

Catalysing Change: Preventing the Misuse of Biology for Hostile Purposes

Meetings organized by the BioWeapons Prevention Project in Christchurch and Wellington, New Zealand, February 2005

On 7 and 11 February 2005 the BioWeapons Prevention Project held workshops in Christchurch and Wellington, New Zealand, to discuss biological weapons-related issues with academics, non-governmental organizations (NGOs), scientists, government officials and health professionals. Additional meetings were held with academics and NGOs in Auckland.

The workshop in Christchurch was hosted by Dr Hamish Cochrane at the School of Forestry, Canterbury University and organized by BWPP network member, the *Disarmament & Security Centre*. The workshop brought together academics, NGOs and representatives from the Christchurch Police. Presentations were made by Angela Woodward from the Verification Research, Training and Information Centre (VERTIC) and Chandré Gould, network co-ordinator of the BioWeapons Prevention Project (BWPP).

The workshop in Wellington was organized by Bob Rigg, Chairman of the National Consultative Committee on Disarmament, on behalf of the BWPP and hosted by the Institute for Policy Studies. This was a well-attended meeting reflecting a diverse group of interested NGOs, academics, health professionals and government officials. Presentations were made by Woodward and Gould and Dr John Fountain, a medical toxicologist at the National Poisons Centre, Otago University. Dr Fountain is also a former UNSCOM inspector.

In her presentation ‘State of the International Norm Against the Weaponization of Disease,’ Angela Woodward outlined the obligations of states to prevent the development and production of biological weapons (BW) in terms of international

law.¹ She noted that the Geneva Protocol of 1925, a legally binding instrument, explicitly prohibits the use of biological and chemical weapons by states. However, she said it remains a matter of concern that 19 contracting parties to the Protocol have retained a reservation to retaliate in kind to an attack with chemical or biological weapons. The 1972 Biological and Toxin Weapons Convention (BTWC) goes further than the Geneva Protocol by prohibiting the development, production, stockpiling, acquisition and retention of BW. The BTWC is also a legally binding instrument which had 154 state parties and 16 signatory states (of which 10 are in Africa) in February 2005. Woodward also spoke about the United Nations Security Council Resolution 1540 (2004) in terms of which states are required not to support 'non-state actors' to develop, acquire, manufacture, possess, transport, transfer or use biological, chemical or nuclear weapons, or their delivery systems.

Woodward identified a number of threats to the international norm, including:

- the retention by states of reservations to the Geneva Protocol;
- the absence of co-ordinated attempts to universalize the BTWC;
- the absence of co-ordinated efforts to provide assistance to states wishing to implement and enforce the convention;
- the lack of a system to monitor state compliance to the BTWC;
- the absence of a verification system to detect non-compliance and to enable states to demonstrate their compliance;

She noted that the international shift in focus, from multilateral negotiated disarmament to mandated counter-terrorism mechanisms, has not resulted in a strengthened system to provide technical assistance to states that need it, or a mechanism to monitor and verify state compliance with the international agreements. She pointed out that measures such as UNSC 1540 and the Proliferation Security Initiative, which provide for unilateral enforcement without a clear determination of non-compliance through a multilateral verification mechanism, may not, in fact, increase the security of states.

She argued that there is a need to discuss ways in which the international norm against the weaponization of disease can be strengthened. Such discussions could include a reflection on national implementation measures, means to enhance verification procedures in the case of alleged violations of the BTWC, as well as protection and assistance in cases of BW use. She noted that the 6th Review Conference of the BTWC is due to take place in 2006 and that there is an important role for NGOs and professional organizations to play in ensuring that a full review of the Convention is undertaken and attention given to the need for a system to monitor and verify state compliance.

Chandré Gould's presentation entitled 'The BWPP: A Civil Society Response to the Need to Act Against the Development, Production and Use of Biological Weapons'

¹ Available from the BWPP website at URL
<<http://www.bwpp.org/documents/200502WoodwardNZpresentation.pdf>>.

provided an assessment of the status of the threat of BW use.² She noted that states have in the past developed BW despite the international abhorrence with which they are viewed. She argued that while there have been few recent examples of BW use by states or non-state actors, their use against humans, plants or animals could have devastating effects. She provided examples state BW programmes in the last 30 years including those of Iraq, South Africa and the Soviet Union. Gould argued that while it is important to recognize that states or non-state actors may develop BW, it is just as important not to overstate the threat. Over-reaction to the risk of BW use, she said, can be as dangerous as under-reaction. She provided the example of the United States which has massively increased its biodefence budget since the 2001 anthrax letters. Some leading academics in the US have blamed this for decreases in public health spending. She also noted that the increase in secrecy surrounding the US biodefence programme may lead states that feel threatened by the US to believe that the biodefence programme is concealing offensive BW development.

