

Third Meeting

Geneva, 5-9 December 2005

Meeting of Experts

Geneva, 13-24 June 2005

Item 5 of the provisional agenda

**Consideration of the content, promulgation, and
adoption of codes of conduct for scientists**

THE PROMULGATION AND ADOPTION OF CODES OF CONDUCT

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Introduction

1. At the Fifth Review Conference 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, it was decided that the Meeting of States Parties and the Meeting of Experts in 2005 would discuss, and promote common understanding and effective action on the content, promulgation, and adoption of codes of conduct for scientists.
2. While the issue of the content of codes of conduct for scientists is clearly important, it is also necessary to focus on promulgation and adoption. If awareness of the existence, purpose, and content of any codes of conduct is minimal it will have an adverse effect on adoption. This paper is therefore intended to provide some thinking on the issue of the promulgation and adoption of codes of conduct for scientists.
3. The United Kingdom recognises that, in the context of the Convention, 'scientists' must be understood as a very broad category of personnel. Legitimate activities with the potential for misuse could involve theoretical, experimental or applied work in fields as diverse as the life sciences, engineering, and information technology. It therefore includes not only scientists from a wide range of disciplines, but also engineers, technologists and other specialists. However, for ease, the term 'scientists' is used throughout this working paper to cover this broad scope.
4. Once the content of any code or codes of conduct have been agreed by an appropriate body (e.g. government, industry, professional organization), adoption and implementation will require further efforts. The most appropriate promulgation and adoption strategy will depend on

the content and the 'ownership' of a particular code: for example, the strategy of government in relation to government-science may be different to the strategy of a professional body, or representatives of industry. The following discussion is therefore generic rather than prescriptive.

Promulgation

5. A code of conduct will require dissemination among the community that developed and agreed it, as well as those scientists at which it is aimed. Stakeholders – those developing, designing, and implementing any code – will need to commit resources to this process and different strategies will be required by different scientific and technical communities.

6. Promulgation does not simply mean promoting, disseminating, or proclaiming the existence of a code of conduct to the appropriate audience. Scientists may not sign up readily to any code developed by others if steps have not been taken to involve them or their community in the drafting and development process. At the very least the relevant scientific community will have to be committed to the underlying objective of any code. Promulgation must form part of the process to ensure that there is successful adoption of any code.

7. Just as the content of any code should be developed in conjunction with the appropriate stakeholders, the promulgation process must also involve activity with the appropriate community that will be affected. Scientists working with pathogens and toxins may well be familiar with the potential for misuse of their science. However, special efforts may be required to raise awareness in other scientific communities or in locations, laboratories, or places of work that have not generally considered that risk.

8. Promulgation may involve some or all of the following:

Raising awareness of the existence and content of any Codes

9. A recurring theme in many of the discussions about codes of conduct has been the necessity for any code to be more than a piece of paper: it should stimulate thinking among scientists during their daily activities. It is generally agreed that the BTWC is not concerned solely with the State: it requires national implementation and other measures that focus on individuals, institutions and other organisations and non-state actors. Awareness raising is therefore important. Codes of conduct are one way of developing the BTWC so that its relevance to individuals becomes apparent to all.

Clarifying content and assuaging concerns about the purpose of any Codes

10. Any code is only part of the total effort to reinforce the international norm against the weaponisation of disease. However, some scientists place great value on their individual judgement and may question norms proposed by others relating to misuse of their science, security, or to other governance processes as unnecessary layers of bureaucracy. Promulgation must, therefore, include activity aimed at clarification of the content and purpose of a code. Myths and concerns may need to be dispelled; and the salience underlined to the scientific community. Government officials may have to contribute to the process even in cases where the

government is not the 'owner' of the code. Clarification that a code is designed and intended to help industry, academia, and others to have greater confidence in adherence to the BTWC should also lead to these communities having greater confidence in its relevance. In addition, such activities provide an opportunity to promote the potential benefits of any codes of conduct. For example, codes of conduct may assist in dealing with research that produces unexpected or unpredictable results of relevance to prohibitions under the BTWC.

Publishing information about any Codes

11. Although relatively self-explanatory a focused publication strategy and process will be necessary to raise awareness of codes of conduct in the appropriate scientific community. This strategy should also reinforce the relevance of any codes to such scientists. It will also be necessary to consider publishing information about any codes beyond the scientific community and other stakeholders to include members of a State's Parliament or Legislature, among the media, and to other communities.

Encouraging 'ownership' of any Codes within the scientific community and other relevant stakeholders

12. State-led (top down) or professional organisation-led (bottom up) approaches to promulgation are not mutually exclusive. Both approaches will probably be required to encourage adoption of any codes of conduct. A collaborative approach, either government-industry, industry-professional organisations, or other arrangements may work better than any stakeholder acting alone. On its own, a top-down approach from government may generate opposition rather than support from industry and other scientific organisations. In order to continue the sense of ownership that should develop during the process of discussions on the content of codes of conduct, the promulgation aspect should ensure continuation of relationships developed during the previous phase. A sense of shared ownership is important both to adoption and to effective implementation of any code.

Establishing expectations and objectives related to any Codes its adoption by the appropriate bodies

13. Promulgation should also attempt to establish expectations wherever possible. Internationally the issue of codes of conduct for scientists will gather pace in a variety of fora during 2005. Governments may provide guidance or encouragement; or, professional bodies may establish a deadline for detailed consideration by its membership.

14. Overall, there has been a widespread recognition of the importance of stakeholders in the development of the content of codes of conduct for scientists. It is important to the UK that the promulgation aspect continues such a broad approach with multiple stakeholders. The promulgation activities form an important part of awareness raising, which is an essential part of the overall exercise. As with the issue of content, promulgation will involve academia, scientists in public health, plant and animal health, industry, and government departments.

Adoption

15. As with the content and promulgation of codes of conduct, a strategy for the adoption of any code will need to be considered. This is particularly true if rapid adoption is an objective. Promulgation and adoption are linked. A successful promulgation strategy is likely to facilitate the rapid adoption and implementation of any codes of conduct. Each community or stakeholder will develop its own plan for encouraging adoption. It may, however, include: setting a deadline for adoption by a professional organization; consideration of the code at an annual meeting; making adherence to a code a condition of supply to manufacturers; including information about any codes in education and training programmes; or amending agreements with contractors and other activities that may be funded by government, research or charitable foundations, or other bodies.

16. A successful adoption strategy should ensure that the collaboration and consultation inherent to the development of the content of any code is continued. As an example, for government science, there may be a need for a government-wide collaborative group to take the issue forward. In addition, the support of the scientific community and professional bodies representing specialist practitioners will be as important as the bodies that fund or organise scientific activities and the bodies that represent industry.

17. Although the content, promulgation, and adoption of codes of conduct for scientists is not dependent on government-led action, a commitment to, or expression of support for, any code of conduct by a government body or agency will enhance awareness of, and wider confidence, in such codes by professional organisations, industry and others. Recognition of this broad commitment to codes of conduct in principle could encourage scientists to consider the adoption of codes of conduct for their respective disciplines.

Summary

18. Codes of conduct for scientists are part of the attempt to encourage good practice and provide guidance at the national, regional, and international levels. In the same way that various stakeholders need to be involved in the development of the content of any codes of conduct, the overall success of any code - its adoption and adherence to it - will also require the continuation of a multi-stakeholder approach. This may be facilitated and supported by government departments, where appropriate, but successful fulfilment of the promulgation and adoption aspects of the programme of work from 2005 will require a deliberate effort on the part of scientists themselves, scientific and technical communities, and stakeholder organisations.
