International CBW
Criminalization: The Harvard Sussex Draft Convention

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The Draft Convention

- Harvard Sussex Program proposal for a new international treaty criminalizing chemical and biological weapons:
  
  *Draft Convention on the Prevention and Punishment of the Crime of Developing, Producing, Acquiring, Stockpiling, Retaining, Transferring or Using Biological or Chemical Weapons*
Background

- New level of jurisdiction to national courts over individuals present in their national territory, regardless of their nationality or official position
- CBW specifically defined as international crimes
- Individual criminal liability for offences involving chemical and biological weapons
BWC and CWC directed at actions of states
Article IV BWC and Article VII CWC – requires states to prohibit activities on its territory (and, for CWC, extends to activities of its own nationals anywhere)
Limited jurisdiction
Lack of harmony in domestic criminal legislation
Does not convey the universal condemnation implicit in international criminal law
Recent Activity

- Website:
  [http://www.sussex.ac.uk/Units/spru/hsp/Harvard-Sussex-Program-draft-convention.htm](http://www.sussex.ac.uk/Units/spru/hsp/Harvard-Sussex-Program-draft-convention.htm)
  - Translations
  - Draft legal commentary
  - Background documents
  - Supporting documents
  - Official statements

- Presentation on draft convention and 1540
- Forthcoming briefing papers
Future Plans

- Special edition Bulletin
- Symposium on draft convention, June 2010
  - Promotion of idea of draft convention
  - Consideration of future strategies
  - Wider thinking about international criminalization of CBW
  - Engagement with experts
- Proceedings of symposium and related resources to be published as an information pack