
Evolution of the BW Threat and Weapon Control Opportunities

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The 2011 BTWC Review Conference: Opportunities For a New Start in BW Control
Seminar organised by Working Group on CBW Disarmament and Non-Proliferation
Berlin, 24 October 2011

The BTWC as keeper of the norm

■ **Strong norm**

- Today, no state admits to BW programme & holdings
- Quasi universality: 165 States Parties + role in customary international law
- States Parties committed to BTWC:
 - Assessment of the state of the norm + updating at RevCons
 - Annual activities since 3rd RevCon (1991)

■ **Intrinsically weak**

- No formal verification & compliance enforcement mechanisms
 - No international institution for implementation oversight and enforcement
 - Implementation Support Unit (ISU) supportive of State Party activity, but no functional substitute for international organisation
 - Inability to incorporate verification tools into BTWC
 - CBMs, VEREX (1992–93), Ad Hoc Group (1995–2001)
- Slow process to deal with new challenges (scientific & technological developments; new actors)
- On-going frustration over unmet expectations in areas of security or development

The BTWC is unverifiable

... verification, *in the sense in which the term is normally used in disarmament negotiations*, is not possible in either the chemical or the microbiological field. The difficulty, as far as the microbiological field is concerned, is that the *organisms* which would be used are required for medical and veterinary uses and could be produced quickly, cheaply and without special facilities either in established laboratories or in makeshift facilities.

UK statement (ENCD working paper, 6 August 1968)

Shifting expectations from verification

- **UK modest proposals of 1968-69**
 - Rejected in BTWC
 - Now part of the broader regime against BW
- **Cold war understandings of disarmament and verification & related procedures**
 - Difficulties in dealing with dual-use characteristics of technologies
 - No verification substitutes (e.g., visible & countable delivery systems)
 - Unease with roles of multiple stakeholders in the process
 - State is often more protective of stakeholder interests than the stakeholders
- **Shift away from parity in military arsenals (**adequacy**) to utility of weapons and hence capability to address challenges & threats (**effectiveness**)**
- **Shift away from focus on weapon as a problem (**disarmament**) to focus on possessor of enabling technologies (**non-proliferation**)**
 - Rogue state discourse (no trust) + emphasis on regime change
 - Addressing terrorism challenges

Areas for enhancing transparency

■ **Biodefence programmes**

- Problem of civilian (homeland) vs. military biodefence
 - Government agencies and private contractors are active in both areas
- Problem of threat-based analysis
 - Source of discovery; source of uncertainty about purpose
- Currently: 1st-party audits in several countries → universalise via CBM
- Future: 3rd-party audits (international organisation or int. expert team)

■ **Technology transfers**

- Consideration that we have entered the post-proliferation phase
- Certification processes?
- ISO model with respect to building capacity

■ **Allegations of BW use and unusual outbreaks of disease**

- WHO/FAO/OIE investigations of all outbreaks
- Special expert teams to intervene in case of report of suspicious nature of an outbreak?
 - International organisation or use of UN Secretary-General's mechanism

