

Kokoshin

Date: Tue, 27 May 2003 13:38:21 -0400 (EDT)
From: "Matthew S. Meselson" <msm@wjh.harvard.edu>
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Subject: Forwarded mail....

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Date: Mon, 20 Jan 2003 16:24:31 -0500 (EST)
From: Matthew S. Meselson <msm@wjh.harvard.edu>
To: Andrey KOKOSHIN <wigo@orc.ru>

Dear Andrei,

On behalf of all your friends in CISAC, I write to express our hope that we will see much of you during the time of the RAS/NAS meeting scheduled for the first week of June in Moscow.

More specifically, I write to ask your advice on the topic that you and I have often discussed, the criminalization under international law of the production, stockpiling and use of CBW weapons.

Since we last spoke, the idea has received important support in the form of a written response from the UK Foreign and Commonwealth Office to a question asked by the House of Commons Foreign Affairs Committee. I have copied the question and answer below and have attached in pdf format the full December 2002 report of the Committee. The passage of interest is at page Ev35 of the report.

Also attached, in MS Word format, is the Draft Convention and a short introduction.

So the time may be right for further and renewed approaches to officials and other influential persons in the Russian Federation. Do you think this is correct? If so, is there anything useful that could be done in or at the time of the RAS/NAS meetings in June?

I discussed the matter briefly with President Ossipov at the RF embassy in Washington in November and have copied below the letter I gave to him. I

have discussed the draft convention more extensively in past years with the RF UN Ambassador, Sergei Lavrov. Now, with apparent support from the UK, an approving voice from Moscow could be influential, particularly within the EU.

So let me have your advice on whether we should try to move the matter forward in Moscow in June and, if so, what should be done.

With all good wishes for the New Year,

Matthew

"8. How workable are the proposals developed by academics to prohibit biological and chemical weapons under international law? Which such proposals have the government considered? Would the government consider their adoption?"

The Harvard-Sussex Program on CBW Armament and Limitation has developed a draft Convention for the criminalisation of CBW activities at the individual level. This draft builds on existing legal precedents and international agreements and has been considered by officials since it was first launched in the late 1990s. It was one of the measures especially identified in the Green Paper as a possible option and it remains one that the government would be ready to see taken forward as part of international efforts to counter the threat posed by CBW proliferation. We are also aware of a similar but more ambitious proposal developed by Professor Barry Kellman, a US academic from DePaul University College of Law. However, this proposal contains some concepts that are problematic, which make it less attractive.

Foreign and Commonwealth Office
18 November 2002

4 November 2002

Yuri S. Osipov
President,
Russian Academy of Sciences

Dear President Osipov,

It is an honor to have been elected to membership in the Russian Academy. The pleasure for me is compounded by the fact that my professor and teacher, Linus Pauling, was

elected to the Akademia Nauk half a century ago. Pauling was not only deeply committed to the increase of scientific knowledge and understanding but also sought to prevent the advance of science from causing harm to humanity.

All scientists understand that we are at the beginning of a revolution in the life sciences with great potential for human betterment. But we must take steps to make sure that our deepening knowledge of how to manipulate life processes even behavior, cognition and heredity not be exploited for hostile purposes.

It is in that spirit that I bring to your attention, as President of the Russian Academy of Sciences and as advisor to your government, the enclosed Draft Convention To Prohibit Biological and Chemical Weapons under International Criminal Law. Its objective is to create international criminal law to strengthen the constraints against biological and chemical weapons and the hostile exploitation of biotechnology.

Please find enclosed with this letter Russian and English language versions of the Draft Convention, a brief explanation of its content, and a list of international legal authorities who participated in its preparation.

The form and structure of the Draft Convention is similar, for example, to international conventions now in force that prohibit airline hijacking, theft of nuclear materials, hostage taking, and crimes of maritime navigation. Bringing such a convention into being will require the initiative of an influential state or group of states. It is in that role that the Russian Federation could have great influence, if such an undertaking is seen as desirable.

Sincerely,

Matthew Meselson

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