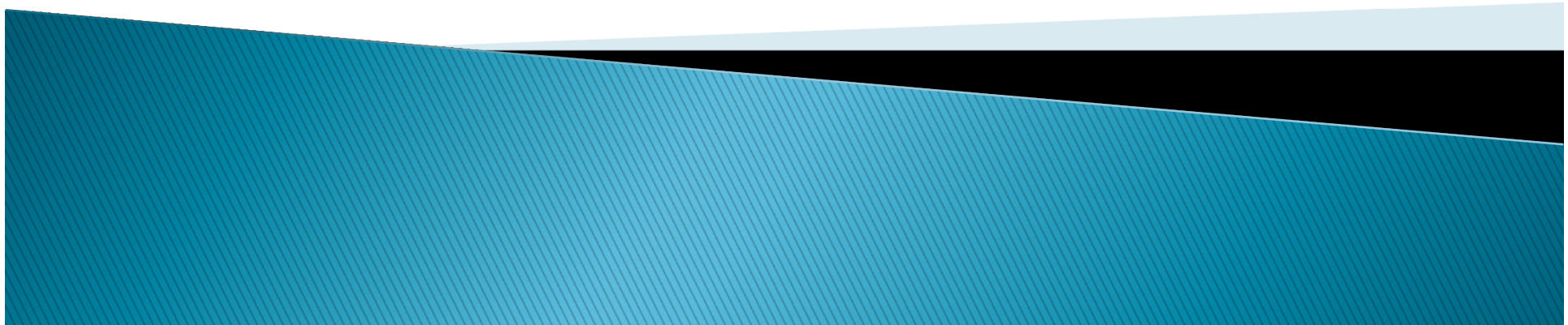


A Code of Conduct for Biosecurity: Possibilities and Limitations, Illustrated by the Dutch Debate

Dr. Koos van der Bruggen
BWC, MX 2, Geneva
10 August 2018



2001 –Start of the biosecurity debate

Convergence of incidents

- 9/11; anthrax–letters; fear for bioterrorism
- Fear for pandemics: SARS, Avian Flu

Consequences

- More attention for biosecurity and dual use in BWC–meetings
- Life scientists and security – bien étonnés de se trouver ensemble
- Plea for code of conduct in BWC leads to request Dutch government to KNAW to develop Code of Conduct

Dutch Code of Conduct for Biosecurity



<https://www.knaw.nl/en/news/publications/a-code-of-conduct-for-biosecurity>

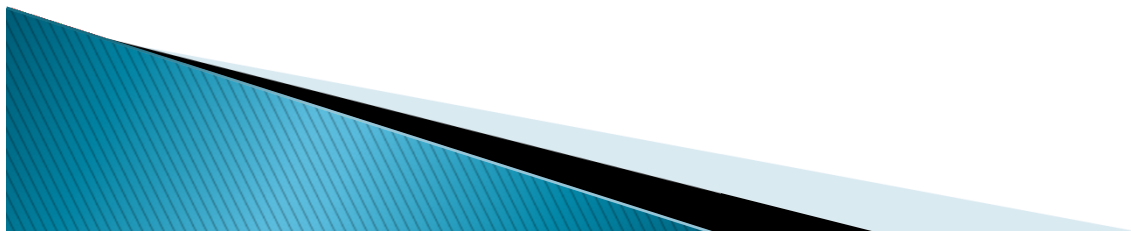
Content Dutch Code of Conduct for Biosecurity

- ▶ AWARENESS RAISING
- ▶ RESEARCH AND PUBLICATION POLICY
- ▶ ACCOUNTABILITY AND OVERSIGHT
- ▶ INTERNAL AND EXTERNAL COMMUNICATION
- ▶ ACCESSIBILITY
- ▶ SHIPMENT AND TRANSPORT



