Regional Pacific Islands Workshop to Promote Universality of
The Biological and Toxin Weapons Convention

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Your Excellencies, Members of Parliament, Ladies and Gentlemen,

I am delighted to have the opportunity to represent the Secretariat of Parliamentarians for Global Action at this Workshop to promote Universality of the Biological Weapons Convention here in the Pacific Islands region.

At the outset, I would like to express our sincere appreciation to the Government of Fiji, the European Union and the Implementation Support Unit of the BWC in inviting PGA to attend and participate in this very important event.

I must say that as an International Non Governmental Organization in Consultative Status with the United Nations Economic and Social Council, PGA is honoured to work closely with the ISU of the BWC in Geneva in recent years promoting universality and implementation of the BWC in several regions worldwide.

Here in Oceania, we are also very pleased to have so many prominent Members of Parliament as Members of our organization.
You have already heard at length yesterday, in this regard, from Hon. Lemalu Lemi Taefu, Associate Government Minister of Natural Resources and Environment of Samoa, of the extraordinary efforts he has undertaken in the past eighteen months to promote accession by Samoa to the BWC.

Indeed, I have this slightly uneasy feeling that his presentation has rendered somewhat redundant quite a bit of my own presentation!

Also present here, I am delighted to see once again Hon. Netani B. Rika MP, Member of Parliament from here in Fiji and Chairperson of the Foreign Relations and Defense Committee.

Hon. Rika participated in PGA’s Annual Forum in San Salvador in December 2015 where the subject matter of this key event in our annual calendar included promoting universality and national implementation of the BWC.

By no stretch of the imagination, therefore, is he a newcomer to the BWC and its importance in this region.

In addition to Fiji and Samoa, PGA is also pleased to have active Members in Tonga, Kiribati, Tuvalu and Papua New Guinea as well as having worked directly in the past with Members of Parliament in Vanuatu, Federated States of Micronesia, Niue

Ladies and Gentlemen,

The subject matter of my presentation is the Role of Parliamentarians in promoting Universality of the BWC.

I am now going to turn specifically to identifying the many essential contributions that Members of Parliament can make to promoting Universality and Implementation of the BWC.

I should say at the start that a number of my observations that I will make are as true for many other international treaties as they are for the Biological Weapons Convention.
The relatively brief, de minimus text of the Biological Weapons Convention itself does not allude, or speak directly to the role of other Stakeholders beyond States Parties in seeking its implementation.

Instead, one can perhaps surmise that the intent of those that drafted the Treaty was to leave it to States Parties themselves on how they wished, on an individual basis, to engage with other stakeholders within their respective countries in a position to assist in the implementation of their obligations under the BWC.

We must also remember that the BWC, adopted 45 years ago, was such a ground breaking treaty in and of itself and so delineating or identifying different responsibilities or actors in achieving its goals would not necessarily have been front and center, in terms of priorities, of those that drafted it.

The one observation that can, however, perhaps be made here is that in many countries, and indeed among the PGA Membership, many Members of Parliament are also concurrently Government Ministers.

So immediately we can see one of the many reasons why engaging with Members of Parliament is so vital to achieving universality of important international treaties, including the BWC.

Some are already Government Ministers and others are destined to become one!

Hon. Taefu from Samoa, an Associate Government Minister, is the best example we have here today.

Ladies and Gentlemen,

Although, as noted, the BWC does not specifically allude to the role of anyone beyond ‘States Parties’ in ensuring the implementation of the BWC, we perhaps get a better sense of the role of Parliamentarians in implementing international norms formulated to address the threats posed by WMD may perhaps be found in the closely related UNSCR 1540 (2004), a UNSC that we have already discussed earlier in this Workshop given its important overlap with the BWC.

UNSCR 1540 of course, is a UNSCR, not a Treaty, it is confined to a specific area of concern with regard to WMD, addressing the proliferation of WMD to Non State Actors, and is not confined in its scope to Biological Weapons but other WMDs as well.
Nevertheless, and as a binding UN SC adopted under Chapter VII of the UN Charter, imposing legal obligations on all UN Member States, UNSCR 1540 is certainly instructive, in particular its successor resolution, UNSCR 2325 of December 2016, the most recent resolution adopted by the UNSC relating to implementing UNSCR 1540 (2004).


In its preambular section, United Nations Security Council Resolution 2325 (2016) contains the following Acknowledgment: “Acknowledging that transparency and outreach make an important contribution to enhancing confidence, fostering cooperation and raising the awareness among States, including, as appropriate, in their interaction with relevant international, regional and sub-regional organizations, and also acknowledging the positive role performed by civil society, inter alia industry and academia, could play in the effective implementation of resolution 1540 (2004), including by raising awareness, and that parliamentarians have a key role in enacting the necessary legislation to implement the obligations of the resolution.”

In operational paragraph 29 of the same Resolution, the Security Council “Requests the 1540 Committee to continue to organize and participate in outreach events on the implementation of resolution 1540 (2004) at the international, regional, sub-regional, and, as appropriate, national level, including, as appropriate, inviting parliamentarians, as well as representatives of civil society, including industry and academia and promote the refinement of these outreach efforts to focus on specific thematic and regional issues related to implementation.

“Article 172....The Committee noted the primary responsibility of States in the implementation of resolution 1540 (2004), and further notes the key role of
parliamentarians in enacting the necessary legislation to implement the obligations under the resolution..."

PGA would, therefore, take the position that this ample text highlighting the central role of Parliamentarians in implementing UNSCR 1540, and the rationale setting out the crucial role of MPs in promoting implementation of UNSCR 1540, is equally applicable and relevant in the context of implementing international treaties, including the closely related BWC.

Ladies and Gentlemen,

In concluding, I would make the following observations vis-à-vis why Members of Parliament must be involved in promoting universality and implementation of the BWC.

1. Parliamentarians are both advocates AND lawmakers. PGA Members worldwide, working with the PGA Secretariat in New York and The Hague, have an unmatched, demonstrable track record of success in effectively advocating for the universality and implementation of many of the most important treaties of our time, including, more recently as happens to be the case, the BWC.

2. Parliamentarians, however, are not only key partners when it comes to promoting awareness of the importance of the BWC and persuading key Government Ministries to move forward with coming a State Party. As those charged with the responsibility of drafting the laws which will implement the obligations in place under the BWC, not engaging with MPs at a very early stage can hinder this crucial legislative process. For MPs to draft laws which fully implement treaty obligations, it is a sine qua non that engaging them at an early stage will greatly facilitate and improve this process.

3. In many countries worldwide, there is also a constitutional requirement that all Treaties must be laid before Parliament for review and approval before a country can become a State Party. This reality alone is a tangible example of how MPs are, and must remain, key partners in promoting ratification and implementation of the BWC.
4. Members of Parliament are not only advocates and lawmakers, but they also have several important prerogatives of oversight and accountability vis-à-vis Governments, including budgetary allocations to ensure effective 
ENFORCEMENT of obligations under the BWC, once it has been domesticated into national law. So, again, keeping MPs in the loop, consulting on a frequent basis, ensuring as much transparency as possible are all factors that will greatly help to promote ratification and implementation of the BWC.

Thank you.