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UNSCR 1540  
Implementation  
Programme

**“Regional Caribbean Parliamentary  
Workshop to Promote Ratification and  
Implementation of the Biological Weapons  
Convention and Implementation of United  
Nations Security Council Resolution 1540  
(2004)”**



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# Implementing the Biological Weapons Convention:

Is this different from the NPT and the CWC?

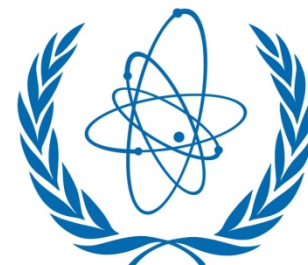
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Challenges facing CARICOM Member States in implementing the 3 core non-proliferation regimes are effectively the same in:

(a) Establishing effective focal points to function as national/competent authorities which can effectively interact with the OPCW, the IAEA or the BWC-ISU and aid the implementation process

(b) Establishing a centralized or decentralized administrative architecture to coordinate and oversee the attendant legal, administrative and enforcement obligations under the NPT, CWC or BWC

(c) Positioning CBRN threats as important or consequential when compared to threats posed by guns, drugs, gang-related violence or transnational crime



**IAEA**

International Atomic Energy Agency



**BWC**  
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SUPPORT UNIT

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# The Biological Weapons Convention (BWC)

## Its History and Relevance to Regional Security

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The BWC, which opened for signature on April 10, 1972, and took effect on March 26, 1975 has the following prohibitions:

- Forbids States Parties from developing, producing, stockpiling, or otherwise acquiring biological agents or toxins that have no justification for peaceful or defensive purposes
- Forbids States Parties from developing, producing, stockpiling, or otherwise acquiring equipment to deliver biological agents or toxins for hostile purposes
- Obligates States Parties to destroy or divert to peaceful purposes their existing stocks of prohibited items
- Forbids States Parties from transferring prohibited items to anyone or otherwise helping in the manufacture or acquisition of biological weapons



# The Biological Weapons Convention (BWC) Its History and Relevance to Regional Security

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Why is the BWC important to states in the Caribbean?

- The BWC seeks to prevent the acquisition, possession and use of biological agents that have the potential to kill millions, cost billions in economic losses, and create political and economic instability, whether naturally occurring, accidental, or manmade
- The risk of a catastrophic biological event is magnified by global travel, urbanization, terrorist interest in weapons of mass destruction as well as rapid advances in technology, including risks posed by newly developed or manipulated pathogens with pandemic potential.
- All of these factors taken together create an urgent need to strengthen biosecurity, reduce biological risks posed by advances in technology, create new approaches to improve infectious disease surveillance, and identify and fill gaps to measurably strengthen global health security capabilities. Despite these challenges, biosecurity remains an under-emphasized and under-financed global security priority.



# The Biological Weapons Convention (BWC)

## Why is it so focused on controlling access to biological agents?

Biological agents are germs that can sicken or kill people, livestock, or crops. Anthrax is one of the most likely agents to be used because:

- Anthrax spores are easily found in nature, can be produced in a lab, and can last for a long time in the environment
- Anthrax makes a good weapon because it can be released quietly and without anyone knowing. The microscopic spores could be put into powders, sprays, food, and water. Because they are so small, you may not be able to see, smell, or taste them
- Anthrax has been used as a weapon around the world for nearly a century
- In 2001, powdered anthrax spores were deliberately put into letters that were mailed through the U.S. postal system
- Twenty-two people, including 12 mail handlers, were contaminated by anthrax, and five of these 22 people died



# Promoting Regional Bio-Security Awareness

## The Role of the Non-Proliferation and Counter-terrorism Initiative (NPCI)

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The Non-Proliferation and Counter-terrorism Initiative (NPCI) which was implemented in September 2015, has sought to:

