

Fourth Meeting

Geneva, 10-14 December 2007

Item 6 of the Provisional Agenda

**Consideration of ways and means
to enhance national implementation,
including enforcement of national legislation,
strengthening of national institutions and
coordination among national law enforcement institutions**

**NIGERIAN EXPERIENCE OF THE BIOLOGICAL
AND TOXIN WEAPONS CONVENTION**

Submitted by Nigeria

1. Nigeria was among the early States Parties that signed the Biological and Toxin Weapons Convention (BTWC) on 10 July 1972. Nigeria ratified the Convention way back on 9 July 1973 because of the perceived role of the BTWC in the international security arrangement. The Convention is, in fact, a further commitment of the international community to non-proliferation and complete disarmament of Weapons of Mass Destruction. Nigeria is fully committed to this objective and fully aligns itself with the concerns of the world against the threat of biological weapons attacks. This goal can only be realised through collaborative efforts between the nations of the world.

2. It is pertinent to state that, until recently, when the threat of bio-terrorism became real, Nigeria, like most countries did not seem to have made enough impact on the BTWC, unlike the Chemical Weapons Convention (CWC) where Nigeria has more appreciable progress. It was only in the latter part of 2003 that the Government directed the National Authority on Chemical Weapons Convention (NACWC) to take on the additional responsibility of the BTWC thus establishing the National Authority as the focal point for both the CWC and BTWC. It was consequently re-designated the **National Authority on Chemical and Biological Weapons Conventions (NAC&BWC)**. The National Authority is therefore responsible for the effective coordination of the activities of the various organisations in the different sectors of the country that are executing various aspects of the Conventions. Since then, Nigeria has attended all the Annual Meetings of the States Parties, the Meeting of Experts and the Sixth Review Conference in Geneva, Switzerland.

3. Nigeria has made substantial progress in implementing the Biological and Toxin Weapons Convention (BTWC) since the National Authority took charge of the Convention in 2003. The core areas of concern and the achievements of the National Authority can be summarised as follows:

Establishment of National Authority / Technical Advisory Committee (TAC)

4. All the relevant ministries / agencies whose mandates are in consonance with the BTWC have been brought on board and several meetings have been held to streamline their activities along the provisions of the Convention. The TAC has been set up, which in turn has aligned the various activities of the Convention into seven identifiable Working Groups for effective implementation of the Convention:

- (i) Medical, headed by the Federal Ministry of Health;
- (ii) Plant, headed by the Federal Ministry of Agriculture (Crops Protection);
- (iii) Veterinary, headed by the Federal Ministry of Agriculture (Livestock and Pests Control Services);
- (iv) Legal, headed by the Federal Ministry of Justice;
- (v) Defence and Security, headed by the Ministry of Defence;
- (vi) Social Mobilization, headed by the Federal Ministry of Information;
- (vii) Technical Cooperation and Assistance, headed by the Ministry of Foreign Affairs.

Legislation

5. The Federal Ministry of Justice that recently concluded action on the bill on the Prohibition of Chemical Weapons in Nigeria has also started work on draft legislation on the BTWC. Presently the laws governing the use of biological materials and agents are being handled by the relevant agencies in the country. However, the Federal Ministry of Justice has been mandated to produce draft legislation that will bring all these sectoral laws under the National Authority for effective domestication and implementation of the BTWC in Nigeria. The Legal Working Group, headed by the Federal Ministry of Justice and composed of experts from the Nation Authority, is addressing the matter. It is also hoping to secure the assistance of States Parties that have already developed their legislation.

Draft Bio-Safety Law

6. The BTWC recognises that safety, particularly biological safety, is an important international issue. It is aware that States Parties are encouraged to accept and to develop national codes of practice for the safe handling of pathogenic microorganisms in laboratories within their territory. The National Authority has set up a Sub-Committee under Professor G.H. Ogbadu to develop the framework for Nigeria. Its draft report has been examined by the National Authority and has been forwarded to the Legal Group for transposition into a bill for eventual enactment.

7. In Nigeria, no single code of practice, standards, guidelines or other publication provide detailed descriptions of techniques, equipment and other considerations or recommendations for the broad scope of laboratory activities conducted with a variety of indigenous and exotic infectious agents.

8. The Biosafety manual was developed out of the global challenge to secure microbial assets, yet ensuring their availability for clinical, research and epidemiological purposes. This manual was adapted from Biosafety in Microbial and Biomedical Laboratories (BMBL; 4th edition) published by the US Centres for Disease Control and Prevention (CDC) and the National Institutes of Health (NIH), and Laboratory Safety Manual (3rd Edition) published by the World Health Organisation (WHO). The manual emphasises use of optimal work practices, appropriate containment equipment, well-designed facilities, and administrative controls to minimise the risk of worker injury and to ensure safeguards against laboratory contamination. The manual recommends:

- (i) The constitution of National Biosafety Committee (NBC) and Institutional Biosafety Committee (IBC) to respectively develop national and institutional biosafety policies and codes of practice;
- (ii) Appointment of Biosafety Officer (IBC) for each laboratory to ensure that biosafety policies and programmes are followed consistently throughout the laboratory; and
- (iii) Constitution of an Institutional Animal Care and Use Committee.

