



ICRC

**Sixth Review Conference 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**

**Geneva
20 November – 8 December 2006**

**Statement of the
International Committee of the Red Cross**

The International Committee of the Red Cross very much appreciates the opportunity to address delegations here today.

A Review Conference of the Biological Weapons Convention is an opportunity to recall the ultimate objective of this Convention, as stated in its preamble: "to exclude completely the possibility of biological agents and toxins being used as weapons". Both the urgency and complexity of achieving this objective increases each year as our lives and societies are increasingly shaped by what has been called the "age of biotechnology".

It is also important to recall that this Convention is intended to serve the interests of all humanity. Its origins are not only in the disarmament field but can be traced directly to the 1925 Geneva Protocol - a landmark of international humanitarian law. Evidence of the customary law status of the prohibition on use of biological weapons can be found in the background research supporting the ICRC's study of Customary International Humanitarian Law, published last year. These legal norms, in turn, are underpinned by a long-standing taboo against poisoning and the deliberate spread of disease. The law in this field is a formalisation of the abhorrence which all of us feel at even the idea of being attacked or inflicting harm with germs. The cornerstone of actions by this Review Conference should be an unambiguous reaffirmation in the final declaration of the obligation of States Parties to respect and ensure respect for the absolute prohibition of biological weapons.

There have been two major changes in the environment in which the Convention functions during the past ten years. The first is that the world is increasingly aware of just how rapid advances in life sciences and biotechnology have become. What is technically possible, for example in the domain of genetic engineering, was unimaginable ten years ago. New breakthroughs and technologies in the life sciences have promising applications with enormous potential to benefit humanity. But they will also make poisoning and the deliberate spread of disease easier, more lethal, more target-specific and more difficult to detect.

The second major development since the last Review Conference has perhaps been less visible but is no less important. The prevention of poisoning and the deliberate spread of disease is seen now as an essentially multidisciplinary endeavour involving not only delegates to the BWC meetings but also the public health sector, life scientists, industry, law enforcement agencies and the defence and the security community. Since 2001, as a result of numerous conferences on issues relating to biological weapons, the BWC intersessional meetings of experts and perhaps also as a result of the ICRC's initiative on "Biotechnology, Weapons and Humanity" a wide range of new actors have come to understand and take responsibility for preventing the use of biological agents and toxins as weapons.

This does not mean however, that the BWC is redundant. The BWC is the central pillar and authoritative normative basis of multidisciplinary preventive efforts. Given the fantastic advances in life sciences and biotechnology, the importance of the BWC extends beyond the "disarmament" field. It is the best and only basis for building an effective "web of prevention" which may protect humanity from poisoning and the deliberate spread of disease in the future.

Against this background the International Committee of the Red Cross urges States Parties at this Review Conference to turn their attention to a range of measures aimed at reinforcing the Convention over the coming five years. These include:

- increased efforts to ensure universal adherence to the BWC;
- increased engagement of all relevant national actors in implementation and preventive efforts;
- the adoption of national implementing legislation, where it does not yet exist;

- the establishment of a series of BWC expert meetings and Meetings of States Parties which will consider *inter alia* recent scientific developments, the strengthening and possible extension of confidence-building measures and the responsibilities of life scientists and industry;
- an improved system for ensuring the timely preparation and accessibility of reports on previously agreed confidence-building measures; and lastly
- increased administrative support to assist States in implementing their BWC obligations.

Mr President,

To be effective in the 21st Century, the BWC must not only be known and respected by government officials but must also be understood and "implemented" by all stakeholders in the life sciences - whether they are in academia, defence or industry. A broad understanding of the risks associated with the advances in life sciences and biotechnology, combined with the creation of a "culture of responsibility" within the scientific community is the most direct and effective means to ensure that humanity ultimately benefits from new advances. There is an obvious need to ensure that all universities offering curricula in life sciences include at least one mandatory session on the risks, the pertinent rules of national and international law and the responsibilities of scientists to prevent the hostile use of their research and its practical applications. The ICRC urges States Parties at this Conference to explicitly call on life scientists, their associations and the entire biotechnology industry to join them as indispensable partners in their efforts to "exclude completely" the possibility of biological agents and toxins being used as weapons.