

Talking points

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Panel 4: *Parliamentary contribution to the effective implementation of the BWC*

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The Role of Parliamentarians in Support of Peace and Security

- Greeting remarks
- I am Mohamed Benabdessadeq, a member of the Moroccan Parliament and of the International Council of PGA, as Chair of the PGA National Group in Morocco.
- As you may know, Morocco is a State Party to the Biological Weapons Convention since its ratification on 21 March 2002. Since then, the Kingdom of Morocco has expressed its commitment to the fight for the non-proliferation of weapons of mass destruction, considering the BWC as a key component of the international disarmament and non-proliferation framework. Morocco remains convinced by the relevance of the Convention to national and international security, and has thus been seeking to implement the provisions of the BWC.
- Morocco currently has no specific regime for biological and toxin weapons. However, there is a legislative and regulatory framework that implements, at least partly, the Biological Weapons Convention. For example, Morocco has criminalised the spreading of dangerous substances in the Law on the fight against terrorism (loi du 28 mai 2003 relative à la lutte anti-terroriste), which defines acts of terrorism as, in French, *“le fait d’introduire ou de mettre dans l’atmosphère, sur le sol, dans le sous-sol ou dans les eaux y compris celles de la mer territoriale, une substance qui met en péril la santé de l’homme ou des animaux ou le milieu naturel”*. Moreover, the import, sell and distribution of vaccines and therapeutic serums are subject to authorisations, as defined in the decree on their manufacture, sell and distribution (Dahir du 14 janvier 1950 réglementant la fabrication, la vente et la distribution des vaccins, des sérums thérapeutiques et de divers produits biologiques). The import, trade in, holding and use of toxins or poisonous substances is therefore subject to the authority of the relevant Ministry, such as Health, Agriculture, Industry or Mines.
- I will now mention a few challenges to the effective implementation of the BWC but will also give some actions and measures as parliamentarians we can promote to address and overcome those challenges
- In my opinion, the first challenge is the comprehensive implementation of the Convention, which implies legislative and regulatory framework including definitions of the biological weapons, criminalisation of their production, use and stockpiling, biosafety and biosecurity measures, as well as import and export controls. Most of the States that have implemented the Convention, including Morocco, have done so in an incomplete manner. As a consequence, the level of implementation across the world is highly heterogeneous and impairs the effective prevention of biological weapons being used by non-State actors. Although it can seem quite an arduous process, the full implementation of the BWC remains necessary to fully ensure compliance with the

provisions of the Convention and enhanced national, regional and international security.

- Subsequently, the level and quality of implementation of the Convention at the national level is very difficult to assess, as there is also a lack of transparency from States Parties in this regard. Similarly, the absence of international consensus on the establishment of a verification mechanism or institution taking into account all the provisions of the Convention is a challenge to the actual compliance of States Parties to its provisions, as it solely depends on national verification mechanisms for now. This reality impairs the effectiveness of the Convention: it is not enough to ratify it, implementing it fully and effectively is also key to give full effect to our commitments
- Moreover, I believe that cooperation and exchange of data and technology for peaceful purposes is one of the most important pillars of the Convention, and thus deplore the lack of appropriate mechanism to this end. Indeed, as cooperation and exchange of technology and information for peaceful purposes present evident benefits to developing countries, it is also very important to reinforce national capacities in biosafety and biosecurity, as well as public health. Strengthened national and regional capacities will allow for an early response in case of biological threat, as well as enhanced surveillance, early diagnosis and containment of infectious disease mechanisms.
- Another challenge is the constant evolution of technological and security contexts. As a matter of fact, implementation and cooperation measures have to constantly adapt themselves to the development of new biotechnology and genetic engineering, as well as evolving security threats. States Parties to the Convention thus have to remain committed to the enhancement of the BWC system and regularly update their regulatory and guidelines framework.
- I believe one of the most important challenge the BWC is now facing is the control of dual-use biological agents. Indeed, dual-use research and agents are important to science, public health and agriculture and restricting their availability does not seem a viable path. However, as they may present some risks if misused or diverted for hostile purposes, it is crucial to enhance national oversight on dual-use research and agents.
- National institutions have various roles to play in the strengthened implementation of the BWC. First and foremost, as parliamentarians we can promote its implementation through the introduction of bills and amendment of existing legislations. Moreover, we can also reach out to key stakeholders, such as decision-makers within the Government and different Ministries, to urge them to promote the BWC and adopt good practices and guidelines for scientists and professionals in the field of the Convention. These guidelines are indeed necessary to ensure that the handling of biological and microbiological agents are compatible with the provisions of the Convention. In addition, as parliamentarians we can raise awareness on this major issue among the general public and professional sectors through advocacy initiatives.
- However, parliamentarians may be crucial actors but we cannot provide the necessary expertise and training on biosafety and biosecurity. As such, it is our role to promote the establishment of national institutions mandated to monitor the implementation of

the Convention, as well as evolution in biotechnology and biosecurity. For example, in the framework of its cooperation with the European Union, Morocco has set up a Centre of Excellence, which aims at strengthening national and regional capacities on the prevention and countering of chemical, biological, radiological and nuclear threats. I believe it will be of great benefit in building capacity on the preparation and response to these threats, whether accidental or deliberate.

- On the matter of benefits, I would like to emphasise that implementation measures will allow for the investigation and prosecution of offences related to the Convention. This will ensure that there is no impunity for those who intend to develop, manufacture or use biological weapons, including 'preparatory acts' linked to biological weapons committed by non-State actors.
- Furthermore, such measures would reinforce national security, as well as public health and safety, notably by monitoring and supervising all activities related to biological agents and toxins, as well as their transfers.