

Impact of Biological Weapon Convention (BWC) Review Conferences on Domestication and Implementation of BWC in Africa

Background

Most Africa countries may neither focus on producing or possessing Weapon of Mass Destruction (WMD) but the sudden rise in the frequency of insurgence and radicalization in the region may render the continent vulnerable to biosecurity threat from biological weapons. Africa has experienced increase in frequency and intensity of emerging infectious disease in recent years; this has significantly increased the amount of valuable biological materials (VBM) stored in various biobanks and laboratories. It is important that activities in these laboratories are effectively regulated and monitored to ensure biosafety and biosecurity. There is need for stringent and effective regulations to guide the activities around dangerous biological materials in Africa.

The Biological Toxin and Weapon Convention (BWC) is a disarmament treaty that effectively bans biological and toxin weapons by prohibiting their development, production, acquisition, transfer, stockpiling and use. It was open for signature in 1972 and come into force in 1975 for member states, generally called States Parties. BWC represents one of the fundamental pillars of the international community's effort against biological weapons of mass destruction. It is the first multilateral disarmament treaty banning an entire category of weapons of mass destruction (WMD). Since its entry into force in 1975, a total of 185 States have joined the Convention. Most African states have either signed or ratified the BWC except for Chad, Comoros, Djibouti, and Eritrea. BWC plays a fundamental role in collective security and serves as an internationally recognized forum for cooperation against the threats posed by biological weapons. Moreover, it also supports the development of the peaceful uses of biological science and technology, and contributes to strengthening national public health, veterinary, agricultural and emergency-response capacities.

The BWC is critical to international efforts to address the threat posed by biological weapons whether in the hands of governments or non-state actors. To remain effective, it must deal with all biological threats we face in the 21st century. There is a review conference (RevCon) every five years to review the convention's implementation, and establish Confidence-Building Measures (CBM) for the convention.

The BWC Review Conference is mandated by Article XII of the BWC treaty. It plays an important role of reviewing the treaty and charting way forward. The purpose of the RevCon is to review the operation of the BWC and especially discuss emerging relevant scientific and technological developments. Annual intersessional meetings of States Parties and Meetings of Experts are held between RevCons to air a variable set of diplomatic and technical topics before dealing with them more formally at the RevCons. The first BWC Review Conference took place in Geneva in March 1980. The second took place in 1986. The most recent RevCon took place at the UN office in Geneva from November 28 - December 16, 2022. The ninth review conference of the Biological Weapons Convention (BWC) agreed to establish a working group aimed at strengthening the convention. The final document approved on Dec. 16 mandated the working group to develop specific, possibly legally binding, measures to support international cooperation, scientific research, and economic and technological development for peaceful purposes.

Challenges Affecting the Implementation of BWC in Africa

Despite these laudable projects to facilitate BWC implementation in Africa, the region still lag behind in universalization and implementation. There are four African countries (Chad, Comoros, Djibouti, and Eritrea) that have neither signed nor ratified BWC. Enhanced awareness and capacity building among relevant stakeholders is important for effective domestication and implementation of BWC in African countries. Some of the challenges affecting effective domestication and implementation of BWC in African countries include:

1. Inadequate communication of the importance of Universalization and implementation of BWC to relevant stakeholders in Africa. The information and awareness on the importance of Universalization and implementation of BWC has not fully resonated with policy makers and political leaders in Africa.
2. Inadequate capacity and technical skills to implement BWC in Africa. There is huge paucity of skills on the technicalities on the effective operation of BWC in Africa. Many state parties perceive reporting under the CBM process to be overly burdensome, technically difficult and time-consuming.
3. Existing national laws and policies preventing domestication and implementation of BWC. Most African countries either have existing laws that needs to be reviewed to accommodate international biosecurity treaties or do not possess clear policies and governance framework to support domestication of these treaties in the countries.
4. Inadequate Funding. Funding of the ISU, the Convention as a whole, and the NGO community remains a critical issue in Africa.

A Review of the Biological Weapon Convention Review Conferences

The assessment of BWC operations is traditionally carried out as a review of all articles and the preamble of the BWC and is recorded in a final declaration if consensus is reached. The final declaration of the first review conference of BWC that took place in 1980, encouraged cooperation under article X of the BWC that would contribute to the development of peaceful programs. These programs included exchange of information, training of personnel and transfer of materials and equipment. The outcomes of the second review conference in 1986, was an expansion of voluntary data and laboratories information exchange amongst States Parties. It was also agreed that confidence-building measures should be triggered to prevent or reduce the occurrence of ambiguities, doubt and suspicions; this should improve international cooperation in the field of peaceful biological activities. One of the major highlights of the third review conference was the further elaboration of CBM within BWC. Also at this review conference session established an expert group on verification and compliance of state parties activities.

At the fourth review conference held in 1996, the states parties welcomed the intensification of the work of Ad Hoc group earlier set up to assess members compliance to protocol. The Ad Hoc was mandated to submit its report by the 5th review conference. The fifth review experienced a bit of turbulence due to the derailment of the Ad Hoc group process. However, states parties identified some challenges of the BWC such as: lack of universality, lack of verification, non-compliance by some state parties and addressing threats from advances in bioscience and biotechnology. State parties were enjoined to collectively work together to address the challenges confronting BWC implementation. At the sixth BWC review conference, one of the recommendations was the capacity for strengthening and broadening of national and international institutional efforts and existing mechanisms for the surveillance, detection, diagnosis and combating of infectious disease affecting humans, animals and plants. It also witnessed the willingness of the States parties to provide support assistance to any State party exposed to danger and damage as a result of the use of biological agents.

