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## Looking towards the Ninth BWC Review Conference and its possible outcomes

The Ninth five-yearly Review Conference of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) would have been held at the end of 2021 were it not for the impacts of the COVID-19 pandemic. It is now likely to be held in 2022. The Review Conference will be preceded by two sessions of a Preparatory Committee (PrepCom) – one on administrative matters and one on substantive issues. However, before the PrepCom meets there will be the last of the annual series of Meetings of Experts (MXs) and the Meeting of States Parties (MSP) that have been held over from 2020. These will be the subject of separate reports.

This report looks towards the Ninth BWC Review Conference and what might result from it. This report is the first in an occasional series which will have a particular focus on how preparations in advance of the Review Conference might contribute to a successful outcome.

Last year, 2020, was the first year since 1990 that there were no official meetings held under the Convention. This lack of in-person activity has had a significant impact on the informal interactions between delegates that have historically enhanced the formal proceedings of BWC meetings.

### **The need to move from looking at single measures towards a package of measures**

At first glance it may seem premature to have a focus on the Review Conference as there are many issues yet to be discussed further in the MXs and the MSP that will be held before it. However, many of the interesting proposals that will be discussed at the MXs on ways that the implementation of the BWC might be significantly enhanced can only be put into place if agreed upon by the Review Conference. These include, for example, discussions about possible arrangements for ongoing review of scientific and technological (S&T) developments relevant to the BWC and discussions on a proposal for a database of resources to assist states parties exposed to danger because of a breach of the Convention, known for short as the ‘Article VII database’. These proposals, together with others under discussion, will be important contributions to the Review Conference.

The practice within BWC Review Conferences is that final outcomes are reached by consensus and no single measure is adopted on its own – there has always been a package of measures agreed as a whole. This is a key reason why it is worth thinking of the Review Conference now as each of the current proposals has mostly been discussed in isolation as a stand-alone topic. A lesson from the history of BWC Review Conferences is that successful packages of measures have resulted from early discussion of what might be within them. Often this work is carried out by the President-designate during the 12 months or so before the Review Conference formally convenes.

A key part of any package of measures that could come out of the Ninth BWC Review Conference will be the selection of topics for inter-sessional work. There have been inter-sessional work programmes between each Review Conference since the resumed Fifth Review Conference in 2002 (although the Eighth Review Conference in 2016 was unable to reach consensus on the content of the programme and delegated the

decision on content to the 2017 MSP). The BWC states parties hold a variety of perspectives and aspirations in relation to the Convention and there will be the need for a programme that balances these. While many delegations have expressed satisfaction with the balance of topics in the current inter-sessional work programme, there will inevitably be suggestions for additional topics and for changes of emphasis for some existing topics. For example, calls for a verification arrangement will be raised again as this is the declared goal of many delegations and these calls will be resisted by others.

If there are additional activities within the BWC for the period following the Ninth Review Conference, there may be a consequent need to expand the BWC Implementation Support Unit (ISU) which currently has three members of staff. Certain proposals, such as the S&T review process or the Article VII database, may include specific additional staffing requirements. Past proposals for broadening the ISU mandate, and thus increasing the number of staff, have been hindered by overarching policies in some countries to limit budgetary increases of international bodies to zero growth in real terms. Achievement of any expansion of the BWC's budget will therefore require clear illustrations of why the Convention should be considered an exceptional case with regard to 'zero-growth' expenditure policies. Such clear illustrations will need to be made early enough for national policy processes to consider them carefully. Doing so only at the Review Conference would be too late.

### **Pandemic influences**

There are numerous influences on the BWC deriving from the pandemic. Some will be seen as negative by most delegations, such as the physical limitations there have been on the holding of in-person meetings. Some will be seen as positive by most delegations, such as the higher level of awareness of the impact that infectious disease can have on modern societies. Others will have both positive and negative aspects, such as the developments in the life sciences in recent decades that have enabled the creation of vaccines and pharmaceutical treatments to counter the pandemic, but which have highlighted the economic and other obstacles that impede equitable access to the products of such developments

The growing understandings of COVID-19 have provided clear examples of the complexity of interactions at the interface where science and policy meet. These circumstances illustrate the challenges of developing policy while the relevant science is not entirely clear – which is inevitable with an emerging disease. Lessons learned from the handling of scientific advice for national policy planning in relation to the pandemic may assist states parties in developing national arrangements for their own review of BWC-relevant S&T developments as well as for any institutional arrangements that may be developed for the BWC.

Lessons may be also learned from the current pandemic to enhance preparedness for any future deliberately induced outbreak of a disease. It is already possible to identify situations where pre-COVID-19 assumptions of pandemic preparedness had a mismatch with events. One example would be the planning assumption many countries had that requirements for sudden additional supplies of personal protective equipment (PPE) could be met through imports. Global shortages of supplies meant this was not possible at the onset of the pandemic.

The pandemic provides an historical opportunity – there is greater awareness of the need to support effective actions that should reduce the impact of any future disease, whether natural or deliberate, that might allow for decisions to be taken at the Ninth Review Conference that would have been difficult to have taken earlier.

*This is the first in a series of occasional reports looking towards the Ninth BWC Review Conference, currently scheduled to be held in 2022. They are published by the BioWeapons Prevention Project (BWPP), a global network of civil society actors dedicated to the permanent elimination of biological weapons and of the possibility of their re-emergence, and follow the style of the daily reports that have been produced for all BWC meetings since the Sixth Review Conference in 2006. They are posted to <<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, CBW Events, who is solely responsible for their contents. He can be contacted via <[richard@cbw-events.org.uk](mailto:richard@cbw-events.org.uk)>.*