BioWeapons Prevention Project

MSP report 2

Wednesday 5th December 2018

Meeting of States Parties opening day: start of the general debate

The 2018 Meeting of States Parties (MSP) for the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) opened on Tuesday morning with Ljupco Jivan Gjorgjinski (former Yugoslav Republic of Macedonia) in the Chair. His first act was to give the floor to Russia which wanted to inform the Meeting that two of its diplomats had been stopped and searched when arriving at Geneva airport.

After some brief opening remarks from the Chair, the MSP was read a message from High Representative for Disarmament Affairs Izumi Nakamitsu who noted that the deliberate use of disease as a weapon is considered 'universally repugnant and illegitimate', that the Convention was 'institutionally weak' with no operational capacity to respond to biological attacks or provisions to verify compliance, and that the Convention needs financial stability. She wished the MSP well in its work to reach a substantive conclusion.

There were the usual opening formalities, such as adoption of the agenda and decisions on participation in the meeting.

In proposing the agenda, the Chair indicated he had received a request for an additional agenda item entitled 'Organization of the work of the Meeting' to be dealt with on Wednesday. The significance of this addition became clear when, during the Chair's introduction to the general debate, Indonesia raised a point of order about why there were not two Vice-Chairs appointed, as had been the practice in recent years.

The process for selecting MSP Vice-Chairs is not clearly codified. The rules of procedure for the MSP are those for the Review Conference applied 'mutatis mutandis' [meaning applied with relevant changes for the application of the rules to the circumstances of the different type of meeting while still following the principles]. These rules allow for a large number of 'Vice-President' posts which are useful in a Review Conference context but not so in an MSP context. The Final Report of the resumed Fifth BWC Review Conference (2002) that established the first inter-sessional process simply noted that each MSP would have a Chair [BWC/CONF.V/17, para 18] and there were no Vice-Chairs. This continued until the Seventh Review Conference (2011) which decided 'The annual Chair will be supported by two annual vice-chairs, one from each of the other two regional groups' [BWC/CONF.VII/7, part III, para 11]. Similar language was agreed at the Eighth Review Conference. However, the Review Conferences provided no guidance on how Chairs and Vice-Chairs should be appointed. Recent practice has been for those in each regional group to decide amongst themselves their selection and for this to be subject to a 'silence procedure' by the states parties as a whole; meaning that such a selection is accepted by everyone unless an objection is raised. This process has not produced an outcome accepted by consensus this year, hence the request for a new agenda item. The Chair announced there would be informal consultations on this matter during Tuesday evening.

The general debate and themes raised

The general debate offers the chance for delegations to make plenary statements, individually or in a group, to outline their positions. Group statements were given by Venezuela (for the non-aligned [NAM] group), Russia (for a group of about a dozen like-

minded states) and Tunisia (for the Arab group). National statements were given by Germany, USA, Japan, Pakistan, Russia, Australia, Kuwait, Ireland, Norway, Kazakhstan, Costa Rica, Iraq, Netherlands, Switzerland, UAE, Thailand, India, Morocco, South Africa, China, Malaysia, Cuba, Philippines, Sweden, Colombia, Italy, Sri Lanka, Canada, Azerbaijan, Central African Republic, Montenegro, Belgium, Spain, Albania, Ukraine, Austria, Ecuador, Republic of Korea, Finland, Chile, France and Indonesia. With roughly two-thirds of those on the speakers list giving their statements on the opening day, it is possible to identify some themes and common threads. Many themes identifiable are those that have been raised at earlier meetings. The Central African Republic took the floor for the first time as a state party.

Universality – A number of statements referred to the benefits to the BWC of having universal membership. Many statements welcomed the three new states parties that joined the Convention during 2018 – State of Palestine, Niue and Central African Republic – and called for those countries not yet states parties to join the Convention.

Finances – Many statements noted that the root cause of the financial difficulties was the late payment of assessed contributions. Numerous calls were made for those states parties behind with payments to clear their arrears and, in future, to pay in full and pay on time. There were a number of expressions of support for some method to smooth cashflows such as a working capital fund. It was noted such a fund could be established through voluntary contributions, by placing any credits from future budgetary underspends into it or by putting arrears payments from past financial years into it. China noted that it had already paid its assessed contribution for 2019 to ease cashflow.

Meetings of Experts (MXs) – The MXs, held in August, were considered productive, with the overall impression given from statements that the MXs were viewed more positively than the previous MX arrangements.

Threat perceptions – There were a number of statements that talked about perceptions of threats. There were perceived threats from possible state programmes, from non-state actors/terrorists and from naturally occurring diseases. Lessons continue to be drawn from the outbreaks of Ebola Virus Disease in 2014 and subsequently.

Article VII & responses to disease outbreaks – There was a widespread recognition of a need for means to enable prompt assistance under Article VII. The Article VII database proposal from France and India continued to receive support. Connections were made with 'one health' policies where the issues of diseases in humans, animals and plants (including in agricultural contexts for the latter two of these) are considered interconnected and therefore require some common approaches. This last aspect was also tied in with questions of capacity building.

Other themes, to be covered in future daily reports if space permits, include Article X, capacity building, national implementation, scientific and technological developments and the BWC community.

Side events

Two side events were held at lunchtime. One, on 'Transparency Initiatives: Strengthening Cooperation, Capacities and Confidence in Compliance', was convened by Germany. The other, convened by the UN Office of Counter-Terrorism (UNOCT), the UN Interregional Crime and Justice Research Institute (UNICRI) and Interpol, was on 'Securing the present, protecting the future: Understanding, preventing and addressing the risk of misuse of CBRN science and technology by terrorist groups and other non-State actors'. One quirk of the financial limits on the MSP is that the side event convened by Germany was held in the plenary meeting room (Salle XVIII), as will be some of the side events later in the week.

This is the second report from the BWC Meeting of States Parties, being held from 4 to 7 December 2018 in Geneva. These reports have been produced for all official BWC meetings since the Sixth Review Conference in 2006 by the BioWeapons Prevention Project (BWPP). They are available via <http://www.bwpp.org/reports.html> and <http://www.cbw-events.org.uk/bwc-rep.html>. An email subscription link is available on each page. The reports are prepared by Richard Guthrie of CBW Events <richard@cbw-events.org.uk>.