

Panel: National Implementation

Emerging themes from discussions and key issues

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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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