

Monday 23rd August 2010

## The 2010 Meeting of Experts: setting the scene

The opening of the 2010 Meeting of Experts (MX) marks the fourth and final year of the second inter-sessional process for the 1972 Biological and Toxin Weapons Convention (BWC/BTWC). The MX will be followed by a one-week Meeting of States Parties (MSP) in December. The BWPP daily reports from the 2006 Review Conference and the Meetings in 2007, 2008 and 2009 are available via the BWPP website at <<http://www.bwpp.org>>.

The topic for discussion at the MX and MSP this year is 'Provision of assistance and coordination with relevant organizations upon request by any State Party in the case of alleged use of biological or toxin weapons, including improving national capabilities for disease surveillance, detection and diagnosis and public health systems'. This topic was agreed at the Sixth Review Conference for the BWC which was held at the end of 2006. The 2010 meetings will be chaired by Ambassador Pedro Oyarce of Chile.

This is related to the topic discussed in 2009: 'With a view to enhancing international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes, promoting capacity building in the fields of disease surveillance, detection, diagnosis, and containment of infectious diseases: (1) for States Parties in need of assistance, identifying requirements and requests for capacity enhancement; and (2) from States Parties in a position to do so, and international organizations, opportunities for providing assistance related to these fields'. Therefore, some of the working papers and other contributions to the 2009 may have some relevance to the discussion this year.

One background paper by the BWC's Implementation Support Unit (ISU) and six Working Papers by States Parties had been issued as formal MX documents before the opening of the meeting. A further two background papers and eight working papers had been issued as 'advance versions' prior to being typeset as official documents. The advance release of papers allows for their contents to be considered before start of the MX. All these papers can be found via the BWC ISU website <<http://www.unog.ch/bwc>>; official documents can also be found via the UN documents server <<http://www.documents.un.org>>. Public sessions of the MX will be watchable live over the web as well as being archived for future viewing, see <<http://www.ustream.tv/user/bwccisu>>.

The MX will include sessions for plenary statements, as well as more focused working sessions, a poster session and a discussion panel. As with earlier meetings, there will be a number of side events. While the side events have traditionally been held by non-governmental organizations (NGOs), there has been a trend for other bodies, for example inter-governmental organizations, to make use of these opportunities as well.

### **The connection between the BWC and diseases in all their aspects**

It may seem odd at first glance that issues of 'disease surveillance, detection and diagnosis and public health systems' are being considered at a meeting of an international treaty that is

primarily concerned with international security issues. This oddity can be explained with the understanding that the use of biological weapons – whether in warfare or as a terrorist or criminal act – is nothing more than the deliberate use of disease. With this understanding, it is apparent that there is much common ground in responses to outbreaks of disease, whether they stem from natural, deliberate or accidental (such as a laboratory incident) causes.

### **Deliberate disease issues**

Distinguishing between a natural occurrence of disease and an outbreak that has been deliberately induced may not always be a simple matter. In both cases, there may be considerable public health problems and a significant humanitarian catastrophe.

Responses to the alleged use of biological weapons should be capable of trying to find answers to a number of questions that go beyond the identification of a disease and its method of transmission in a natural outbreak. For example, even if a disease might sometimes naturally occur in an area, there may be questions about whether the spread of the disease in a particular situation had been artificially enhanced. A further set of questions would relate to whether there was any evidence of a delivery system, including a vector [such as an insect], used to spread the disease.

These questions may not be as simple as they seem at first sight as many answers to them would have to be distinguished from other possibilities that may appear to be very similar – such as a different, perhaps naturally occurring, illness that results in similar symptoms. However, answers to all of these questions would be needed to be able to deal in the most effective manner with a public health emergency that had been caused by the deliberate spread of disease as well as potentially contributing to identifying who might have caused the spread.

### **The Secretary-General's investigation mechanism**

An issue that is likely to be raised during the week, and probably raised from a number of perspectives, is the ability of the UN Secretary-General (UNSG) to investigate possible breaches of 'the 1925 Geneva Protocol or other relevant rules of customary international law'. Such investigations were carried out in the 1980s and early 1990s. While most of the investigations related to allegations of chemical warfare, the first and last investigations — in south-east Asia and Azerbaijan, respectively — involved allegations of use of toxins that fall within the remit of the BWC.

In the absence of any formal verification machinery for the BWC, the UNSG mechanism has received particular attention, including support from a number of states. However some states are concerned that the mechanism could be a distraction from other efforts to promote ideas for verification arrangements for the Convention.

A set of guidelines for investigation arrangements were drawn up in 1989, in an era before concepts such as 'inspection mandate' and 'managed access' had been developed and adopted in other regimes. One of the primary advantages of the Secretary-General's mechanism is its simplicity. UN General Assembly resolution A/RES/60/288, adopted 8 September 2006, encouraged 'the Secretary-General to update the roster of experts and laboratories, as well as the technical guidelines and procedures, available to him for the timely and efficient investigation of alleged use'. This is being acted upon. Governments involved in this process are likely to indicate their contributions during the Meeting.

*This is the first report from the Meeting of Experts for the Biological and Toxin Weapons Convention which is being held from 23 to 27 August 2010 in Geneva. The reports are designed to help people who are not in Geneva to follow the proceedings. Copies are available via <<http://www.bwpp.org/reports.html>>.*

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