

BIOVIOLENCE: THE STATE DEPARTMENT'S EMERGING PREVENTION & RESPONSE INITIATIVES

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AN INTERNATIONAL CHALLENGE

Bioviolence – the malevolent infliction of disease -- has advantages from terrorists' perspective: any one of many agents could be used to hit targets anywhere in the world with considerable anonymity; and disease, especially contagion, has a unique capability to spawn panic. Indeed, international terror organizations manifest continued interest in developing biological weapons

Necessarily, this threat demands a global approach. Both terrorists and pathogens can slide across national boundaries and release pathogens obtained anywhere to affect people everywhere. This is the only threat that is capable of spreading from the time and place of attack; a contagious agent would spread with total disdain for national boundaries. Moreover, the accelerating global proliferation of bioresearch labs has expanded risks that lethal agents could be diverted and misused. Altogether, bioviolence is the dark side of globalization, calling for global implementation of prevention and response strategies.

The core of prevention policies must be their international character, and coordination of policies should be vested in authorities with substantial international responsibilities. Yet, USG anti-bioviolence policies have tended to focus on domestic preparedness and response as if threats of malevolently inflicted disease are merely a subset of disease threats generally and as if a bioviolence attack somewhere else in the world would affect U.S. interests only upon its arrival on our shores. In the years following the 2001 anthrax attacks, as Project Bioshield authorized billions for domestic stockpiling of medications and as coordination of local response capabilities for pandemics improved, administration neocons eviscerated the Biological Weapons Convention (BWC) and undermined international cooperation in this issue arena, excessively imperiling us all.

At the State Department, anti-bioviolence policies have been widely and disjointedly allocated to offices where this issue's unique challenges were too often subsumed amid other agendas and where the unique linkages that could sustain a coherent anti-bioviolence strategy were neglected. In the Office of the Counter-Terrorism Coordinator, bioterrorism was just another form of terrorism. In the Cooperative Threat Reduction Office, addressing former Soviet Union bioweapons stockpiles was just a subset of addressing the Soviet Union's mostly nuclear legacy. In the Office of International Health Affairs, mitigating the effects of intentionally inflicted disease was subsumed among broad application of policies to improve global public health. And in the Office of Chemical and Biological Weapons Threat Reduction (responsible for the BWC), promotion of national measures to strengthen bioviolence prevention became part of fledgling efforts to encourage BWC compliance.

Most tellingly were the facets of a comprehensive strategy that were neglected (or nearly so). Who should advance policies built upon the obvious premise that bioviolence is a crime and that law enforcers worldwide should be trained, equipped, and authorized to combat it? The answer was not at all clear. Who should advance policies to shore up security at biolabs and pathogen collections worldwide in order to diminish opportunities for covert exploitation? This challenge devolved primarily to the Bureau of International Security and Nonproliferation where it oddly fit with the Bureau's core nonproliferation and arms control responsibilities.

And some challenges seemed to have no answer whatsoever. Who should promote internationally coordinated policies for developing and distributing anti-bioviolence vaccines and medications worldwide? Who should promote development of international information-gathering and database capabilities to enable detection of covert bioviolence preparations? And who should promote development of international institutional capabilities with legal authority for implementing anti-bioviolence policies over time?

RECENT STATE DEPARTMENT INITIATIVES

The good news is that in the last year initiatives have emerged from Foggy Bottom that suggest a renewed appreciation for international biothreats. Albeit hardly a bright dawning of a potent, comprehensive anti-bioviolence strategy, there are subtle indications of progress. Even as perpetuating policy gaps must be underscored, these progressive initiatives could congeal into such a strategy if aggressively pursued along multiple lines that are coherently supervised.

Biosecurity – Fortunately, accomplishing a mass bioattack is difficult, but some of that difficulty can be abated if perpetrators acquire specialized pathogen strains or advanced weaponizing technology. Therefore, multiple policies are needed to deny illicit access to pathogens and laboratories. These include: tightening security at former Soviet Union bioweapons sites, implementing global standards for securing pathogen collections, and training laboratory operators on security procedures.

The Cooperative Threat Reduction (CTR) programs, which have channeled resources into securing the former Soviet Union’s nuclear facilities, have increasingly shifted priorities to promote security at former bioweapons facilities, and European allies are increasing their contribution to these efforts. However, resistance from Russian bureaucracies has impaired USG efforts to upgrade biosecurity infrastructure and to enhance threat-agent detection and response systems. The conspicuous disengagement of multilateral security programs, *e.g.* the Biological Weapons Convention, leaves bilateral disagreements without ready means of resolution.

