
PROCEEDINGS
OF THE
BIOLOGICAL WEAPONS CONVENTION
REGIONAL WORKSHOP

Co-hosted by the Governments of Australia and Indonesia

Edited by Dr R J Mathews

Asia Pacific Centre for Military Law
Melbourne University Law School

21–25 February 2005

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Law School, The University of Melbourne, VIC 3010, Australia
www.apcml.org

Cover design: Workshop motif based on the synthesis of three components: science, the law and protection against disease. The images in the background are anthrax spores. The page of text is the first page of the Biological Weapons Convention. The figure is that of the plague doctor in the typical uniform worn in the 17th century when treating patients with the plague.
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National Library of Australia Cataloguing-in-Publication entry

Biological Weapons Convention Regional Workshop, (2005 : Melbourne, Vic.).

Proceedings of the Biological Weapons Convention Regional Workshop : co-hosted by the governments of Australia and Indonesia : 21-25 February.

ISBN 0 9757717 1 X.

1. Biological arms control - Congresses. 2. Biological weapons - Congresses. I. Mathews, Robert J. II. University of Melbourne. Asia Pacific Centre for Military Law. III. Title.

327.1745

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FOREWORD

I am filled with a deep sense of gratitude to everyone involved in the Biological Weapons Convention (BWC)¹ Regional Workshop held from 21–25 February in the Law School at the University of Melbourne, and particularly to those participants who gave such excellent presentations and subsequently provided their presentations in written form. Those papers constitute the basis of this edited volume.

Throughout the Workshop I was particularly taken by the overwhelming sense of goodwill and common purpose among all participants: from the opening ceremony with speeches by Australian Defence Minister Robert Hill and Indonesian Consul General M Wahid Supriyadi; to the decision by participants in the first working session of the Workshop to literally ‘roll up their shirt sleeves’ and have real ‘coal face’ discussions on the key issues; to the great time participants had together at a number of social functions; through to the final session which resulted in an agreed final document including a number of agreed follow-on activities and the recommendation to make the Workshop activity an ongoing process.

Despite the delightful academic setting of the Workshop, within the newly completed Law Building on the campus of the University of Melbourne located in leafy Melbourne, we had not assembled for theoretical discussions on the BWC. The serious nature of the issues facing all countries, including those in our region, were clearly summed up by Consul General M Wahid Supriyadi who referred to the risk of Weapons of Mass Destruction (WMD) falling into the hands of terrorists, terrorist organisations, extremist groups, or other irresponsible groups of people. This risk has indeed become a real and not a hypothetical danger — one that Indonesia, as a victim of terrorist attacks, views with grave concern. As Minister Hill stated, we are all on a steep learning curve as we grapple with the complexities of how we might raise the barriers to bio-terrorism and biological weapons proliferation in ways that do not hamper the growth and sharing of scientific knowledge and the global spread of beneficial advancing technologies.

It is perhaps useful to briefly outline the background to the Workshop. By mid-1999 there was cautious optimism in Geneva that the negotiation of a legally binding Protocol to strengthen the BWC would be concluded by the Fifth Review Conference which was scheduled for late 2001. So there was no great surprise from my Defence and Foreign Ministry arms control colleagues in Canberra when I suggested that Australia should organise a BWC regional workshop, on the basis that there would be considerable national preparations required by BWC States Parties intending to ratify the expected Protocol.

¹ *Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction*, opened for signature 10 April 1972, 1015 UNTS 163 (entered into force 26 March 1975).

There was strong support for this proposal, and tentative plans were developed for a BWC regional workshop in 2001. But these plans were put on hold after the disappointment of the failure to conclude the Protocol in 2001. However, as the BWC three-year program of work proceeded in Geneva, it became clear that a number of smaller States Parties, including some from our region, had not been able to become fully engaged in the Geneva process. Further, with increased concerns about WMD-terrorism following the September 11 attacks and the anthrax letters in the United States in late 2001, the benefits of full and effective implementation of the BWC in raising the barriers to biological weapons proliferation and bio-terrorism were more clearly recognised. Thus arose the idea to 'bring Geneva to Melbourne for a week', to enable further exploration and sharing of experiences on implementation of the BWC from a regional perspective, based on the three-year program of work. This concept provided another example of disarmament and arms control evolving to address contemporary security challenges.

Australia has been collaborating and cooperating with Indonesia on a range of disarmament and arms control issues since the 1980s, with Indonesia having played a very active and valuable role in various regional workshops. So we were delighted when Indonesia accepted our invitation to co-host this Workshop with Australia.

There are many individuals who have played a major role in making this Workshop a successful event, and I could not possibly name them all. But I cannot fail to mention the tremendous support and cooperation that we have received from our Indonesian colleagues, in particular Hassan Kleib and Silvy Gayatri, who played a major role in the planning and conduct of the Workshop. The main planning, organisational and administrative roles were undertaken by the Strategic Policy Division of the Australian Department of Defence, in particular Murray Perks, Lachlan Colquhoun and Charmian Walker, in close collaboration with staff of the Asia Pacific Centre for Military Law (APCML), in particular Tim McCormack, Jessica Howard and Cathy Hutton. Finally, thanks to Sarah Finnin and Paramdeep Mtharu of the APCML for their outstanding assistance in preparing this volume.

It is perhaps fitting to conclude this Foreword with a brief explanation of the Workshop motif reproduced on the cover of this volume. We recognised — within the three-year Geneva-based BWC program of work — the overlap of science, the prevention of disease, and international and domestic law. We have tried to encapsulate those overlaps and synergies within the motif. The image of the plague doctor illustrates the typical uniform worn by doctors in the 17th century when treating patients with the plague. The doctor is wearing a coat of waxed cloth, gloves, and protective glasses. The beak that is attached to the mask is stuffed with herbs, perfumes and spices to purify the air that the doctor breathes while close to his patients. The plague doctor, representing the science of protection against, and treatment of, disease is overlaid with the first page of the text of the BWC. In the background is an image of anthrax spores, completing the overlap of science, the prevention of disease, and international and domestic law.

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