

Friday 8th April 2022

From the article-by-article review to discussion of cross cutting issues

The fourth day of the second session of the Preparatory Committee saw completion of the article-by-article review in the morning and the start of cross-cutting discussions. Thursday began with further informal consultations behind closed doors on procedural matters which seem to have made progress. There was one lunchtime side event.

PrepCom documents and details of side events are available from the official web page of the meeting at <https://meetings.unoda.org/meeting/bwc-prepcom-2021/>.

The completion of the article-by-article review

Article XII calls for a Review Conference and states that the review should include scientific and technological (S&T) developments. As this discussion at this part of the meeting overlapped with the cross-cutting S&T discussion, points made at this time are reported there for brevity and clarity.

Article XIII contains the provisions for withdrawal from the Convention. No delegation asked for the floor to discuss this Article.

Article XIV relates to administration of membership of the Convention. The Implementation Support Unit (ISU) introduced its background document on universalization (document 7), noting that five countries had become party to the Convention since the Eighth Review Conference (2016) raising the number of states parties from 178 to 183. There remain 4 signatory states who have yet to ratify the Convention and 10 states that have neither signed nor acceded to the Convention. In the interactive discussion there were expressions of welcome to the new members.

Article XV relates to the official languages of the Convention. Cuba noted the principle of language equality.

Article XVI is imaginary and Tancredi Francese (Italy), who was presiding at the time, asked if anyone wanted to take the floor to see if everyone was paying attention!

Review of cross-cutting issues

On 30 March, Ken Ward was announced as the new U.S. Special Representative to the Biological Weapons Convention. He addressed the meeting at the start of the general discussion of cross-cutting issues. Following on from the statement last November to the Meeting of States Parties (MSP) by Under Secretary of State Bonnie Jenkins, he outlined that the approach advocated by the USA would be to convene a two-year period of expert meetings that could consider questions such as ‘how do we improve transparency?’, ‘how do we enhance compliance?’, and ‘how do we address assistance and cooperation?’ If there was agreement after those two years, ‘a legally binding type of negotiation’ could be started. He noted that this activity would possibly replace the usual inter-sessional programme of work (ISP) between Review Conferences. During the discussion, there were requests to the USA for more information about what was meant by this proposal. It was noted in later discussion that there were some functions carried out within the ISP that would have to be continued, such as oversight of the ISU and as the focal point for universalization activities.

S&T review – the benefits of some form of improved S&T review have been recognised by most delegations for a number of years. North Macedonia gave a detailed statement (which is already on the website of the meeting) outlining some of the options that those creating a review arrangement had to consider. A key one was whether the body to carry out any review should be open to all to participate in or whether a smaller selected group would be better. There are benefits and costs for each of these options, but they are not mutually exclusive and a hybrid option where an open-ended group and a limited group work in a synchronized way could be developed. Russia introduced its working paper (WP.4) on establishment of a Scientific Advisory Committee which is based on a smaller selected arrangement. A number of references were made to the work of MX2 in the most recent ISP. In particular references were made to the concept note and chart outlining ideas that had been put forward as part of the discussions towards creating a review arrangement collated by Japan as Chair of the 2020 MX2. A number of delegations suggested that an S&T review arrangement should be supported by an S&T officer in the ISU. Brazil and Iran indicated they were not in support of this. Kenya observed that S&T reviews needed consideration of ethical issues. China highlighted the Tianjin Guidelines (the subject of the lunchtime side event on Wednesday). Switzerland noted that the S&T review issues were truly cross-cutting as they affected all articles of the Convention. Iran suggested any decision on an S&T review arrangement should be tied with a decision on a Cooperation Committee.

Future programme of work – as an introduction to this issue, the ISU spoke to its background document on the ISP from 2017 to 2020 (document 6). This had seen a new structure compared with the previous ISPs which had been structured such that there was one Chair each year for the Meeting of Experts (MX) and the MSP. The new structure of five separate MXs and one MSP meant six Chairs. The ISU noted that this kept all regional groups engaged in BWC activities during each year and helped distinguish between the technical focus of the MXs and the political focus of the MSP. The ISU noted that there did not seem to be sufficient time for some meetings, especially the MSPs, to complete the tasks allocated to them. In the discussion, there were expressions of some sadness that so much time was taken up with having to deal with financial issues caused by late payments by states parties of their assessed contributions. It was noted that this was the fourth round of ISP meetings and the first not to reach substantive common understandings.

Strengthening the ISU – The ISU introduced its report of activities 2017-2022 (document 8) to provide some background for the discussion. The budget for the ISU is limited, with 3 staff hosted by the UN Office of Disarmament Affairs. An increase in voluntary contributions has allowed for more requests for assistance by states parties to be fulfilled. [An example of a project that the ISU is involved with that relies on voluntary funding is the Signature Initiative to Mitigate Biological Threats in Africa which was the subject of the lunchtime side event.] In the discussion there were many expressions of support for the ISU and no suggestion that its mandate should not be renewed. However, there was a divergence of views on whether additional staffing posts should be created within the ISU, such as an S&T officer or a cooperation officer. There were a number of financial aspects to the ISU that were not covered on Thursday as there was slot to discuss financial issues for the BWC during Friday.

Gender – Panama introduced an update (WP.8) to its MX5 paper on gender issues. This has two parts, one on gender diversity in representation at BWC meetings and the other on differentiated impacts the use of biological weapons might have. There were many expressions of support for this paper. There were suggestions that this issue could be added to subjects covered by the next ISP. Vice-Chair Francese noted that gender representation issues were considered in administering the sponsorship programme.

This is the fifth report from the Preparatory Committee for the Ninth BWC Review Conference being held 4-11 April 2022 in Geneva. These have been produced for all BWC meetings since the Sixth Review Conference by the BioWeapons Prevention Project (BWPP). They are available from <<http://www.bwpp.org/reports.html>> and <<http://www.cbw-events.org.uk/bwc-rep.html>>. A subscription link is available on each webpage. The reports are written by Richard Guthrie, CBW Events, who is solely responsible for their contents <richard@cbw-events.org.uk>.