■ **Industry activities**

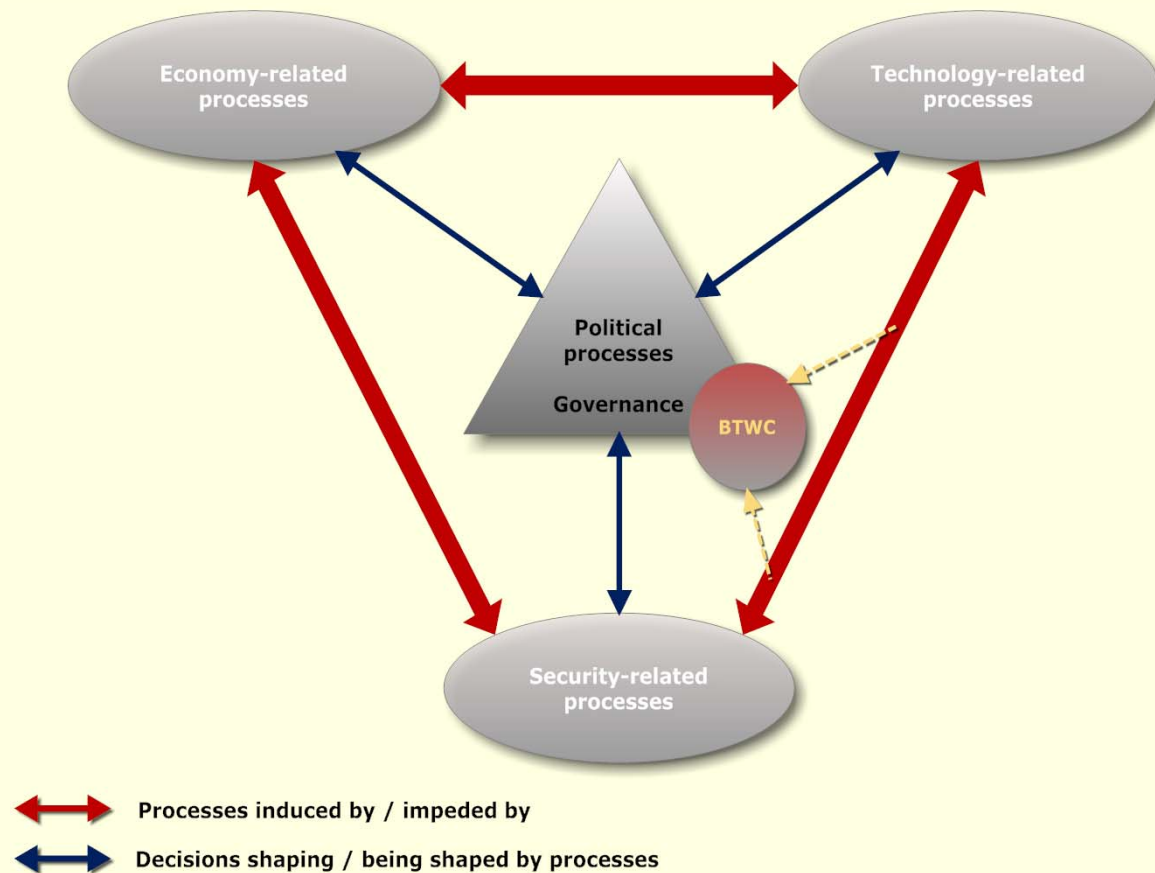
- Involvement of industry (beyond biosafety & -security) still a challenge

Verification-relevant practices not available in 1968

- Off-site & on-site inspections
- Obligation of transparency regarding state behaviour
 - Shared responsibility
 - Information exchanges
 - Past current practice of state secrecy is now taken as indicator of malevolent intent
- Expansion of state surveillance capacity
- Newly accepted practices of social control
 - Standards; best practices; ombudsmen; whistle-blowers
- Strong oversight and monitoring of industry practices and research activities
 - e.g., public health; safety and security standards; public funding; licensing; export control applications; BTWC CBM data collection, etc.
- Application of information and communication technologies (ICT)
 - Computerisation of activities
 - Large government databases holding information on private practices in certain sectors of activity
 - International communication practice: much relevant information publicly available on the Internet

BTWC & Future of Disarmament

- No unified model for governance of weapon control anymore
- New stakeholders and security actors
- Increased role of non-state national & transnational actors
- Declining role of states in shaping developments
- Shifting relative balances of powers (economy, politics, military) and multiple power centres
- Geographical decentralisation of business and industry activities
- South-south trade patterns and impact on technology diffusion
- Etc.



Addressing governance of BW prevention

- **Disarmament/arms control community:**
 - Logical point of entry: weapons and their application
 - Biological warfare (states) / terrorism / crime
 - For BTW: 1925 Geneva Protocol + 1972 BTWC + 1993 CWC

- **Possible alternative points of entry**
 - Prevention of disease (irrespective of origin of outbreak)
 - Preserving biology and biotechnology for peaceful purposes (societal advancement, economic development, health security, food security, etc.)
 - Environmental security (impact of accidental or purposeful introduction of organisms in new biotopes or of modified organisms)

- **How does the BTWC relate to these alternative points of entry?**
 - Prevention of *deliberate* disease (preparations + use via Geneva Protocol & Review Conference conclusions)
 - Bargain between Articles III and X vs. natural diffusion of technology, global trade and development
 - How relevant are they today for managing technology transfers?
 - Some developing countries have become net exporters of biotechnology
 - Biosecurity & biosafety, etc.

Multi-layered & overlapping networks as a future model?

■ **Weapon control**

- Multilateral agreements (Geneva protocol, BTWC, CWC)
- Proliferation prevention arrangements (Australia Group, PSI, Global Partnership, etc.)
- UN agencies: UNODA, 1540 Committee, UNEP, UNDA, etc.

■ **Disease prevention**

- WHO, FAO, OIE + their regional organisations/initiatives

■ **Crime and terrorism**

- UNSC Resolutions (1540, terrorism resolutions, etc.)
- Interpol, Europol, etc.

■ **International transfers**

- WTO, WCO, etc.

■ **Economic actors**

- Companies (national, multinational, transnational)
- Research institutions
- Individuals

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