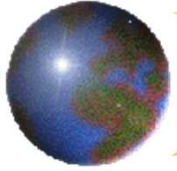


*The BTWC Process:  
History, Aims, Structure  
and Operation*

**Dr Jean Pascal Zanders**  
*The Trench*

**Workshop on National Implementation of the BTWC**  
20-21 February 2014, Kathmandu, Nepal



## *The international norm against BW*

### ✪ **1925 Geneva Protocol**

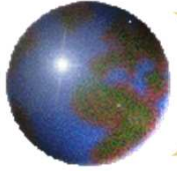
- ✪ Bans the use of CBW in war

### ✪ **1972 Biological and Toxin Weapons Convention**

- ✪ Bans development, production and stockpiling of BW and toxin weapons
- ✪ Ban on use explicitly referred to at 4<sup>th</sup> Review Conference (1996)

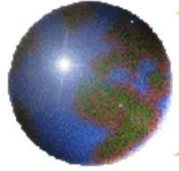
### ✪ **1993 Chemical Weapons Convention**

- ✪ Bans development, production, stockpiling and use of toxin weapons



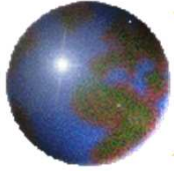
## *The BTWC as a disarmament treaty*

- ⊗ Biological and toxin weapons cannot be developed, produced, or stockpiled, or otherwise acquired or retained (Art. I)
  - ⊗ Ban on use through reference to 1925 Geneva Protocol
  - ⊗ Confirmation of ban on use at 4<sup>th</sup> Review Conference in 1996
- ⊗ Destruction or conversion obligation (Art. II)
- ⊗ Non-proliferation obligation (Art. III):
  - ⊗ No transfer to any recipient (state or non-state actor) of BTW
  - ⊗ No assistance, encouragement or inducement of states, groups of states or international organizations to acquire BTW
- ⊗ National legislation and regulations makes these prohibitions applicable to individuals and legal entities in State Party (Art. IV)



## *The BTWC: Some basic facts*

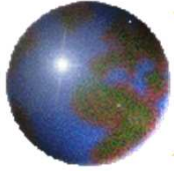
- ✦ Negotiation: 1969-71
  - ✦ Opening for signature: 1972
  - ✦ Entry into force: 26 March 1975
  
  - ✦ Global membership (February 2014):
    - ▣ States parties: 170
  
    - ▣ Signatory states: 16
    - ▣ Non-signatory states: 10
- 26 non-states parties**



## *Asia and the Pacific Region and the BTWC*

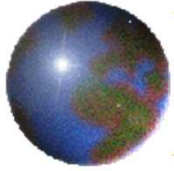
- ✦ 41 States out of a total of 48 are **Party** to the BTWC (= 85%)  
Afghanistan, Armenia, Australia, Azerbaijan, Bangladesh, Bhutan, Brunei Darussalam, China, Cook Islands, Fiji, Georgia, India, Indonesia, Japan, Kampuchea, Kazakhstan, Korea (DPR), Korea (Republic of), Kyrgyzstan, Lao People's Democratic Republic, Malaysia, Maldives, Marshall Islands, Mongolia, Nauru, New Zealand, Pakistan, Palau, Papua New Guinea, Philippines, Singapore, Solomon Islands, Sri Lanka, Tajikistan, Thailand, Timor Leste, Tonga, Turkmenistan, Uzbekistan, Vanuatu, and Viet Nam
- ✦ 2 States **signed** the BTWC between 1972 and 1975, but **have not yet ratified** it  
Myanmar and Nepal
- ✦ 5 States have **neither signed nor acceded** to the BTWC  
Kiribati, Micronesia, Niue, Samoa, and Tuvalu

→ ***7 non-states parties in  
Asia and Pacific Region (= 15%)***



## *Ratification & accession issues*

- ✪ Depositing instruments of ratification or accession
  - ✪ 3 depositary states: Russian Federation, UK, USA
  - ✪ Any one of them or all three
- ✪ Requirements under the BTWC
  - ✪ National implementation legislation & regulations
  - ✪ Submission confidence-building measures (CBMs)
- ✪ Cost of joining the BTWC
  - ✪ Direct costs: none
  - ✪ Indirect costs: meeting participation, resource allocation for implementation and CBMs
  - ✪ Costs, however, offset by benefits in various areas
- ✪ 8<sup>th</sup> Review Conference 2016



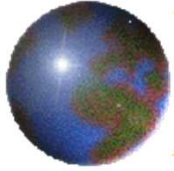
## *Benefits as a State Party to the BTWC*

### ✦ **Security regime**

- ✦ Opportunities for international cooperation in the fields of protection, prophylaxis, and other peaceful purposes (Art. I & X)
- ✦ Right to request international assistance in case of BTW threat or treaty violation (Art. VII)
- ✦ Consultation and complaints procedures (Art. V & VI)
- ✦ Unlimited duration (Article XIII)

### ✦ **Development regime**

- ✦ Possibilities for economic development and scientific and technological exchanges in support of peaceful purposes (Art. X)
  - Opportunities for bilateral cooperation or interregional initiatives
  - Opportunities to strengthen national health infrastructure (also against natural disease outbreaks) and oversight capacity



## *Security benefits from joining the BTWC – 1*

### ✦ **Contribution to threat reduction**

- ✦ Closing of gaps in the international network against BW
- ✦ Territory cannot be used for illicit activities by terrorists or criminals
- ✦ Benefits one's own country
- ✦ Benefits other states, particularly neighbours and other ones in the region

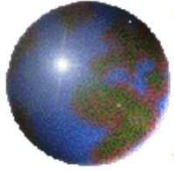
### ✦ **BTWC implementation**

- ✦ Gives ability to prevent incident from happening (e.g., apprehension of terrorists before incident)
- ✦ Promotion of transparency and accountability by relevant research institutes, industry and other facilities

### ✦ **International cooperation for dealing with BW threats becomes possible**

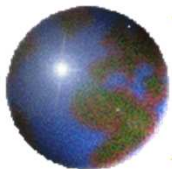
### ✦ **Participation in BTWC regime formation**





## *Security benefits from joining the BTWC – 2*

- ✦ **Contribution to national health security (also for natural disease!)**
  - ✦ Participation in (the development of) programmes for disease surveillance
  - ✦ Improvement of oversight (biosafety & biosecurity)
  - ✦ Improvement of health infrastructure
    - Contribution to capabilities to deal with emerging and re-emerging diseases
  
- ✦ **Opportunities for international cooperation**
  - ✦ Learning from the experiences from other BTWC States Parties  
Possibilities of bilateral assistance and cooperation to address their specific needs
    - e.g., national implementation assistance for BTWC States Parties sponsored by European Union
  - ✦ Possibilities for scientific exchanges



# THE TRENCH

Recalling where science, industry and military art converged  
Challenging entrenched positions

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