- Raise awareness in the Caribbean that biological threats, whether naturally occurring, accidental, or manmade have the potential to kill thousands, cost millions in economic losses, and create political and economic instability
- Highlight the risk of a catastrophic biological event occurring in the Caribbean, and its probability enhanced by global travel – including tourism, urbanization, the growing interest in weapons of mass destruction by terrorists
- Demonstrate how rapid advances in technology, including risks posed by newly developed or manipulated pathogens with pandemic potential
- Highlight similarities in public health and governance systems in West Africa and the Caribbean where inadequate research facilities, deficient disease surveillance, and poor or absent legislation became the augury of the Ebola crisis



# The Politics of Bio-Security

## The Jamaican 2014 Chikungunya Outbreak and its socio-political impact

### ONLINE readers feel Health Ministry under-reporting ChikV cases

Wednesday, September 17, 2014 4 Comments

Like 5 Share Tweet



2006 Prof. Frank Hadley Collins, Dir., Cntr. for Global Health and Infectious Diseases, Univ. of Notre Dame This 2006 photograph depicted a female *Aedes aegypti* mosquito while she was in the process of acquiring a blood meal from her human host, who in this instance, was actually the biomedical photographer, James Gathany, here at the Centers for Disease Control. You'll note the feeding apparatus consisting of a sharp, orange-colored "fascicle", which while not feeding, is covered in a soft, pliant sheath called the



KINGSTON, Jamaica – An overwhelming 83 per cent of 2597 respondents to the OBSERVER ONLINE poll, felt that Chikungunya cases are being under reported by Jamaica's Ministry of Health.

The poll results come after the opposing Jamaica Labour Party (JLP) raised concerns that the Health Ministry is treating the spread of Chikungunya lightly. The JLP claims that the number of cases in the island is far greater than the 183 suspected, and 25 confirmed, being reported by the Ministry.

According to the Health Ministry, 24 of the suspected cases reviewed by the Caribbean Public Health Agency (CARPHA) tested negative for the Chikungunya virus while only 25 have tested positive with the balance still under review. In the meantime 41 suspected cases have surfaced in St Ann, and debate continues about the actual number of suspected cases in St Thomas. Other affected parishes include St Catherine and Kingston and St Andrew.

# Promoting Bio-Security & Bio-Safety

## Ongoing Collaboration with the Global Partnership program

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Global Partnership Against the Spread of  
Weapons and Materials of Mass Destruction

Since 2015 the Government of Canada, under the **Global Partnership Against the Spread of Weapons and Materials of Mass Destruction**, has funded non-proliferation and disarmament activity in the region through the NPCI/1540 Programme to the tune of over **CDN\$1.1 million**. This support has enabled the CARICOM Programme to:

- Familiarize CARICOM Member States with the BWC Cooperation and Assistance Database
- Highlight the need for preparedness and the need for regular simulations and TTXs
- Promote the BWC Sponsorship programme
- Promote Universalization of the BWC through advocacy
- Stage regional science and technology workshops in support of the Convention
- Sponsor BWC Implementation training workshops
- Aid the BWC-ISU's regional implementation efforts





# World Organization for Animal Health (OIE)

## Increasing cooperation on Biological Threat Reduction

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Since August 2017, the CARICOM 1540 Programme has been deepening its collaboration with the OIE to:

- Foster biothreat reduction activities in the region and to minimize/mitigate biological risks that are both related to the accidental or deliberate release of pathogens or biological toxins
- With the advent of globalization and the increasingly speedy movement of good and commodities - including live animals - there is a growing concern about zoonotic diseases and their potential impact
- There is an increasing encroachment on and destruction of natural habitats and has been further compounded by climate change, as well as other ecological changes
- Our cooperation focuses on the current threat that weaponized infectious diseases and biological toxins can pose to both humans and animals and the need for security policy personnel and practitioners to view biological threats more seriously
- Our aim is to build multi-sectoral synergies to promote the prevention, preparedness and response to biological threats.



