MEETING OF THE STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

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Consideration of national, regional and international measures to improve biosafety and biosecurity, including laboratory safety and security of pathogens and toxins

AUSTRALIA'S NATIONAL FRAMEWORK FOR THE DEVELOPMENT OF ETHICAL PRINCIPLES IN GENE TECHNOLOGY AND THE BIOLOGICAL WEAPONS CONVENTION (BWC)

Submitted by Australia

1. The effectiveness with which States Parties implement the BWC's obligations domestically hinges on the implementation of Article IV, which obliges States Parties to take "any necessary measures" to give effect to the Convention's prohibitions. Raising awareness of the Treaty's prohibitions among scientific and technical communities is important, given their exposure to emergent biotechnologies with potential dual-use applications such as gene technology. Codes of Conduct serve to assist practitioners apply sound judgement in assessing the impact of their activities on broader ethical, safety and security issues.

2. Following passage of the **Gene Technology Act 2000**, the Gene Technology Ethics Committee (GTEC) was established in 2001 to provide advice on request on ethical issues in relation to Genetically Modified Organisms (GMOs). GTEC comprised 12 members with expertise in ethical matters related to the environment, health, law, religious practices, and animal health and welfare. In 2008 GTEC became the Gene Technology Ethics and Community Consultative Committee (GTECCC).

3. In 2006 GTEC finalised and published **National Framework for the Development of Ethical Principles in Gene Technology** ('National Framework'), to provide a national reference point for ethical considerations that should be taken into account when developing ethical principles relevant to environmental and health issues in gene technology, GMOs and genetically modified products. The National Framework identifies the values and ethical principles that ought to govern work involving gene technology within the context of the **Gene Technology Act 2000** and corresponding state and territory legislation.

4. GTEC identified several core values which are most applicable and relevant to the ethics of gene technology, including respect for human life, trust and integrity. Based on these values, nine principles for ethical conduct in working with gene technology were developed, intended for scientists, research institutions, regulatory and ethics committees and the general community.

5. Several of these principles are relevant to the prohibitions outlined by the BWC, or strongly complement the objectives of the convention and/or the promotion of sound biosecurity/biosafety practices. Researchers and others involved in gene technology are advised to “minimise risks of harm or discomfort to humans and animals likely to be adversely affected by gene technology” (Principle 3), “promote equitable access to scientific developments and sharing knowledge, and recognise the value of benefit sharing” (Principle 7), “conduct research in a manner that promotes the benevolent and avoids the malevolent uses of gene technology” (Principle 8), and “conduct gene technology research after appropriate consultation and ensuring transparency and public scrutiny of the processes” (Principle 9).

6. The National Framework is accessible from the website of the Office of the Gene Technology Regulator (www.ogtr.gov.au).

7. The strength of the BWC lies in its enduring applicability - through its simplicity in defining prohibitions, the Convention is capable of capturing relevant scientific and other biotechnological advances such as gene technology. However its full and effective implementation remains the real challenge. The OGTR’s National Framework can play a role in helping gene technology practitioners determine in a straightforward and non-prescriptive manner how to best carry out their activities without the risk of contravening the Treaty.

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