More significant is CTR’s positive commitment to full spectrum science and technology collaboration as a policy pillar for addressing bioviolence globally; no longer is biosecurity just about “guns guards and gates”. And in the last year, resources devoted to biosecurity-engagement programs have been extended outside the FSU, notably to south and southeast Asia. Yet, large regions of the world, especially sub-Saharan Africa, continue to be bypassed due to resource limitations. Moreover, the international community has been slow to work with the USG to counter biothreats. International organizations, notably the WHO and OIE (animal health) have promulgated biosafety guidelines but have hesitated to embrace obligatory biosecurity standards; the WHO (with BWC-related USG financial support) plans to start regional *train-the-trainer* workshops on pathogen security. The Organization for Economic Cooperation and Development has recently developed (also with strong USG support) biosecurity guidelines for its proposed global network of biological resource centers to implement.

Interdiction – Police, customs officials, and other law enforcers worldwide are the first and most important line of defense against bioterrorism. However, most law enforcers are untrained, ill-equipped, and lack legal authority to investigate and interdict bioviolence preparations. Progress began in 2004 with United Nations Security Council adoption of Resolution 1540 which requires States to prohibit transfer of WMD capabilities to non-State

actors. Although the mandate of the 1540 Committee was extended in 2006, initial optimism that UNSCR 1540 would spur vigorous national measures for interdicting bioviolence has been slow to materialize.

The Interpol Program on Preventing Bio-Crimes is the world's largest and most important program that is explicitly dedicated to raising capabilities for interdicting bioviolence. The State Department has supported the Interpol Program, devoting \$500,000 to its BioCriminalization Project to assist developing States in strengthening national biocrimes legislation.

Under the Proliferation Security Initiative, about eighty States have entered into bilateral arrangements with the USG to enable interdiction. However, PSI has focused predominantly on nuclear matters. Moreover, the PSI has no application to other States, and its modalities for interdiction on the high seas are highly questionable as a matter of international law. Recently the USG has tried to remedy this uncertainty by amending the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation. Moreover, the USG is working with NATO to develop maritime interdiction modalities to stem WMD proliferation.

Verification and Accountability – Only a small number of States present substantial concerns about bioviolence preparation, but these problems are grave because of the resources that a State could devote to creating truly catastrophic biological weapons. USG officials have asserted that over a dozen nations have active bioweapons capabilities. These accusations, however, remain unprovable nor can they even be investigated. Diplomats can try to shame these nations, but the accusations get thrown in the stew of “problems in international affairs” with nary any progress from year to year.

An investigative capability is needed with objective criteria and threats and a process to determine whether global prohibitions against bioweapons programs have been violated. However, the dissolution of UNMOVIC has left the international system without any standing capability to investigate suspicions of bioterror or bioweapons preparations.

Although reform proposals for international investigatory modalities to address suspicious activities are stymied, the creation of The Office of Biological Weapons Affairs in the Bureau of Verification, Compliance, and Implementation represents a USG commitment of attention to suspicions about noncompliant activity. This Office is authorized to strengthen

abilities to determine attribution in the event of a bioattack and to assess compliance with the BWC; it is engaged in consultations with allies to contain bioweapons proliferation. A notable initiative is to promote development of new detection technologies and to assess how scientific advances impact treaty obligations.

Public Health Preparedness and Response -- Strengthening national and international capabilities to detect and quickly respond to disease outbreaks could: improve consequence management of a bioattack; reduce opportunities for terrorists to accomplish their objectives by using disease; and promote global cooperation on the broad array of bioterrorism prevention policies. However, global planning to improve cooperation among multiple response sectors – health, law enforcement, environment and agriculture protection, military – has been sporadic.

Moreover, despite widespread recognition that national and international responses will likely be insufficient to address a major bioattack, planning for such a contingency has been slowed by inadequate resources. Insufficient attention has been devoted to multi-dimensional threats, *e.g.*, bioterrorists taking advantage of a natural outbreak, intentionally disrupting response efforts to an initial natural or terror attack, or conducting repeated attacks that profoundly strain allocation of response resources (“re-load”).

