

Remarks by Dr. Ajey Lele at the International Webinar on Institutional Strengthening of the Convention (MX5)

Greetings to all who are presently connected from various parts of the world.

Let me first thank the organisers for inviting me to this important meeting. Before getting into the subject per se, let me mention that I work in India, in an autonomous think-tank and here I am speaking in my personal capacity and my views do not necessarily reflect the opinion either of my organisation or that of the government of India.

Well, ladies and gentlemen, since the mid-1970s, no major breach of the Biological Weapons Convention (BWC) has happened and that is a good sign. However, this does not guarantee that we will remain safe in the future too. Review conferences, which normally happen every five years are important to keep the debate on such subjects alive. Such debates are required to factor in the changing technological and geopolitical landscape and how it could impact the treaty as a whole. The review conferences help to review the operationalisation of treaties and also help to evolve current policy guidelines.

Well, the issue at hand is to discuss the **Institutional Strengthening of the Convention**.

In fact, since the establishment of the BWC treaty mechanism, it has always been an attempt to strengthen the BWC's effectiveness and improve the implementation of all provisions of the Convention. I think this pandemic phase could be viewed as the most opportune time to emphasize the relevance of the BWC.

For all these years various ideas have been put forth in regards to the manner in which the institutional strengthening of the Convention could be done. I can say that for some, Article X has been the all-time favourite and a good debate has happened on this subject for a long time. This article which is more about exchange of materials and technologies has a direct connection to the World Health Organization (WHO) activities too. In this Covid-19 era, it is very important to refocus on this article. There is a need to grow beyond the creation of databased systems. A case could be made for the **voluntary peer review** of national activities in relation to Article X. This is important to ensure there is an increased focus on disease prevention. Also, it could help to develop better understanding in regards to various inter- and intrastate biological activities.

In the present context, more focus on Article X is essential because of requirements like a need for increasing disease surveillance and correctly and timely treating communicable diseases affecting humans, animals, and plants.

Enhanced cooperation with the WHO is vital. Particularly, the WHO guidelines in regards to biosafety standards are much relevant in this point in time. There is a need to further boost global disease surveillance and response capability mechanisms. An increased amount of international collaboration and exchange of new ideas are important for this purpose. There is a need to **enhance or update the technology** behind the disease surveillance mechanism. Increased focus should be given to expanding the satellite technology-based remotely sensed epidemic surveillance mechanisms. Also, statistical solutions, machine learning algorithms and assistance from AI-based tools could be of much use.

I think there is also a need to reemphasise the importance of Article VII, which essentially speaks of providing support to any party, which requests for the same. There is a possibility that the creation of a database for bio-threats and bio-emergencies, could go a long way to offer timely and correct advice and support.

There have been suggestions like the **constitution of a special multilateral body for biosafety**. In the Covid-19 era, one can look at biosafety and biosecurity as the main pillars of global health security. Three important mechanisms are known to address this issue, namely International Health Regulations (IHR/2005), United Nations Security Council Resolution (UNSCR 1540/2004), and the Biological Weapons Convention (BWC 1975). Article I of the BWC becomes very important in this context. This article relates to all scientific and technological developments in the life sciences and in other fields of sciences relevant to the Convention. There is a need to reemphasise the importance of this article.

Particularly, in the post-Cold War era, the policy of Multi-alignment is found to become more relevant. Multilateral organisations are known to be significantly impacting the geopolitics of today. Many such organisations like the EU, BRICS, ASEAN, and some more are known to have fully supported the BWC and have issued joint statements urging to strengthen the treaty mechanism. Hence, it could be argued that various multilateral mechanisms have already expressed their faith in the BWC and they could be encouraged to be more proactive in the future too.

Advances in technology have made the issues of verification more difficult. The basic challenge of the BWC is the absence of a verification protocol. For this purpose, there is a need for institutional strengthening of the Convention. It is important to negotiate for a comprehensive and legally binding protocol, providing for an effective, universal, and non-discriminatory verification mechanism to strengthen the implementation of the Convention by States Parties, ensuring full compliance.

The system of Confidence-Building Measures (CBMs) under the Biological Weapons Convention was introduced in 1987 following a decision by the Second Review Conference in 1986. Subsequently, various review conferences have worked on the processes guiding the submissions of the CBMs and now we have a system in place for online submission. In

view of technological improvements and challenges owing to epidemics, there is a need to expand the scope of the process of CBMs.

For the Institutional Strengthening of the Convention, cooperation and capacity building is necessary. Both international cooperation and capacity-building could play a major role to address the challenges posed by the rapid development happening in the biotechnology sector. Also, there is a need to give greater focus towards the national implementation policies. There is a need to put renewed focus in regards to processes for the exchange of data on research centres and laboratories. It also could be prudent to take a view on the disclosure of some basic details in regards to various projects being researched on mainly at BSL-3 and BSL-4 facilities.

There have been some suggestions in regards for the need for Codes of Conduct to guide scientists whose research might potentially violate the BWC. Such codes could be found useful as interim measures till any negotiations for non-discriminatory and legally binding agreement begins. Such a code of conduct should be seen as a subset of the CBM process. From negotiations to implementation, various aspects related to such codes need policy directions. A requirement to strengthen the existing structure of the ISU would ensure the effective implementation of such code.

We can take some inspiration from OPCW for their strategies for CWC implementation. For some years now, OPCW is found engaging civil society actively. There is a case for the BWC to engage civil society too. Such engagement allows bringing in fresh ideas and also helps to take views from various additional platforms available for deliberations and messaging. Obviously, the budget is actually the elephant in the room! States parties need to put their heads together and find a solution for the budget crisis.

The Covid-19 pandemic and challenges faced by various states clearly underscore the need for improving implementation of the BWC. It could be a tall order to expect formation of any agency on the lines of the IAEA or OPCW to improve the implementation of the convention. However, the current crisis indicates that there is a need for creating some organisational structure, which could address various important issues including biosafety and disease surveillance mechanism while also being responsible to oversee the treaty implementation.

Globally, there was a wide focus on biodiversity during the last decade. The General Assembly had declared the period 2011-2020 as the United Nations Decade on Biodiversity. In recent times, the scientific community in general has proved their mettle by speedily developing the vaccine for coronavirus. The current crisis indicates that there is a need to refocus on the research in the field of basic sciences. Hence, the year 2022 could be declared as a Year of Biology. This could help towards increasing awareness about various innovations happening in the field of biology. It would also offer an opportunity to raise a debate about biology, life sciences, and security.

There are different views in respect of whether the BWC is the correct forum to discuss the issues concerning bioterrorism. It is understandable that the BWC has come into force to address the possible threats from state actors. However, the requirement of the hour is to adapt to 21st-century challenges. As the conference is taking into account the changing landscape of technology development, similarly it should proactively address the present-day threats like bioterrorism and the possibility of some radical groups/individuals using biological means to create damage and destruction.

The ongoing pandemic makes it very clear how badly spread of disease can impact human society. The BWC is all about ensuring that all issues concerning any possible malicious release of a biological agent get addressed correctly and timely. Now, it is the responsibility of national governments to ensure that the implementation of the BWC happens in true spirits and all efforts are made towards contributing to its strengthening. The forthcoming review conference offers an opportunity in that direction.

Thank you.