

Statement of Pax Christi International
Biological and Toxin Weapons Convention: 2007 Meeting of States Parties

Mr. Chairman, Excellencies,
Distinguished Representatives,
Ladies and Gentlemen,

1. It is an honour to make this statement, which is done on behalf of Pax Christi International. It is our sincere hope that this current Meeting of States Parties will build further on the dynamic generated during the Sixth Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Biological and Toxin Weapons and on Their Destruction, some 12 months ago. We are pleased about the intensified dialogue with NGOs and industry representatives offered by the Chairman during the present Meeting.

2. Strengthening the Biological and Toxin Weapons Convention (BTWC) is of utmost importance for international peace and security. However, the goal of enforcing the BTWC should not infringe on human dignity, a core value of the European Charter of Human Rights and a central concept in the Catholic Social Teaching, which forms the basis for Pax Christi's vision on International Law. Any strengthening of the BTWC should strike an optimal balance between preventing misuse and allowing as much as possible academic and scientific freedom for peaceful purposes as much as possible. This is in line with the concept of human security, which points to the responsibility of the international community to strive for the security of individual human beings and their communities. It respects State and Homeland Security, but also imposes limits on the attempts of States to guarantee their own security.

3. One of the most important decisions taken by the Sixth Review Conference was the establishment of a dedicated Implementation Support Unit (ISU), responsible for administrative support, confidence building measures as well as *comprehensive implementation* and the *promotion of the universalisation* of the Convention.

4. The ISU has an important role to play in strengthening of the Convention with regards to both topics of the current Meeting of States Parties.

5. **National implementation** of the Convention is impeded by absence of national implementing legislation and measures in some States Parties as well as by shortcomings the current capacity and understanding within the respective law enforcement agencies. We feel that, especially in the light of recent technical and scientific developments, the knowledge and understanding within the law enforcement agencies is insufficient to allow an appropriate and timely response to potential threats, including those from accidents or outbreak of diseases. We would recommend that those States Parties in a position to do so, provide assistance in *capacity building measures* such as the introduction of appropriate national measure including penal legislation and the development and implementation of a comprehensive training programme for staff of law enforcement agencies, thereby enabling them to make a more adequate threat assessment without imposing unnecessary and unwanted limits to peaceful scientific and technological development.

6. However, this is only one side of the coin. Progress in relevant scientific disciplines including new or intermediary areas such as synthetic biology, converging technologies and nano-technology is so fast that it is vital that the legal framework is based on the general purpose criterion so as to ensure the comprehensive prohibition of any potential hostile use of relevant materials or knowledge. In line with earlier statements by Pax Christi International regarding the future of the BTWC, we repeat the importance of *ethical principles* banning biowarfare and bioterrorism, as well as the responsibility of the scientific community. It is therefore imperative that national implementation measures and law enforcement are complemented with an ethical approach, positively engaging the research and business communities in the development of *codes of conduct*. The Royal Dutch Academy of Sciences KNAW recently published such a code of conduct for Biosecurity and is stimulating its uptake by the scientific community in a follow-up project.¹

7. Such codes of conduct also need to be an integral part of the training programme mentioned before and need to be incorporated into the different academic curricula of relevant disciplines as well as in diplomatic training courses. Whilst this will be a topic to be considered at the Meetings of Experts and States Parties in 2008, it should be recognised at this Meeting of States Parties that such measures contribute directly to in-depth national implementation. Care should be taken however to ensure that governments remain responsible for law enforcement. The scientific and business community can not be expected to do much more than abide by international and national law and actively inform the authorities about suspect behaviour of peers or new scientific developments which might present challenges to the BTWC convention or require modification to national implementation measures.

8. Successful **regional and sub-regional cooperation** depends on confidence and transparency, and thus relates directly to the performance of the Confidence Building Measures (CBM) regime, established during the Second Review Conference in 1986 and expanded at the Third Review Conference in 1991 as an annual exchange of information to reduce the recurrence of doubts, ambiguities and suspicions and improve international cooperation in the field of peaceful biological activities. Regional and sub-regional cooperation should also address Biosecurity risks discussions about good practices in peaceful biodefence activities.

9. During the Sixth Review Conference, issues with the CBM regime were widely recognised. Proposals were agreed to enhance the implementation of this regime. We welcome the actions to be taken by the ISU in regard to the Confidence-Building Measures and reported in their annual report to be submitted to States Parties on its activities to implement its mandate.

10. Finally, in support of the **universalisation** of the Convention, we welcome the initiative that you, Mr. Chairman, have taken to write to the Foreign Ministers of States not party to the Convention and we strongly endorse your urging them to accede to the BTWC and to provide information on their intentions and progress.

Geneva, 10 December 2007

¹ See http://www.knaw.nl/cfdata/publicaties/detail.cfm?boeken_ordernr=20071092