# Regulatory Frameworks to Aid Bio-Security and Prevent the Misuse of Science and Technology

- The current threat perception within the Caribbean related to strategic items and dual use materials has meant that CARICOM Member States have not prioritized the development of regulatory frameworks to prevent the misuse of science and technology, as a significant issue deserving of immediate concern
- As a result, CARICOM States have not largely focused this issue and, as a result, only Jamaica has passed legislation (*The Nuclear Safety and Protection Act in June 2015*) to seek to regulate science and technology. Despite its significant petrochemical activity, Trinidad & Tobago does not have a legal framework in place that directly addresses its inherent vulnerability to the misuse of dual use materials as well as strategic items in general
- Apart from Jamaica, Grenada is the only other CARICOM Member State with relevant nonproliferation legislation; however it is principally focused on addressing Operative Paragraph 3 of Resolution 1540 and does not provide for a regulatory framework that will aid enforcement efforts and prevent the use of science and technology in the illicit development of weapons of mass destruction

# Caribbean Control List Initiative and its role in preventing the proliferation of biological weapons

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- Again, mechanisms like the CCL, while not constituting legal prohibitions or formal regulations within CARICOM Member States, continue to have a measurable impact beyond Operative Paragraph 3 of UNSCR 1540, given that, like OP3, Article I of the BWC prohibits States Parties from developing, producing, stockpiling, or otherwise acquiring or retaining biological agents and toxins, or related biological weapons or equipment.
- In addition, Article I of the BWC prohibits States Parties from developing, producing, stockpiling, or otherwise acquiring or retaining biological agents and toxins, or related biological weapons or equipment and Article III of the BWC obliges States Parties to prevent the transfer of materials which might assist the manufacture, or any means of acquiring, biological weapons.
- The application of both the CCLI and Australia Group principles is intended to have the net impact of regulating the development and/or use of dual-use materials, enhancing export controls and preventing proliferation.



# United Nations Security Council Resolution 1540

## UNSCR 1540 and the BWC

S/RES/1540 (2004)

2. *Decides also* that all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them;

- The CARICOM 1540 Implementation Programme has always regarded **Operative Paragraph 2 of Resolution 1540** as a major rationale for its continued focus on supporting the full implementation of the **Biological and Toxin Weapons Convention (BWC)**
- UNSCR 1540 implementation activities have always been regarded as a corollary to ongoing efforts in CARICOM Member States to implement the BWC



# United Nations Security Council Resolution 1540

## UNSCR 1540 and the BWC

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S/RES/1540 (2004)

8. *Calls upon* all States:

(a) To promote the universal adoption and full implementation, and, where necessary, strengthening of multilateral treaties to which they are parties, whose aim is to prevent the proliferation of nuclear, biological or chemical weapons;

(b) To adopt national rules and regulations, where it has not yet been done, to ensure compliance with their commitments under the key multilateral non-proliferation treaties;

(c) To renew and fulfil their commitment to multilateral cooperation, in particular within the framework of the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Biological and Toxin Weapons Convention, as important means of pursuing and achieving their common objectives in the area of non-proliferation and of promoting international cooperation for peaceful purposes;

(d) To develop appropriate ways to work with and inform industry and the public regarding their obligations under such laws;

**Operative Paragraph 8** of Resolution 1540 is very clear about Member States responsibilities in fully meeting their obligations under the key multilateral nonproliferation treaties, effectively making the case that any progress in assuming mandates under the **Biological and Toxin Weapons Convention (BWC)**, for example, also furthers the assumption of responsibilities with respect to UNSCR 1540

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# UN Security Council Resolution 1540

## Forging a Global Consensus to enhance Biological Non-Proliferation

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United Nations S/RES/1540 (2004)

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 **Security Council** Distr.: General  
28 April 2004

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**Resolution 1540 (2004)**

Adopted by the Security Council at its 4956th meeting,  
on 28 April 2004

*The Security Council,*

*Affirming* that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery,\* constitutes a threat to international peace and security,

