

STATEMENT

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TO

THE MEETING IN DECEMBER 2004 OF THE STATES PARTIES TO THE

CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT,

PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL

(BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

Tuesday, 7 December 2004

Mr Chairman and Distinguished Representatives. It is a great honour to be invited to make a Statement to the Second Meeting of the States Parties to the Biological and Toxin Weapons Convention which I am doing on behalf of the Department of Peace Studies of the University of Bradford in Yorkshire in the United Kingdom and with the explicit endorsement of the Vice Chancellor of the University. We consider that this Second Meeting of States Parties is of particular importance as it follows on from the successful Meeting of Experts in July 2004 which produced a report including a list of the *considerations, lessons, perspectives, recommendations, conclusions and proposals drawn from the presentations, statements, working papers and interventions made by Delegations on the topics under discussion at the Meeting*. We particularly welcome your synthesis document and therefore have high hopes that this Meeting of States Parties will agree to promote **common understandings** and will **take effective action** to strengthen the international norm against biological weapons.

We consider that this Meeting of States Parties is an appropriate occasion for the States Parties to look forward to not only the meetings to be held in 2005 on:

v. The content, promulgation, and adoption of codes of conduct for scientists

but also to look forward to the Sixth Review Conference in 2006.

Mr Chairman

In regard to the meetings to be held in 2005, we have circulated to States Parties a Bradford Briefing Paper No.15 entitled “*A Code of Conduct for the Life Sciences: A Practical Approach*” in which we examine how a code of conduct or practice could be developed that would be effective and yet would add very little to the burden. This practical approach recognizes that nationally and internationally risk assessments are increasingly required for health and safety and environmental protection reasons. Such risk assessments are required prior to carrying out any new work on biological agents and prior to genetic manipulation of microorganisms. It is evident that existing codes of practice **already** require that risk assessments address not only the risks to those engaged in the activity but also to those **not** engaged in the activity and to the environment. Consequently, a **slight** extension to consider whether the activity presents a risk to the prohibitions enshrined in the Biological and Toxin Weapons Convention (BTWC) – namely, to ensure that activities involving *microbial or other biological agents, or toxins whatever their origin or method of production* are only of *types and in quantities that have justification for prophylactic, protective or other peaceful purposes* and also that such activities might not be misused for prohibited purposes – in a code of practice would provide an effective strengthening of the BTWC prohibition regime.

Mr Chairman

It is also timely to look ahead to and to start planning for the Sixth Review Conference in 2006. To facilitate this, we have also circulated to States Parties a Bradford Briefing Paper

No. 14 entitled “*Two Decades of Strengthening CBW Prohibitions: Priorities for the BTWC in the 21st Century*” in which we consider how the world has changed over the past 20 years and how the perceptions of the threat posed by chemical and biological weapons have developed in order to identify the key priorities for international and national action to strengthen the prohibition regimes for chemical and biological weapons in the years ahead with particular attention being given to the forthcoming Sixth Review Conference of the BTWC in 2006.

We conclude that the BTWC is the **central** pillar of the regime totally prohibiting biological and toxin weapons. There is no alternative to this regime. However, the regime totally prohibiting biological and toxin weapons is the **weakest** of the regimes addressing weapons of mass destruction and, consequently, is the one **most** in need of being strengthened. The dangers that humans, animals or plants might be attacked by biological or toxin agents is of **greater** concern today with especial concern being expressed in the United States to the dangers of bioterrorism. Global peace and security demands that the effectiveness of the BTWC be strengthened and its implementation improved.

We urge that the States Parties set their targets high for the Sixth Review Conference. In particular, we recommend:

- a. **A Final Declaration** that reaffirms and further extends the extended understandings agreed in previous Final Declarations;
- b. Agreement of **an interim supportive institution** to nurture and sustain the regime
- c. Agreement to hold **annual Conferences of the States Parties** analogous to those held by the States Parties of the CWC
- d. Agreement **to resume negotiation of a legally binding instrument** to strengthen the effectiveness and improve the implementation of the Convention.

Whilst the preferred solution would be for the Sixth Review Conference in 2006 in its Final Declaration to achieve all of the above, there were clear indications in 2004 in the statements made by some States Parties at the Meeting of Experts that there was no consensus as to the benefits of restarting such negotiations. However, we are encouraged that the Secretary-General’s High Level Panel in recommendation 27 states that “*States parties to the Biological and Toxin Weapons Convention should without delay return to negotiations for a credible verification protocol, inviting the active participation of the biotechnological industry.*”

In this Briefing Paper we recognize that there are a number of less satisfactory outcomes which include a Final Declaration that reaffirms the extended understandings gained at previous Review Conferences and says nothing, either way, about the negotiations of a

legally binding instrument to strengthen the effectiveness and improve the implementation of the Convention. It is, however, clear that a repetition of the outcome of the Fifth Review Conference with tightly constrained and thus far ineffective, in regard to subsequent *effective action*, annual meetings on specified topics would be **unacceptable** in this age of increased global concern about weapons of mass destruction and the fears of terrorism acquiring such weapons.

We also point out that the States Parties should remember that as a result of the initiative taken by Australia and New Zealand in 1998, a political commitment was made by the Ministers of 57 States Parties in New York to *underline the political and security imperatives of concluding, as a matter of priority, a protocol to the Convention*. Consequently, we recommend that those States Parties which recognize the importance of strengthening the Convention through a legally binding instrument should start to consider a contingency plan – in the event that the Sixth Review Conference fails to meet the ambitions that the world expects – that builds upon the *political* commitment made by Ministers of 57 States Parties in 1998. We suggest that such a contingency plan might be taken forward by a troika of three States Parties such as Australia, whose initiative led to the 1998 political commitment, South Africa, whose contributions to the strengthening of the Convention over the past decade have been immense, and Norway as the State Party which chaired the First Review Conference and which is outside the European Union and has also had experience in developing an arms prohibition regime outside the normal United Nations process in Geneva or New York. As we have already noted, the BTWC is the **central** pillar of the multilateral regime totally prohibiting biological and toxin weapons. There is no alternative to this regime. However, the regime totally prohibiting biological and toxin weapons is the weakest of the regimes addressing weapons of mass destruction and, consequently, is the one most in need of being strengthened. Action is needed to strengthen it and you, the States Parties, need to restart this process – national initiatives are not an alternative. The international community expects this of you as we need you to make the world a safer place for all of us.

There is much to be considered prior to the Sixth Review Conference. It is not too early to start such preparations now as the benefits of a successful outcome to the Sixth Review Conference should be clear to all States Parties, both large and small.

Thank you, Mr Chairman.