

Friday 2nd December 2022

The Committee of the Whole continues its first reading

The proceedings of the Ninth Review Conference for the Biological and Toxin Weapons Convention (BWC/BTWC) on Thursday were dedicated to the Committee of the Whole (CoW). Although the indicative programme of work had suggested that the Drafting Committee would be convened for the first time on Thursday after lunch, the CoW continued into the afternoon. Informal interactions with delegates suggest there has been a greater emphasis on the CoW in their minds. In part, this seems to stem from familiarity amongst some delegates with the CoW as they have been reading up about recent Review Conferences in preparation for this one. Similarly there has been some uncertainty stemming from unfamiliarity with the Drafting Committee which has not been convened since the Fifth Review Conference (2001).

The situation with regards to statements from international organizations and UN agencies as part of the general debate appears to remain unresolved.

During the day, the BWC Implementation Support Unit (ISU) informed the Conference that the morning session was the last at this time to be carried by the UN Web TV service owing to cost implications. Those wishing to follow the Conference remotely can receive the live audio stream for each of the official UN languages when meetings are held in public via the UN Listen Live service at <https://listen-live.unog.ch/> – the BWC Review Conference is in Salle XIX. Recordings and automated transcripts of the audio channel in English are available via <https://indico.un.org/event/1001123/page/1018-transcripts-automatic> and the ISU noted that tests are being carried out to create automated transcripts of other official UN languages.

The Committee of the Whole

The CoW met for sessions in both the morning and the afternoon with Ambassador Tatiana Molcean (Republic of Moldova) in the Chair. The ‘first reading’ of the article-by-article review continued through to Article X. While some delegations have been focused on proposals for text for the article-by-article review, there have been interventions that have been on the substance of issues. This is healthy, if time consuming. A particular problem of Review Conferences is that they are carrying out two tasks at the same time – one is to review the operation of the Convention and the other is to negotiate a document that represents that review. The inevitable result is that there are many times that the review of the Convention becomes dominated by a discussion of what particular words might be in the final text rather than truly reviewing the issues themselves.

Once the first reading has been completed, a compilation of suggestions will be circulated. Past practice has been that the compilation is public (either as one file or as a file for each article) and so specific proposals are not highlighted in this report for reasons of space.

General debate themes (continued)

This continuation of discussion on themes draws from statements given on Monday and Tuesday. As before, themes are listed in no particular order.

National implementation – The importance of appropriate national measures to implement the BWC was stressed by many delegations. A number of statements made reference to a specific step forward such as draft legislation being introduced to or passed by the national legislative assembly. While there is widespread recognition that there can be no ‘one size fits all’ approach to national implementation owing to the great variation in national contexts, the benefits for states of drawing on experiences elsewhere were referenced. Many delegations highlighted overlaps or synergies between BWC-related activities at the national level and national implementation of UN Security Council resolution 1540 which deals with preventing non-state actors acquiring WMD-related materials [and which was renewed for 10 years at the Security Council on Wednesday].

Article VII issues – This is the issue area where there is the clearest collective will to achieve progress as all states are aware that the humanitarian consequences of a biological attack on a significant scale would be difficult to respond to with only national resources. Many statements noted a greater awareness of these challenges that were highlighted by the experiences of the COVID-19 pandemic. There were many expressions of support for the South African proposal for guidelines on requesting Article VII assistance and for the proposal by France and India for a database to contain offers of capacities that might be utilised in the event of an attack but also offers and requests for capacity building in relation to Article VII. While care has been taken to draw a distinction between the existing Article X database and the proposed Article VII database, a number of statements highlighted the connections between Article VII and Article X issues in areas such as capacity building and providing access to relevant materials. The possibility of establishing a voluntary trust fund to support assistance activities was mentioned a few times. Russia repeated its proposal in relation to deployment of mobile biomedical facilities.

Financial issues – The financial situation for the BWC has been much improved since the Eighth Review Conference (2016), not least because of political attention but also through decisions taken at the 2018 Meeting of States Parties, including the establishment of the Working Capital Fund. There were calls for governments to pay their assessed financial contributions in full and on time in order to sustain the Convention and improvements in this area meant the current level of arrears is substantially lower than six years ago. A number of statements emphasised that if there were going to be significant improvements to the implementation of the BWC at a multilateral level there would need to be the funds available to support them, whether this was for additional meeting time or for additional staff.

Inter-sessional work programme – Many delegations spoke of the importance of the work between Review Conferences and of benefits of holding annual political meetings. There is much less common ground when it comes to the specifics of what else might be included. Elements of what might be within a work programme have been described in other themes in these reports – examples include a review of scientific and technological (S&T) developments, a temporary experts working group on compliance issues, a review of Confidence-Building Measures, and Article X cooperation and assistance issues. Each of these areas, and other proposals being presented, has their advocates and it will be a key task of the Review Conference to accommodate the variety of perspectives taking into account both political and financial aspects. One divergence of views is on whether annual meetings could amend what was being considered in the work programme and whether they could take substantive decisions.

Side events

There were two side events on Thursday – one at breakfast and one at lunchtime. Details are provided on the Conference website.

This is the fifth report from the Ninth BWC Review Conference (28 November-16 December 2022). These reports have been produced for all BWC meetings with NGO registration since the Sixth Review Conference (2006) by the BioWeapons Prevention Project (BWPP). They are available from <<https://www.bwpp.org/reports.html>> and <<https://www.cbw-events.org.uk/bwc-rep.html>>. A subscription link is available on each webpage. Financial support for these reports has been gratefully received from Global Affairs Canada. The reports are written by Richard Guthrie, CBW Events, who is solely responsible for their contents <richard@cbw-events.org.uk>.