*Reaffirming*, in this context, the Statement of its President adopted at the Council's meeting at the level of Heads of State and Government on 31 January 1992 (S/23500), including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent proliferation in all its aspects of all weapons of mass destruction,

*Recalling also* that the Statement underlined the need for all Member States to resolve peacefully in accordance with the Charter any problems in that context threatening or disrupting the maintenance of regional and global stability,

*Affirming* its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the United Nations Charter,

*Affirming* its support for the multilateral treaties whose aim is to eliminate or prevent the proliferation of nuclear, chemical or biological weapons and the importance for all States parties to these treaties to implement them fully in order to promote international stability,

\* Definitions for the purpose of this resolution only:  
Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.  
Non-State actor: individual or entity, not acting under the lawful authority of any State in conducting activities which come within the scope of this resolution.  
Related materials: material, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

04-32843 (E)  
**\*0432843\***

- Inclusive of **biological agents/materials**, UNSCR 1540 seeks to prevent the development, acquisition, trafficking, or use of weapons of mass destruction (WMD), their means of delivery, and related materials equipment and technology
- By, or to, Non-State actors
- By, or to, State actors



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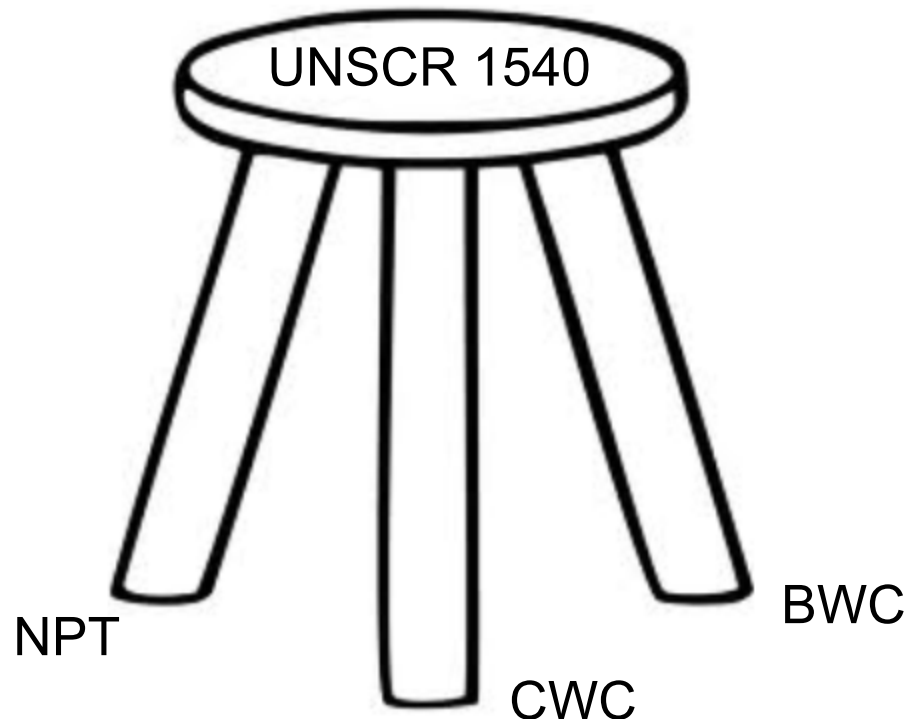
## Furthering UNSCR1540 Implementation: Lessons in leveraging 1540 to achieve other nonproliferation objectives