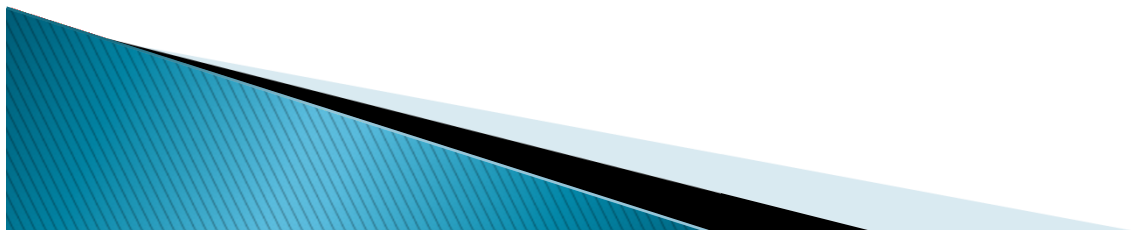
2011 –Restart of the biosecurity debate

- ▶ September 2011, Malta: H5N1 (avian flu) virus has the potential to gain airborne transmissibility between mammals.
- ▶ Virologists Fouchier and Kawaoka submit similar research results to *Science* resp. *Nature* for publication.
- ▶ For reasons of biosecurity editorial boards of both journals ask the National Institutes of Health (NIH) to review the manuscripts.
- ▶ Both articles are published, but gain-of-function experiments become controversial experiments.



Chronology of Dutch H5N1 debate

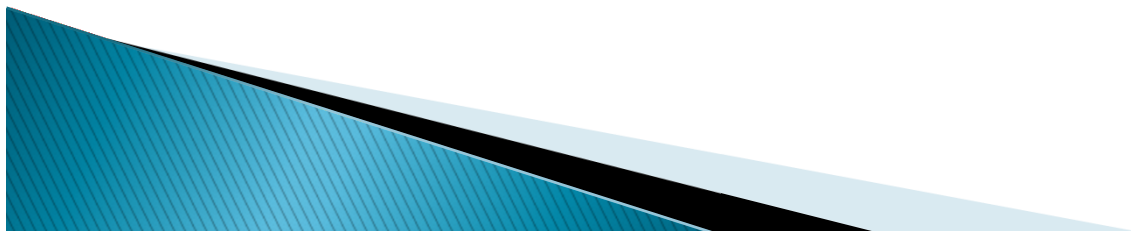
- April 2012: Dutch government gives export license
- Erasmus MC objects to the procedure
- December 2012: objections are rejected by government
- Erasmus MC appeals against this decision at the Haarlem Court
- September 2013: Haarlem Court dismisses appeal
- Erasmus MC objects to the Amsterdam Court of Appeal against the Haarlem judgment
- March 2015: Court of Appeal annuls the ruling of the Haarlem Court. Appeal Erasmus MC should have been declared inadmissible, because the license had been given. Because of this decision higher appeal is inadmissible,



New advice of the Royal Academy (1)

Questions

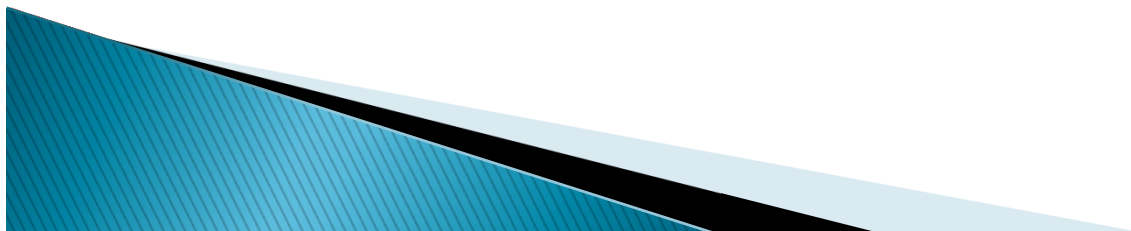
- ▶ **How** should dual-use research be assessed?
- ▶ **Who** should make the assessment regarding dual-use research?



New advice of the Royal Academy (2)

Main considerations

- ▶ There is no zero-risk for bioterrorism
- ▶ Minor and major risks should be distinguished and lead to different reactions
- ▶ No scientific discipline and no government department can offer the complete picture. There is need of an integrated approach from security and scientific perspectives.
- ▶ It is necessary to build trust and to bridge gaps between scientists, security experts and the public.
- ▶ Political and international aspects should always be taken into account. More international cooperation and coordination
- ▶ Take political attainable as well as scientific feasible institutional and policy measures: no more bureaucracy, but more clarity.

