BioWeapons Prevention Project

PrepCom report #1

Wednesday 13th April 2011

The Seventh BWC Review Conference: the start of formal preparations

The Preparatory Committee (PrepCom) for the Seventh Review Conference of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) is an significant stage in the review process of an important international treaty. The Review Conference offers the opportunity for the States Parties to carry out a full review of the purposes and the provisions of the convention, taking into account relevant scientific and technological developments.

The draft agenda and the draft programme of work for the PrepCom have been published on the Implementation Support Unit (ISU) website <http://www.unog.ch/bwc> and other documents of the PrepCom will also be posted here; official documents (those that start BWC/...) can also be found via the UN documents server <http://documents.un.org>. The BWPP daily reports from the 2006 Review Conference and the subsequent annual meetings in 2007 through 2010 are available via the BWPP website <http://www.bwpp.org/reports.html>.

Organization of the Seventh BWC Review Conference

Ambassador Paul van den IJssel (Netherlands) has been appointed as President-designate for the Conference and the Conference itself is scheduled for 5-22 December. The budget for the Review Conference has also been agreed. These were all confirmed at the 2010 Meeting of States Parties. Key decisions to be taken at the PrepCom include the agenda and the rules of procedure for the Review Conference. The PrepCom can also ask the ISU to prepare specific background documentation to assist the work of delegations. The PrepCom will also recommend the regional distribution of various official positions that are needed to be filled in order to carry out particular roles within the Review Conference. These positions include Vice-Presidents of the Conference, and Chairs and Vice-Chairs of the subsidiary bodies such as the Committee of the Whole, the Drafting Committee, and the Credentials Committee.

As can be seen by the kinds of decisions that are to be taken, BWC PrepComs have been traditionally about procedure and process rather than about substantive issues. Anyone not familiar with the output of a BWC PrepCom might find it useful to look up the report of the equivalent meeting in 2006, document BWC/CONF.VI/PC/2, dated 3 May 2006.

Issues relating to the Seventh BWC Review Conference

Ambassador Van den IJssel has described efforts to secure a positive outcome from the Review Conference as being ‘ambitious realism’. He has indicated an intention to aim for a final document that is forward looking as well as reviewing the past five years of the BWC.

Issues that may be raised at the Conference fall within a number of headings: the ISU and its future; the most recent inter-sessional process and what may follow on from it; advances in science and technology (S&T); the peaceful uses of the life sciences; Confidence-Building Measures (CBMs), compliance/verification; and universality.

The role of the ISU, established in 2006, has been seen as positive and so far there have been no suggestions that its mandate be terminated. In considering continuing this

mandate beyond 2011, the Review Conference is likely also to consider whether it should be kept to three staff as at present and whether its mandate might be redrafted.

The past inter-sessional processes have both been seen as successful, with some feeling the second, post-2006, being more productive. There remain some questions about how the results of the annual meetings might feed into the Review Conference. There will also be considerations about whether this form of approach is the best and whether there might be modifications, such as having on-going working groups, allowing more flexibility in deciding the topics to be discussed each year or allowing the annual meetings to make decisions or recommendations to be followed by States Parties.

The changing S&T context, and in particular the rapid advances in the life sciences, can lead to changes in the nature of risks and threats the regime should counter, as well as providing new opportunities for peaceful uses. There is therefore some scope for debate about the best way these advances and their implications should be reviewed.

The issue of access to the life sciences for peaceful purposes is covered by Article X of the Convention and is seen as part of a bargain that the renunciation of biological weapons and the control of the hostile uses of the life sciences has to be implemented in such a way as to allow for unhindered use of the life sciences for peaceful purposes. There is a divergence of opinion between States Parties about what Article X really means and whether further implementation of it is required.

The system of CBMs under the Convention provides for returns to be provided by States Parties on certain relevant activities and facilities. While numbers of returns have been rising, there has been wide recognition that participation in CBMs could be improved further and perhaps that their scope could be redefined. This might, for example, be a specific topic for a meeting in a follow-on inter-sessional process.

Compliance/verification is perhaps the most divisive collection of issues in the BWC, with some States Parties supportive of the implementation of new legally binding measures while other States Parties remain implacably opposed.

The membership of the BWC remains at 163 – the lowest of the comparable nuclear and chemical treaties. Questions of how to promote universality are likely to be discussed at the Review Conference.

While the PrepCom will deal with procedural matters rather than substantive issues, the decision process regarding the agenda for the Review Conference and the consultations on the Programme of Work (i.e., how time is allocated during the Conference) will reflect the relative significance in which these issues are regarded by States Parties.

Side Events

Three side events were held on Tuesday, the day before the start of the PrepCom. [Side events at BWC meetings have become so popular that all lunchtime slots during the PrepCom itself have been taken.] In the morning an event was convened by the International Security and Biopolicy Institute <http://www.biopolicy.org> on the topic of 'Violently Inflicted Disease: The Need for New Law'. The two events in the afternoon were on scientific and technological issues. The first, convened by the Stockholm International Peace Research Institute <http://www.sipri.org> with Sweden and the UK, was on the topic of 'Addressing Future Challenges to the BWC with S&T Developments' and the second, convened by the Harvard Sussex Program <http://www.sussex.ac.uk/spru/hsp>, was on 'Options and Proposals for BWC S&T Reviews'.

This is the first report from the Preparatory Committee for the Seventh Review Conference of Biological and Toxin Weapons Convention which is being held from 13 to 15 April 2011 in Geneva. The reports are designed to help people who are not in Geneva to follow the proceedings. Copies of these reports and those from the Sixth Review Conference in 2006 and subsequent annual meetings are available via <http://www.bwpp.org/reports.html>.

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