



“The Need for a Civil Society Role in Monitoring and Raising Awareness of the Norms against the Weaponization of Disease”

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**UNSCR 1540 at a Crossroads:
The Challenges of Implementation**

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The BioWeapons Prevention Project (BWPP) is a global network of civil society actors dedicated to permanently eliminating biological weapons and the possibility they will re-emerge. . BWPP was launched only a few months before the UN Security Council adopted Resolution 1540. In November 2003, a group of non-governmental organizations (NGOs), concerned at the failure of governments to fortify the norm against the weaponization of disease, stepped in to fill the gap by establishing BWPP.

In recent years Secretaries-General Kofi Annan and Ban Ki-Moon have recognized the importance of NGOs and their work in promoting the goals of the United Nations generally, and disarmament and arms control specifically. Moreover, NGOs have also earned the highest international recognition, being awarded the Nobel Peace Prize on many occasions, including three award winners in the 1990's.¹

While the obligations incurred under Security Council Resolution 1540 apply to States, NGOs have, and will continue to have, a vital role in assisting States in implementing 1540, and monitoring activities within States to ensure they are living up to their obligations under the resolution. Because BWPP is concerned exclusively with biological weapons, I will concentrate my remarks on this aspect of the resolution; other civil society groups have contributed important activities relating to the nuclear and chemical weapons components of UNSCR 1540.

Activities of Civil Society

BWPP and its network members have engaged in many activities that contribute to the implementation of UNSCR 1540. I would like to describe a few of those activities and discuss why civil society organizations are appropriate and essential to implementing 1540 effectively.

- BWPP was a major partner with the European Union in its first Joint Action (EUJA) in Support of the Biological Weapons Convention. Our work on the EUJA consisted of promoting universalization of the Convention and in providing assistance to States that had not yet adopted criminal laws regarding the acquisition or possession of biological weapons and delivery mechanisms.
- BWPP has released a report “Building a Global Ban: Why States Have not joined the BWC” at the BWC Meeting of Experts in August 2009. The report contains case studies on eighteen States that have not yet acceded to the BWC. Each case study contains background information, a description of the State’s legal system, its relationship to the BWC, its participation in other disarmament regimes and prospects for the State joining the BWC. While this analysis applies to the BWC, there is significant correlation between the States analyzed in this report and those that have not made submissions to the 1540 Committee. Ten of the eighteen States analyzed in the report have not made 1540 submissions.²
- In addition to the regional workshops organized under the EUJA, BWPP has also conducted workshops in Kenya and Malawi. At these meetings it was readily apparent that raising the awareness of government and civil society officials is critical to ensuring that governments fulfill the obligations they undertake as Parties to arms control agreements and under UNSCR 1540. Malawi is also a State that has not yet submitted a report to the 1540 Committee.
- To increase the awareness and understanding of the BWC by scientists, government officials and relevant civil society groups, BWPP has completed two major projects:

establishment of the BioWeapons Monitor and publication of the BWPP Biological Weapons Reader. The Monitor is an internet-based database of documents relating to strengthening the norm against biological weapons. The Reader covers the history of biological warfare and State biological weapons programs, efforts of non-State actors to acquire or use BW, and many other topics relevant to BW issues.

All of these BWPP activities have been supported financially in whole or in part by government grants, demonstrating that many governments value partnerships with civil society organizations. The meetings in Kenya and Malawi included government participants and were undertaken in collaboration with BWPP network members in Africa: The Center for Human Rights and Rehabilitation (CHRR) in Malawi, the Coalition for Peace in Africa (COPA) in Kenya and the Center for Conflict Resolution in South Africa.

In addition to the work of BWPP per se, the network members that compose BWPP have also undertaken numerous efforts to strengthen the norm against the weaponization of disease. These are a few examples.

- VERTIC and the Harvard Sussex Program are both members of our network that are on today's program. In addition, the Hamburg Research Group for Biological Arms Control at the in Germany has developed a new concept for monitoring the international trade in bioweapons relevant goods. The envisaged trade monitoring system for biological dual-use goods is a system of making the existing global flow of relevant goods more transparent.
- The University of Bradford has been engaged in a long-term project to educate life scientists about the dangers of dual-use research.
- The Scientists Working Group on Biological and Chemical Weapons recently collaborated with several states to compare practices employed by governments to ensure that their own bio-defense and other activities were in full compliance with the BWC.

Article IV of the BWC requires that robust domestic arrangements are put into place to translate international commitments into effective national action. Strong national efforts and international action cannot, however, take place in a vacuum. They are ultimately driven by and depend upon the support of civil society.

Why Civil Society?

There are a number of reasons why civil society is crucial to the success of the norm against the weaponization of disease and to the implementation of UNSCR 1540.

Focused

Civil society organizations are typically organized around a single goal or activity. BWPP, for example, devotes all of its efforts to biological weapons issues. As such, civil society organizations do not have the same extensive agendas as States or government ministries. We do not have competing priorities to contend with or to dilute our efforts. Being single minded allows us to be efficient in our actions and focused in our efforts.

Similarly, civil society organizations characteristically lack the dense bureaucracies that can plague States and international organizations and delay action. Consequently, we can organize events and activities quickly and with a minimum of red tape.

Multinational

Though many civil society organizations exist within a single State and concern themselves only with the activities therein, many others are comprised of actors from many States and regions of the world. These civil society organizations are free from the sometimes more narrow State interests that, of necessity, are the province of States. Thus, civil society organizations can act in an impartial fashion, which governments are frequently unable to do.

Trustworthy

Although there are certainly exceptions, the portion of the population concerned with the issues that UNSCR 1540 attempts to address frequently view civil society organizations as trustworthy and effective partners in implementation. In States that are beset with corruption and ineffective institutions, or those with a historical and perhaps healthy skepticism of governments, civil society organizations are often able to gain the trust of those they serve. If seen as trustworthy, civil society organizations can convert cynics and establish communication links with people and organizations that are typically reluctant to share their information with governments.

Moreover, many governments and government personnel who question the motives or the priorities of other States or plurilateral endeavors may give civil society organizations the benefit of the doubt.

The Need for Civil Society Monitoring of Biological Activities

Unlike the NPT or the CWC, the BTWC does not contain any measures to verify States' compliance with its provisions. Moreover, the BTWC lacks an organization comparable

to the IAEA or the OPCW to monitor and review data submitted under the information exchange initiated in review conferences of the BTWC. Because the BTWC has no institutional structure, civil society initiatives are all the more important in serving a watchdog function in States that may be engaged in activities that violate their obligations under the BTWC. One of those obligations includes, *inter alia*, the obligation not to transfer to any recipient whatsoever biological or toxin weapons, equipment or means of delivery. These BTWC obligations are consistent with 1540 commitments.

To conclude there are countless functions and services that governments, and only governments, can or should provide. At the same time civil society organizations can play, and are playing, a vital role in assisting with the implementation of UNSCR 1540 and the related treaties through a range of practical and cost effective activities. There is a wealth of knowledge and expertise on the prevention of biological, as well as nuclear and chemical weapons nonproliferation among civil society entities. We urge the 1540 Committee to explicitly recognize this knowledge and expertise in this Comprehensive Review process and to better utilize our skills on UNSCR 1540 in the months and years to come.