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Covid-19 pandemic vulnerable to exploitation by proliferators, terrorists and criminals

By Inter Press Service

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WASHINGTON, D.C.: Even during this pandemic, perhaps especially during this pandemic, the global institutions to help prevent the spread of biological and chemical weapons to proliferators or terrorists must continue their work.

As United Nations Secretary-General António Guterres noted in a recent address to the UN Security Council, the focus on the pandemic has created new opportunities for terrorists to exploit.

In the realm of biological and chemical weapons proliferation, three important instruments and their related institutions must meet the challenge of doing their important work under widespread travel bans, physical distancing and misinformation campaigns: the Chemical Weapons Convention (CWC) and the Organization for the Prohibition of Chemical Weapons (OPCW); the Biological and Toxin Weapons Convention (BWC) and the BWC Implementation Support Unit (BWC-ISU); and UN Security Council resolution 1540 (2004) and the 1540 Committee.

Covid-19, the CWC and the OPCW

Although much smaller than the International Atomic Energy Agency in staff and budget, the OPCW must facilitate the implementation of arguably a more extensive verification regime under the CWC, with tens of thousands of potentially inspectable facilities located in almost every country in the world, a challenge that a pandemic only magnifies.

OPCW Director-General Fernando Arias set up an internal task force to monitor the coronavirus disease 2019 (Covid-19) and its potential impact on the organization in late January and then responded swiftly to March guidance issued by the Netherlands (which hosts the headquarters of the OPCW) and by the World Health Organization to have approximately 90 percent of the OPCW's 500-plus staff work remotely, while canceling all non-essential travel, including for training, through May 1.

More importantly, the OPCW postponed or rescheduled as circumstances warrant, capacity-building events, inspections of facilities with scheduled chemicals and former chemical weapons facilities, inspections related to abandoned or old chemical weapons, and deployments and missions to Syria.

Arias pointedly noted that this meant that the OPCW would be unlikely to meet its schedule of 241 inspections for facilities with scheduled chemicals this year. On April 17, the director-general extended the ban until June 1.

As the OPCW adjusts to working remotely, other work of the OPCW has continued, from enhancing its online presence, to working on its new ChemTech Center, to releasing a new report on the use of chemical weapons in Syria.

The OPCW has also welcomed the annual national declarations required under the CWC. However, national authorities in many countries are also coping with the impact of Covid-19, with differing degrees of success.

Moreover, the OPCW will likely face increased strain on its budget and contributions. This is likely to have already emerged as the OPCW has moved more toward seeking to prevent the reemergence of chemical weapons with a new focus on attribution of chemical weapons use and chemical security.

A deep economic recession will likely mean cuts in the national budgets for implementing the CWC obligations of states parties — already a concern — and financial support for and attention to the OPCW. Even worse, the illness or even death of at least a few key national officials seems likely.

Only recently, moreover, have STATES PARTIES decided to take on several important new tasks such as adding chemicals to its schedules for the first time, expanding its efforts on chemical security and creating new mechanisms for attribution, in no small part because of resurgence in use of chemical weapons for warfare, terrorism and assassination.

Without significant financial and material support for their efforts, states parties and the OPCW seem ill placed to implement these new tasks in the coming year.

Covid-19, the BWC and the BWC-ISU

For the BWC, the pandemic has made the possible consequences of a malicious release of a biological agent — mountains of death and debt — clearer than ever.

At the same time, state parties have long recognized that efforts to implement biosecurity measures usually complemented and enhanced biosafety and public health such as improving disease surveillance, improving secure diagnostic laboratory capacity or building general capacity to respond to disease outbreaks.

Not surprisingly, many national governments have entertained the need to adopt and implement the BWC and contribute to its strengthening. And the requests for assistance have increased enormously, according to several sources (although which requests, if any, that have gone to the BWC is confidential).

Although the BWC has no verification regime, its members do report on confidence-building measures, assistance activities and advances in science, among other implementation efforts.

BWC activities usually revolve around two short sessions, the Meeting of Experts and the Meeting of States Parties (MSP), but states parties must also prepare for a review conference in 2021.

Unfortunately, all of this work, including efforts to address assistance requests through an online database, must be serviced by a talented but pathetically small support staff, i.e., the BWC-ISU, which consists of three full-time staff members located at the UN offices in Geneva.

Moreover, even before the pandemic shortfalls in the budget for the BWC and the BWC-ISU have been significant enough to raise questions about even having a meaningful MSP.

While Covid-19 has surely emphasized the need for improving implementation of the BWC and of the roles of the BWC and the BWC-ISU, the pandemic seems likely to reduce government capacity and income, while paradoxically creating excessive expectations for what the BWC and the BWC-ISU can do in response to such global turmoil.

Covid-19, UNSCR 150 and the 1540 Committee

UN Security Council Resolution or UNSCR 1540 (2004) is the international legal instrument that creates the binding obligations on all States to prohibit a range of illicit activities while controlling legitimate ones related to items, including dangerous pathogens like Covid-19.

As with the BWC-ISU, the UN Security Council subsidiary body that monitors and facilitates implementation of the resolution, informally known as the 1540 Committee, will also hear new calls to improve the low levels of implementation of the resolution's biosecurity elements, which typically complement and support public health efforts to prevent and respond to pandemics.

Located in New York City, the 1540 Committee and its Group of Experts, continue some of their work remotely, such as reviewing reports and other materials on national implementation and receiving assistance requests, while facing limits on other aspects of its work, such as training and outreach efforts.

Most important, in early 2020 the 1540 Committee and some of its key supporters had launched a series of activities for the 3rd Comprehensive Review of the resolution, which it needs to complete before the mandate of the Committee expires in April 2021.

Most of these events now have been suspended and some will likely be abandoned. In most cases, these activities were meant to give voice to those not on the Committee, i.e., the other 178 UN member states not on the 15-member council, civil society organizations and industry, all of whom have key roles in furthering implementation efforts.

Under a shortened schedule to hold these events, these voices will struggle to be heard. Although not working under quite as severe financial constraints as the BWC-ISU, the pandemic and its associated recession will

likely reduce important extrabudgetary support for the work of the 1540 Committee and, more importantly, turn national attention away from closing other gaps in implementation.

Particularly in regions where states already struggle to meet their obligations — e.g., Africa, Latin America and the Caribbean, and Asia — already scarce government resources will have to go towards fighting the pandemic.

The pandemic also will, moreover, put added pressure on some commercial enterprises to engage proliferators, terrorists and other criminals to avoid financial ruin. To expand on the words of UN Secretary-General Guterres, the Covid-19 pandemic has made an already vulnerable world even more vulnerable to exploitation by proliferators, terrorists and criminals.

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