- A main focus of the CARICOM-UNSCR 1540 Programme has been to develop an appreciation among CARICOM Member States that any action on 1540 implementation also serves to meet important mandates under the three core nonproliferation regimes, including the Biological Weapons Convention (BWC)
- In relation to the Chemical Weapons Convention, the CARICOM Programme has assisted CARICOM Member States in linking obligations under **Article VII of the Convention which mandates action covering National Implementation Measures related to prohibitions under the Convention to requirements under Operative Paragraph 3 of UNSCR 1540** which simultaneously requires legal and regulatory control over strategic goods and dual use materials
- Under the Biological and Toxin Weapons Convention, the CARICOM Programme worked with Member States to leverage action under **Article III of the BWC to also substantively satisfy obligations under Operative Paragraphs 2 and 3 of Resolution 1540** which covers legal requirements relating to the manufacture and trade in strategic goods
- A similar approach has been used in relation to meeting **Article II requirements under the Nuclear Nonproliferation Treaty and Operative Paragraph 2 of Resolution 1540** pertaining to the manufacture and acquisition of nuclear/radiological weapons and related materials

# UNSCR1540 Implementation:

Leveraging the Resolution to achieve other nonproliferation objectives

Our working premise is simply this: UNSCR 1540 can be visualized as a stool in functional terms, with the implementation of each leg in this construct not only representing **a set of activities** that directly relate to the successful assumption of responsibilities under the Resolution, but indeed **three different sets of complementary activities** that together serve to advance nonproliferation objectives.





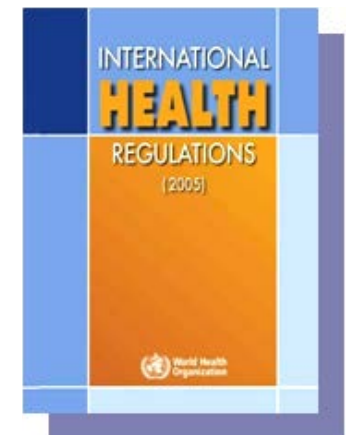
# Implementing UNSCR 1540, the IHR and GHSA: Additional Challenges, New Opportunities

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The NPCI has further mandated the 1540 Programme to facilitate **the implementation of the Global Health Security Agenda (GHSA) by focusing biological proliferation threats** which are germane to UNSCR 1540 and the Biological and Toxin Weapons Convention (BWC)

**Bio-safety and bio-security** mandates under the **International Health Regulations (IHR)** are also now given significant focus along with objectives under the GHSA to fulfil **Operative Paragraph 8 (c)** of Resolution 1540

With the appointment of the CARICOM Regional 1540 Coordinator to the **Regional Coordinating Mechanism on Health Security (RCMHS)** in May 2017, the 1540 Programme is now increasing collaboration with the Caribbean Public Health Agency (CARPHA) to focus on the overlapping/cross-cutting non-proliferation mandates stemming from 1540/BWC and to use action under GHSA to further these obligations.



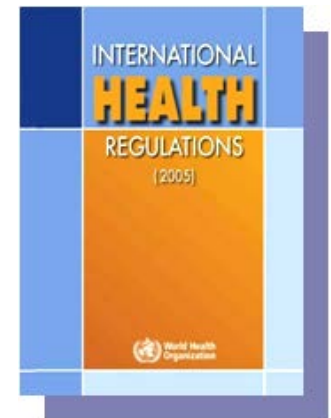
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# Implementing UNSCR 1540 & the IHR and GHSA: Additional Challenges, New Opportunities

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The focus is on **three (3) thematic areas** drawing from UNSCR 1540, the **Global Health Security Agenda (GHSA) Caribbean Roadmap** adopted in December 2016 in Miami, Florida and the International Health Regulations (IHR). These include:

- Furthering the full implementation of Operative Paragraphs 1-3 of Resolution 1540 by focusing on: prohibiting the development production, acquisition, transfer, stockpiling, and use of biological and toxin weapons (BWC)
- Strengthening regional and national capacity to prevent, detect, and respond to infectious disease threats, whether naturally occurring, deliberate, or accidental (GHSA)
- Preventing, protecting against, controlling, and provide a public health response to the international spread of disease (IHR)



Promoting regional biosafety/biosecurity and linking public health with law enforcement and multi-sectoral rapid response is key in fulfillment of Operative Paragraph 3(c) of Resolution 1540



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