9. In addition, physical security concerns which focused on preventing unauthorised entry to laboratory areas and unauthorised removal of dangerous biological agents from the laboratory were addressed. Recommendations regarding personnel, risk assessments and inventory controls which provides for the establishment of a National Biosecurity Plan involving:

- (i) Developing a list of select pathogens and toxins;
- (ii) Registration and licensing of laboratories;
- (iii) Developing procedures for receiving select agents;
- (iv) Agent inventory and accountability;
- (v) Control of transfer of experts;
- (vi) Access controls to laboratory and animal areas;
- (vii) Physical security measures; and
- (viii) Screening of laboratory personnel.

10. Currently, a data bank of all research institutes, universities and polytechnics engaged in research activities on pathogens and toxins is being developed including a list of select pathogens and toxins.

Technical Assistance and Support

11. The USA-OPCW Workshop held on Chemical Weapons Convention in Abuja in May 2005 helped to facilitate the drafting of the legislation for the domestication of the CWC in

Nigeria. The National Authority proposes to adopt a similar strategy and hopes that States Parties that have more strength in the critical areas of the Convention would step in to assist the National Authority. It is in this regard that the National Authority would request support from the developed States Parties in its efforts to enhance its scientific and technological development.

Inter-Agency Cooperation

12. The implementation of the BYWC is highly sensitive and complicated. The Meetings of States Parties frequently stresses the need for collaborative efforts and synergy amongst all the critical stakeholders. Through our regular meetings, the Federal Ministry of Health, Federal Ministry of Agriculture and Rural Development, National Emergency Management Agency and the research institutions have strengthened their cooperation for better performance. All the areas of conflict and duplication of efforts and resources have been streamlined and made more efficient.

Institutional Mechanisms on the Implementation of the BTWC

13. The National Authority has continued to examine the mechanisms for surveillance, detection and response to incidents of disease outbreak in Nigeria. It recently conducted a survey on the effectiveness of the disease surveillance system in Nigeria and the report is currently being analysed. The initial result showed the following:

- (i) About 75% of the states were routinely reporting their disease cases on a monthly basis;
- (ii) Most of the diseases (80%) were identified by solely by case definition as laboratory facilities were not readily available for confirmation of cases;
- (iii) Polio and cholera were, however, identified by laboratory confirmation;
- (iv) Feedback was provided only in 10-15% of the report received;
- (v) Disease surveillance activities at all levels were integrated;
- (vi) Special units were designated for surveillance activities especially at the Federal and state levels;
- (vii) Action was taken in approximately 40-90% of cases, especially in the areas of treatment and case management of the disease reported; and
- (viii) Other assistance for surveillance activities were usually provided mainly by the World Health Organisation and UNICEF.

14. The study was necessary so as to have an inventory of public health system in terms of surveillance, response and general emergencies.

Response to Avian Influenza

15. The stakeholders have also renewed their collaborative efforts with international organisations and institutions. Emergency response to H5N1 avian influenza (hereafter avian flu) is a case in point. The source of the avian flu was attributed to smuggling of infected birds and

their products, as well as through migratory birds. To tackle the disease, the government embarked on capacity building activities as the relevant personnel were trained and re-trained by government and the Development Partners such as FAO, UNDP, USAID and WHO. In addition, a Rapid Response Team had been set up to track the disease while four centres on avian flu – UCH, University of Maiduguri Teaching Hospital, University of Port-Harcourt Teaching Hospital, and Asokoro Laboratory – were designated to conduct a series of analyses and studies on the disease. Presently, active surveillance is ongoing to assess the actual status of avian flu in Nigeria.

Database on Microorganisms

16. The National Authority set up a Sub-Committee on the development of a database on microorganisms in Nigeria. The Sub-Committee was only able to cover 26 research institutes and teaching hospitals identified as relevant to its assignment. The analysis and processing of the data are ongoing. It is intended that a website on the microorganism database will be established. However, in view of the cost of the entire exercise, it is obvious that financial assistance would be required.

Human and Resource Capacity Building

17. The National Authority has found the need for adequate national human and resource capacity building for the monitoring and control of organisms and toxins in the country. The Federal Ministry of Health has informed the National Authority that the establishment of the Centre for Disease Control in Nigeria is currently on high priority in the general health care reform programme of the ministry. The plan is that the Centre would be funded directly by the Government and made as efficient as similar centres elsewhere. This will assist in rapid response to infectious or unknown disease outbreaks. Similarly, the National Authority has embarked on the establishment of a databank for research findings and scientists in life sciences in the country for use in the implementation of the Convention. It is important to emphasise that scientific study and research in this area is minimal, and that the BTWC has not yet attracted the participation of non-governmental organisations in Nigeria. Nigeria will therefore require support in its research efforts as well as in the publication and dissemination of its research findings.
