done during previous visits
- We carefully track all of our assistance by country and by legislative assistance type; we also carefully keep track of points of contact and meeting notes to enhance our follow-up activities



Success stories

- Legislative assistance and universalization activities with States in all regions of the world, including drafting legislation to implement the BWC, and close cooperation with the BWC ISU on universalization outreach
- Legislation drafted with VERTIC's assistance has in several cases reached cabinet level or Parliament for consideration
- VERTIC worked with the ISU to encourage and support most recently Guinea, Liberia and Nepal in their efforts to join the Convention

Problems encountered

On substance:

- Uncertainty of ongoing financial implications of treaty adherence and national implementation
- Complexity of the obligations for national legislation drafters
- States Parties are not sure or convinced of the relevance of the measures to them
- They may wonder what regulatory and policy approach is most appropriate and effective for them, based on their national situation and constitutional arrangements
- Conflicting policy and legislative priorities

Problems encountered

On process and procedure:

- Getting a firm commitment (and dates) for a technical assistance activity
- Logistical challenges related to the activity such as flight delays, missing equipment, unexpected expenses arising during the meeting, etc.
- Difficulties establishing inter-ministerial co-operation and co-ordination – perhaps the biggest hurdle!
- Co-ordination with other assistance providers (this has improved greatly in recent years)

Lessons learned

- Have manageable objectives for a given assistance project
- ... and for assistance activities within that project, including reasonable and realistic timeframes (e.g., a law will probably not be adopted within one year of a drafting workshop)



Questions?

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