

Thursday 22nd August 2024

## Discussions on assistance, response and preparedness under Article VII

The first three days of the Fourth Session of the Working Group (WG) on the strengthening of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC), discussed ‘Measures on assistance, response and preparedness under Article VII’ – topic (f) of those allocated to the WG by the Ninth BWC Review Conference (2022). This was the first opportunity within the Group for substantive discussions in this issue area.

It was opened on Monday morning by Mélanie Régimbal, Chief of the UN Office for Disarmament Affairs Geneva Branch who presided over the appointment of a new Chair, following the departure from Geneva of Ambassador Flávio Damico (Brazil). Ambassador Frederico S Duque Estrada Meyer (Brazil) was elected Chair by acclamation for the remaining time of the mandate of his predecessor (i.e., to the end of 2024).

The Chair then offered some opening remarks. He welcomed the two new states parties, Tuvalu and the Federated States of Micronesia, that had recently joined the BWC family and noted that both had delegates in the room. He highlighted the 50th anniversary of the entry into force of the BWC which might serve as a focal point for activities. He noted that 31 experts had been supported to attend the WG through the sponsorship programme with financial contributions from France, Republic of Korea, the UK and the EU and that the USA had supported additional experts bilaterally. He highlighted that there wasn’t much time available and so there was a need to work efficiently. He urged delegates not to waste half a minute in every intervention with the diplomatic formalities of congratulating him on being appointed and thanking him for his efforts. He said: ‘I consider myself thanked’ which received a rare round of applause.

During the opening period, there were a few formal decisions, for example on participation of observers such as inter-governmental organizations. Russia took the floor to argue that the rules of procedure should be followed ‘stringently’ and that observers should not be able to address the plenary. The delegate indicated that if an inter-governmental or non-governmental organization made a request to take the floor his delegation would wish to reopen the question of who could attend under what conditions.

The WG met in plenary all day on Monday and on Tuesday morning before moving into informal consultations in the afternoon. After the briefest plenary first thing on Wednesday, it moved into informal consultations for about an hour and a half before returning to plenary. This meant between a quarter and a third of the discussions on this topic were held behind closed doors with only delegates from states parties in attendance.

### Panel discussions

The first two days started with panel discussions comprising representatives of international organizations that carry out roles that were analogous or relevant to activities that might be carried out under Article VII. These were the World Health Organization (WHO) [from both the Health Emergencies Programme and from the Emergency Medical Teams], the World Organization for Animal Health (WOAH, formerly OIE), the International Plant Protection Convention (IPPC), the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons (OPCW). Each panel was followed by an active Q&A session. Where presenters have made their

presentations available, these have been posted to the Session website which can be found at <https://meetings.unoda.org/meeting/71781>.

### **Plenary discussions**

As the plenary moved into general discussions, those delegations that had submitted working papers were given priority to introduce their papers. In addition to the four working papers on this topic submitted before the start of the WG (and which were noted in the 'setting the scene' report in this series), a further paper (WP.5, UK) was published on Monday in which that state party highlighted capabilities that it is in a position to offer that are relevant to implementation and operationalization of BWC Article VII.

There were many points made about process and how assistance might be requested. The proposed guidelines received broad support, with many delegations stressing that such guidelines would be voluntary. As in earlier BWC meetings, the role of the UN Security Council was subject to divergent views.

The proposed Article VII database also received broad support, although there were questions about potential duplications with the existing Article X database. This also fed in to other points raised about which article was the best provision to carry out particular activities under. Others were less concerned about the specific article but whether it was better to do activities under the BWC rather than under another international arrangement. Some states parties referred to the possibility of an Article VII 'mechanism', although this is not on the agenda. As the other two possible mechanisms are taking a long time to reach agreement on, it is unlikely there would be much appetite across the room for another long discussion.

There were suggestions that Article VII provisions were best dealt with as part of a comprehensive legally-binding instrument while others were keen to develop actions in the shorter term that would enhance assistance, preparedness and response.

A number of interventions included one or more benchmarks or yardsticks by which potential measures could be evaluated which highlight perception of what might be considered success in this topic. These included: does it make a state party more prepared, either to provide assistance or to be able to make use of assistance? – can it be integrated with other measures so that activities are not piecemeal? – does it carry out a particular BWC function or would it duplicate measures elsewhere? – can it be applied globally? – does it recognise, take into account, or compensate for resource inequalities? – does it impact on gender equality? – does it speed up delivery of assistance? – is timeliness of assistance the primary criterion?

Discussions on funding were different under this topic to those under other topics within the WG as most suggested activities have few financial implications for the BWC itself. An exception to this is the proposal for provision of mobile bio-medical units as these would have significant financial implications; these appear to be the primary reason why delegations are hesitant about the mobile labs proposal.

There was no need for any conclusions to be drawn on this topic this Session as the same topic is earmarked to be discussed on the first day of the Fifth Session, scheduled to start on 2 December. The current Friends of the Chair on this topic are Andreas Fink-Jensen (Denmark) and Angel Dalmazzo (Argentina), although the latter has recently moved to a new portfolio. Mr Fink-Jensen provided the plenary with an update on progress to reach consensus and indicated a new version of the Friends of the Chair non-paper would be circulated in October ready for discussion in December.

At the conclusion of Article VII discussions late Wednesday morning, the Chair proposed moving to a rolling agenda which would allow for discussion of the next topic – scientific and technological (S&T) developments – that had been scheduled to start on Thursday. He noted that the room and interpreters had already been paid for and so this would allow for efficient use of resources. This was agreed and the S&T elements of discussions on Wednesday will be covered in the next report in this series

*These reports have been produced by the BioWeapons Prevention Project (BWPP) for all BWC meetings with NGO registration since the Sixth Review Conference (2006). 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. The reports are written by Richard Guthrie, CBW Events, who is solely responsible for their contents <[richard@cbw-events.org.uk](mailto:richard@cbw-events.org.uk)>.*