



**PERMANENT REPRESENTATION OF BRAZIL TO THE CONFERENCE ON
DISARMAMENT**

**2008 MEETING OF STATES PARTIES TO THE CONVENTION ON THE
PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING
OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON
THEIR DELIVERY**

**Statement by the Head of the Delegation of Brazil,
Ambassador Luiz Filipe de Macedo Soares
Geneva, 1 December 2008**

Mr. Chairman,

Allow me first of all to congratulate you for chairing the 2008 Meeting of States Parties of the Biological Weapons Convention and assure you of the full support of my delegation during our deliberations this week. Your leadership during this year's Meeting of Experts, last August, facilitated our substantive work and provided a good basis to advance the discussions on the two topics under consideration this year. I would also like to take this opportunity to thank the ISU for their dedicated work to best fulfilling their mandated obligations.

We are here today, as mandated by the Sixth Review Conference, to promote common understanding and effective action on the topics under consideration at this session. Any conclusions or results reached here must be consensual, and they will guide the work of the next Review Conference.

In this regard, I would like to emphasize the fundamental role played by national measures in the implementation of the Convention. Those measures are the ones that translate the States' obligations into practical, effective actions. Given the ample scope of the BWC and its widespread incidence on numerous areas, from research to industry, national measures are the essential path for implementation.

We must be careful not to try to extend States obligations beyond those established by the Convention itself. For any obligation to become mandatory it requires to be legally

elaborated. In this sense, several delegations here have mentioned their interest in a verification mechanism similar to the one which exists under the Chemical Weapons Convention. Are we prepared to negotiate such an extremely detailed and complex system? I thus reiterate the need for the development of effective national legislation, programs and other measures in order to best fulfill the obligations we all have under this Convention as it stands.

With that in mind, I will now briefly comment on the topics being debated this week.

Brazil has been increasing its efforts in terms of legislation, regulation, establishment of governmental mechanisms and actions directed to academia and private enterprises.

As far as efforts undertaken in favor of non-proliferation of weapons of mass destruction, including biological weapons, Brazil organized a Regional Seminar in São Paulo, Brazil, during the last week of November, with the participation of all South American States, about the implementation of Security Council Resolution 1540. The Regional Seminar was focused on capacity building in areas such as the strengthening of border control and increasing control over exports of dual use goods and technologies. The goal of the seminar was to exchange experiences in those areas, with a view to harmonizing the pertinent procedures and legislations in the region, as a means to fight proliferation.

On the subject of biosecurity, the most recent action undertaken by the Brazilian Government was the establishment of an Interministerial Working Group, which includes in its activities the study and elaboration of specific regulatory legislation on the possession of pathogenic microorganisms related to humans, animals and plants, as well as their toxins, with a view to strengthen controls and biosecurity in Brazil.

Other measures regarding both biosafety and biosecurity are listed on the document BWC/MSP/2008/MX/WP.28, circulated at our last Meeting of Experts and available for download at the BWC website. I would like to highlight some of the information and positions presented in that document.

The concern with both biosafety and biosecurity has been increasingly present in Brazilian internal legislation and initiatives.

In Brazil, biosafety is defined by the Ministry of Health as "the safety condition achieved through a series of actions designed to prevent, control, reduce or eliminate risks inherent to activities that may be hazardous to the health of humans, animals, plants and

to the environment". It coincides, thus, with other definitions presented here.

On the other hand, the somewhat recent international discussion on biosecurity has also had its effect among Brazilian experts, with an increased effort in awareness raising and both top-down and bottom-up initiatives. In regard to the definition of the concept of biosecurity, Brazil agrees with the priority, given within the BWC, to both biosecurity in public health settings and "laboratory biosecurity". It is necessary, however, that other aspects of biosecurity are also taken into account when discussing the subject. Among others, Brazil deems relevant the analysis of biosecurity related to animal raising and agriculture (denoting "protecting biological resources from foreign or invasive species"). The lack of this type of biosecurity could lead, by means of criminal insertion of such foreign or invasive species, to the intentional destruction of crops and livestock, with deleterious effects not only to the economy but also – and most importantly – to food security around the globe. These concerns are related to the concepts of bioterrorism and biopiracy, which are also of relevance to the BWC. In Brazil's perspective an excessive narrowing of the definition of biosecurity should be avoided.

Some of the Brazilian legislation and programs regarding both biosafety and biosecurity is listed in the document I just mentioned. Given its extent and level of detail, I will not go into it right now, but I invite Delegations to consider such information and put my delegation at your disposal for further information, if needed.

In regard to codes of conduct, Brazil considers that they can be an important means to promote compliance to the Convention, but they not, in any way, substitute the necessary legislation.

Moreover, Brazil defends a strictly voluntary basis for the adoption of codes of conduct. They could be a useful control mechanism, but internally devised and not to be confused with international obligations.

Brazil therefore believes that such codes are to be developed nationally, tailored according to the reality of each country. There is, of course, a common basis that underlines all codes of conduct in this area, and that is the concern with unduly use of science and the need to minimize risks while enhancing positive results. However, areas of interest and research, levels of investment and many aspects related to biotechnology vary greatly from country to country, demanding different responses from training programs and other measures. To try to internationally harmonize detailed rules might turn out to be an artificial and ineffective response to our current concerns. On the other hand, nationally

developed measures should always be based on internationally agreed norms such as the BWC and UNSC Resolution 1540.

Finally, Brazil would like once again to recall the fundamental importance of the universalization of the Convention for fully achieving its objectives and purposes. Universality is essential to strengthening non-proliferation of weapons of mass destruction. In this sense, it is a cause for deep concern that, in comparison with the NPT (189 States Parties) and the CWC (184 States Parties), only 162 States are parties to the BWC. We must all engage in serious effort in order to achieve universalization.

Thank you, Mr. Chairman.