An important recent initiative has been formation of the Global Health Security Action Group (GHSAG) which is promoting modalities including common epidemiological terminology for collecting and exchanging information about disease outbreaks to facilitate communication and enable coordinated responses. The GHSAG has undertaken exercises to highlight the need for more effective coordination and preparedness for bio-emergencies.

REMAINING POLICY GAPS

All this activity should not disguise what is not being done. The need to develop and globally distribute vaccines that confer immunity against viral diseases is indisputable; Project Bioshield is dedicated to reducing domestic vulnerabilities to bioterrorism (as well as natural pandemics) by developing better medical countermeasures to secure the health of Americans. However, there are scant efforts to internationally coordinate development of resistance capabilities. Measures for selecting available countermeasures and distributing them as necessary have lacked comprehensive commitment that would be appropriate to address a bioviolence emergency.

International policies are not meeting the challenge of creating systems to track pathogens and critical equipment or to identify laboratories worldwide. There are databases of pathogen culture collections (most notably those of the World Federation for Culture Collections), voluntary guidelines for these collections' operations, and export controls coordinated through the Australia Group (AG) that limit and track movements of pathogens and critical equipment from AG-participating States. However, there is no explicit capability to track dual-use technology globally; no census of biological facilities; and identification of labs that do not self-declare – even labs that might have capabilities for preparing bioweapons – is random.

The USG has failed to advance many potentially beneficial initiatives due to lack of bureaucratic support and inadequate resources. For example, calls for a global First Responder Corps that could help build and train public health infrastructure and engage the private sector and the media have gained little traction. A substantial issue is how to oversee sensitive dual-use research: at the domestic level, there have been important strides to consider this issue, but international efforts have been limited to promotion of voluntary codes of conduct. Meanwhile, the European Union (with nary USG support) is promoting procedures for disseminating sensitive dual-use research including development of reporting systems to facilitate safe and secure exchange of sensitive research results; the EU is also advocating compulsory academic courses in life sciences graduate programs to educate researchers on ethics of dual-use consequences of research.

Finally, international efforts to combat bioviolence depend on multilateral confidence that biodefense capabilities are not a cover for offensive bioweapons programs. Distinguishing defensive from offensive programs is extremely difficult because much turns on a nation's intentions that can be discerned only with strong intelligence. Absent harmonized standards for characterizing and distinguishing allowed biodefense programs against bioattacks from disallowed bio-offense programs, the international community has become embroiled in accusations and mistrust that undermine cooperation; revelation of intelligence that is the basis of these accusations to an international audience, however, could compromise *sources and methods*. Moreover, the infirmity of the Biological Weapons Convention's dispute resolution and confidence building capabilities undermines the efficacy of multilateral security throughout this issue arena.

Most fundamentally, there are no policies for promoting a responsible international authority that defines relevant prohibitions and responsibilities, much less evaluates whether obligations are being fulfilled. USG opposition to a global (UN) structure that supervises bioviolence prevention and response policies obstructs even incremental progress which, in turn, undermines willingness to devote attention to looming security threats.

LACK OF STRONG COORDINATION WITHIN THE STATE DEPARTMENT

All of the policies described above are weaker than they potentially could be due to the absence of strong coordination with the State Department. Within the State Department, the five offices that have been discussed here are in three separate bureaus which report to two separate UnderSecretaries. There is no single official responsible for addressing the challenge of how international security regimes can be strengthened to prevent biothreats; these five offices have no common oversight short of the Office of the Secretary. Thus, even aggressively pursued policies are managed at a bureaucratic level that is not conducive to developing multiple benefits from systemic cooperation and consolidation.

Besides being an inherently international challenge (thus calling for State Department leadership of USG policies), bioviolence prevention and response calls for multi-disciplinary and multi-interest policies. Security will not be substantially augmented by only promoting arms control or counter-terrorism or public health. Policies must be integrative; each measure can gain strength from the pursuit of all the others. Every State Department initiative represents a vigorous effort to do something positive and is certainly making a beneficial contribution – albeit less advantageously than if part of a larger tapestry. The conundrum is how to arrange expertise and energy into a critical policy mall so that bioviolence prevention and response initiatives are mutually reinforcing. The problem is not that nobody is doing anything; the problem is that senior officials need to create synergies among what many dedicated officials are already doing. Activities should be organized into a strategy.