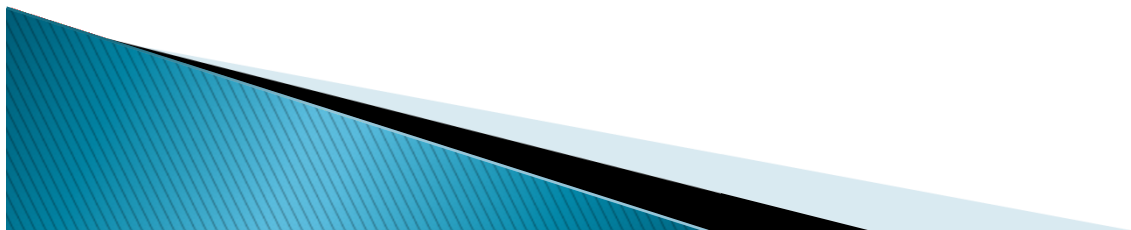


New advice of the Royal Academy (3)

Main recommendations

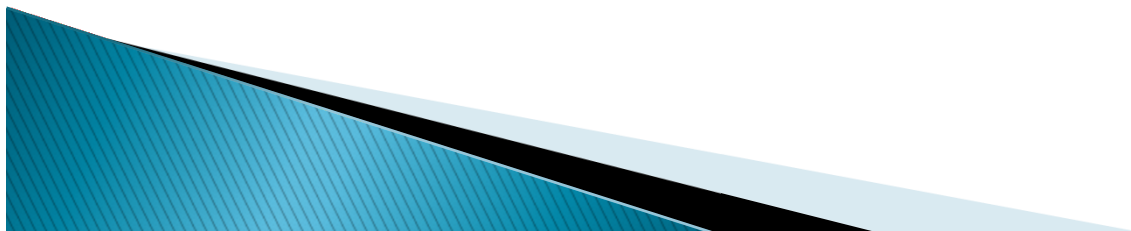
- ▶ The primary responsibility for dealing with potential dual-use risks lies with the researchers and parties in the knowledge chain.
- ▶ A new (independent) Biosecurity Advisory Committee for Research in the Life Sciences should be established.

<https://www.knaw.nl/nl/actueel/publicaties/improving-biosecurity-journalist-report>



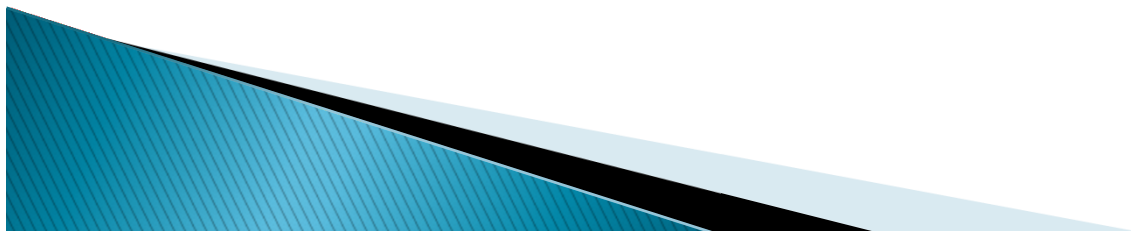
Lessons learned

- ▶ The awareness among life scientists of the possible misuse of the results of their research is still limited.
- ▶ Gap of distrust between life scientists and security experts.
- ▶ Lack of clarity of biosecurity regulations.
- ▶ International character of the biosecurity and dual use problem.



Conclusion: A Code of Conduct for Biosecurity – No panacea

- ▶ *A code of conduct can make good people better, but probably has negligible impact on intentionally malicious behaviour (NSABB)*
- ▶ A code of conduct cannot replace law and regulation!
- ▶ Codes of conduct do not prevent disagreements and conflicts on specific cases
- ▶ Codes of conduct contribute to awareness.



Final remarks

- ▶ It will be important to go on with a policy on the basis of cooperation between all parties involved: scientists, funding organisations, universities, hospitals, politicians, officials of ministries and of course experts on terrorism and anti-terrorism.
- ▶ The Tianjin workshop and this side event are examples of how to cooperate, and can lead to new ideas of the possibilities and limitations of a code of conduct for biosecurity.

- ▶ *Thank you for your attention*
- ▶ *Comments and questions are welcome!*

jjgvanderbruggen@ziggo.nl

