

and/or the Protocol.⁵⁶ In fact, supporting materials required in all such areas could be collated and distributed through appropriate supporting institutions (e.g. the technical secretariat).

Beyond this, efforts to enhance capacities for meeting the threat posed by outbreaks of infectious disease should proceed, but the role of the WHO in BTWC affairs must be kept indirect. To this end, and to help insure a continuation of the WHO's political neutrality, action should be confined to enhancing organizational capacity through increased funding – with no stipulations on how such funds are allocated.

Finally, and in light of growing concerns over biological terrorism, states parties should move toward the development of guidelines to further strengthen the implementation of the BTWC's Article III prohibitions, as well as to prohibit transfers of dual-use materials to non-state actors. They should also move to more actively monitor actual progress in the implementation of the Convention's provision on scientific and technological cooperation and exchange (Article X) – perhaps initially through the development and distribution of an annual report monitoring ongoing activities. Indeed, such an effort could help identify weaknesses in current practice and eventually, means of improving it.⁵⁷

b) Measures for the Mid- to Longer-Term

Once established, supplemented with the necessary support mechanisms and carefully monitored, many of the arrangements emerging from such initiatives may evoke a level of observance and support which could eventually make their elaboration into legally-binding obligations a relatively straightforward and painless exercise.

As for proposals calling for the creation of a Bio-Safety Protocol and an international convention branding the use of CBW's a crime against humanity, such initiatives should be subjected to further study. Nevertheless – they should be deferred as subjects of serious negotiation for the time being. While each ultimately promises a potentially more valuable approach to strengthening the BW regime than do national efforts, the degree of diplomatic capital required to attain them is likely to be considerable. And the efforts expended on their development would divert attention from areas of the regime which currently demand more attention.

Indeed, if *any* attempts to secure substantial, *legally-binding* measures should be undertaken at present – it is best that they remain focused on improving the verification/compliance provisions of the BTWC itself. Not only do the Convention's weaknesses in this area continue to pose the greatest concerns

⁵⁶ To this end, Graham Pearson suggests that efforts to encourage universality in the BTWC and the Protocol could be advanced by offering up model legislation that could be used by states concerned in enacting national implementing legislation. Such initiatives could also include offers for technical and financial assistance to enable states concerned to take the national and international steps necessary to accede to the Convention and/or the Protocol. Furthermore, and in order to help facilitate the development of effective strategies aimed at realizing greater participation in the regime, parties should also consider the preparation and publication of regional comparative tables listing the status of each states involvement in the various components of the regime. Such an undertaking might be pursued through the UN Department of Disarmament Affairs. See Pearson, "Back To Geneva," pp. 25-26, and p. 36.

⁵⁷ On this idea, see *ibid.*, p. 39.