Gould suggested several remedies to counter the threat of BW development and use, including: (i) the active involvement of states in strengthening existing norms and development of new ones; (ii) the national implementation of international treaties with special reference to disease surveillance, the need for rapid diagnostics, emergency preparedness and, (iii) the development of realistic threat assessments.

With regard to the role of civil society in strengthening the norm against BW, she said that the BioWeapons Prevention Project was established to address the need for increased involvement of NGOs, academics, professional organizations and individuals in monitoring and reporting on activities relating to BW and their control. She said it was the aim of the BWPP to build a global network of organizations committed to the goal of strengthening the norm. This is being done through raising awareness about the issues and engaging communities such as those represented in the workshop in discussion about how they can act individually or collectively to prevent the development and use of BW.

The presentation by Dr John Fountain entitled 'BioWeapons: An Introduction' provided a history of BW use and development through the ages. He graphically described the effect of the diseases caused by organisms and viruses that are viewed as traditional BW agents, such as plague, anthrax and smallpox. He argued that the use of disease as a weapon could have devastating consequences for human, animal and plant populations and provided many examples of how disease caused the breakdown of societies in the past.

The discussion that followed the presentations in both Christchurch and Wellington raised several important issues.

- Members of the scientific community noted that there is little or no monitoring of scientific research and development. It was noted that

² Available from the BWPP website at URL
<<http://www.bwpp.org/documents/200502GouldNZpresentation.pdf>>.

the scientific community is reluctant to discuss, or openly address, issues of ethics, particularly if they relate to the misuse of science. Furthermore, in order for incidences of abuse to be detected it is important to provide some protection for whistle blowers. However, there has been a poor record of support for whistle blowers either by the state, the institution from which the whistleblower comes or from the press and public. This discourages individuals from reporting abuses.

- The point was raised that some professional organizations have a code of ethics and require their members to agree and adhere to them. However, not all professionals are member of professional organizations that promote such codes. It was also noted that there is a need to introduce discussions about ethics and ethical decision-making into university science courses.
- Members of the academic community spoke of the need to consider the inclusion of biosecurity issues in science courses.
- Concern was expressed by participants about the ability of some Pacific island states which have weak or failing governance structures to sufficiently implement and enforce national legislation relevant to the prevention of BW. It was recommended that the New Zealand government offer assistance to these countries.
- In Christchurch participants felt that they had insufficient information about government policies and positions on BW control. Increased dialogue between the government, academics and the scientific community was said to be necessary. Concern was expressed about the shortage of scientific and technical advisors to government departments responsible for making and implementing policies relating to biosafety and biosecurity.
- A need was identified to encourage scientists and technologist to think more about ethical issues and to develop and present papers which consider the role of the scientific community in the prevention of the misuse of science in relevant meetings and forums.
- It was a matter of concern for participants that those responsible for law enforcement find it extremely difficult to know what they are looking for in terms of potential biological warfare agents. A large number of travellers pass through New Zealand annually and it is virtually impossible to determine whether any one of these visitors are carrying listed pathogens through the borders. It was noted that states need to address this issue at bilateral and multilateral levels and that the free flow of information at the level of intelligence is vital.
- In Wellington much discussion revolved around the need to ensure that the public health system is adequately equipped and prepared to deal with deliberate disease outbreaks. There is a need to inform all doctors about the potential use of deliberate disease. However, it was noted that so many diseases could be used deliberately making it difficult for a state department of health to comprehensively inform the medical community. The question was raised about how one

educates people about something they may never see or encounter. It was noted that the New Zealand government does have an 'Infectious Disease Plan' and that means of improving the ability of the public health system to respond to natural or deliberate disasters are being explored.

- Participants in both workshops expressed the view that there is a need for increased debate and discussion about BW control issues in New Zealand. It was said that NGOs could be playing an important part in stimulating and facilitating such debate.
- It was noted that while the greatest risk lies in a failure of national preparedness the weakening of international agreements cannot be allowed to take place. It was felt by some participants that including NGO representatives on the New Zealand government delegation to the 6th Review Conference would be a useful and important exercise. It was, however, noted that in order for the NGOs to make a contribution there is a need for them to be adequately informed about the issues. NGOs were seen as having an important role to play in facilitating a flow of information from government to the public.

Participants in both the Wellington and Christchurch meetings felt that follow-up meetings, discussions and activities will be important. Several NGOs noted that they would consider joining the BioWeapons Prevention Project. These workshops should be viewed as the start of a process of increasing the involvement of civil society in strengthening BW control at a national and international level.