The seventh review conference concentrated on reviewing and assessing the role of new scientific and technological advancement to the convention. It was also agreed that participation of developing State Parties in annual meetings of State Parties should be increased through sponsorship programs. The sponsorship program will continue to be administered by the implementation support unit of the convention. It was also recognized that there are differences among State Parties in their capabilities to respond to biological and toxin weapons. The landmark recommendation at the eight-review conference was to promote capacity building at the national and international levels as the most immediate approach for enhancing and strengthening the capacity of the States Parties to detect and respond to threat from biological agents promptly and effectively.

The ninth BWC review conference was concluded in December 2022, where it attested to the fact that **it represents an achievement considering the current international security and arms control realities**. It was recommended at the conference, that there should be an establishment of new working group that will strengthen BWC and ensure more meaningful participation by States Parties especially in developing countries. The working group were mandated to develop specific, possibly legally binding, measures to support international cooperation, scientific research, and economic and technological development for peaceful purposes.

It is quite interesting that an important key element that were unique to the recommendations of all the nine-review conference are:

1. The significance of collaboration and partnership amongst member states.
2. Re-affirm the willingness of member states to provide an assistance and support to any member state that requested for such.

Implication of the BWC Review Conference on Universalization and Implementation of BWC in Africa

The Universalization and implementation of BWC in Africa is facing some challenges that require a collaborative transdisciplinary approach to address. Considering the outcome of the BWC review conferences, African State Parties can address the challenges in its ability to effectively implement the BWC if some activities are established:

1. A detailed expert review of laws and policies hindering domestication and implementation of BWC in African states.
2. The RevCon reaffirmation on compliance and verification on activities of member states should promote collaboration and partnership between member state in Africa on BWC implementation. It should also enhance state parties in Africa to seek and receive assistance from the developed countries.
3. The working group recommended at the 9th review conference should ensure cooperation and technology transfer that should advances science and technology in African countries to biosecurity threats in African countries.
4. The RevCon outcome should increase support for biosafety and biosecurity awareness initiative, open access publications, and effective use of critical media to engage scientists, researchers, institutes, diplomat, and policy makers.

Recommendations:

Considering the vulnerability of African countries to biosecurity threats, there is an urgent need to adopt and implement not just the BWC but all the global health policies and regulations including, International Health regulations, United Nations Security Council resolution 1540 and GHSA Action plan. In order to strengthen the Universalization and implementation of BWC in Africa, these measures are recommended:

1. African leaders should provide enabling environment to promote universalization of the Biological Weapon Convention in Africa and facilitate the implementation of BWC legislation on the continent.
2. African Union should support implementation of BWC through awareness creation, facilitating trainings and building collaborations with other regional bodies to maximize the benefits from international biological treaties.
3. Developed countries should support programs that will facilitate universalization and implementation of BWC in Africa. Major stakeholders such as policy makers, NGOs and scientist in Africa should be supported play active roles in BWC implementation in Africa.

Conclusion

There is need to strengthen the capacity of African countries to address emerging biosecurity threats. Increase in frequency and intensity of emerging infectious diseases in Africa in recent years coupled with increasing activities of non-state actors are increasing vulnerability of the continent to biosecurity threats. Domestication and effective implementation of BWC which bans biological and toxin weapons by prohibiting their development, production, acquisition, transfer, stockpiling and use; and also support development of peaceful uses of biological science and technology, and contribute to strengthening national public health, veterinary, agricultural and emergency response capacities is one of the global treaties that can contribute to reducing biosecurity threats in Africa. To this end, there is urgent need for Africa stakeholders; government, academia, and civil society co-operation to leverage the opportunities offer by international biosecurity treaties to reduce biosecurity threats in the region.

About GET

Global Emerging Pathogens Treatment Consortium (GET) was established in 2014 as a direct response to the 2014-16 Ebola virus disease outbreak in West Africa and ongoing outbreaks of Lassa Fever, Meningitis, Multidrug resistance (MDR) enteric fevers and COVID-19 across the sub-region. There was clearly a need to create an African-led multidisciplinary forum of experts capable of working together with international partners to strengthen Africa's preparedness and resilience in tackling such infectious disease outbreaks caused by emerging pathogens, public health emergencies and pandemics.

GET found the understanding of biosecurity to be a very underdeveloped area on the continent with clear opportunities for using biosecurity to dramatically improve the capacity for prevention and medical countermeasures during public health crises. GET now operates firmly in the African Biosecurity and pandemic preparedness space, and functions as a think tank, providing high-level advocacy and the operational and necessary expertise to support Countries and communities achieve improved resources to combat outbreaks and other public health emergencies that can threaten stability, peace and security thereby undermining economic growth and well being. The consortium is working with international collaborators to provide strategic recommendations and establish infrastructure and research capacity to respond to highly infectious emerging Pathogens such as Ebola and the ongoing COVID-19 Pandemic. The Consortium creates a rapid informed response strategy and provides advice and guidance to African countries, and is a point of reference for international funding and aid agencies