

Friday 23rd August 2024

Discussions on scientific and technological (S&T) developments

The Fourth Session of the Working Group (WG) on the strengthening of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC), had been scheduled to discuss ‘Measures on scientific and technological developments relevant to the Convention’ for the whole day on Thursday. However, as noted in the previous report in this series, the discussions on the Article VII topic finished during Wednesday, and so discussions on this topic started early. This report covers the discussions on S&T developments across the two days. As expected, most discussions centred around the creation of a possible review mechanism rather than the broader S&T topic.

The WG met in plenary on this topic for the remaining hour before lunch on Wednesday. The afternoon session was split roughly 50-50 between a plenary and informal consultations. There were then two hours of plenary on this topic on Thursday morning. This means roughly a quarter of the discussions on this topic were held behind closed doors with only delegates from states parties in attendance.

Plenary discussions

Many delegates noted that progress was being made towards consensus on this subject, but that as with many other negotiations ‘the devil is in the detail’. There were many interventions highlighting positive benefits that could come from an S&T review process across a broad swath of BWC activities – from verification to international cooperation and assistance. There was broad agreement that any S&T process should be led by science and not by politics.

Structure – most delegates that expressed a preference were happy with a hybrid model as from most perspectives it contains the elements they want even if it includes elements they were not so keen on having included. The number of explicit preferences indicated for either a limited-membership committee/board or of a body open to all states parties were fewer than in the discussions in the Second Session.

Review/oversight – there was much common ground that the mechanism would need some form of oversight and perhaps a periodic review of how well it was working. One way of forcing a review would be to give it an initial period of operation that would then have to be renewed. Discussion with some delegates in the corridors suggested that while this seemed a pragmatic way forward it ran the risk of the renewal of the mechanism being held hostage to future political influences. While a number of interventions referred to links between the mechanism and the annual Meeting of States Parties (MSP) there was no clear consensus about how this might operate, part of which stems from divergences of views on whether the Review Conferences are the only BWC body empowered to take decisions. The five-year gap between Conferences is seen by many as being too long to be able to react to rapid S&T developments.

Outputs – compared with earlier discussions, there was much more emphasis in interventions of the importance of indicating minority opinions in any reports from the mechanism.

Membership – as before, there was broad agreement that there needed to be a balance of scientific disciplines represented and that the individuals appointed had an

appropriate gender and geographical balance between them. Precise methods for ensuring this are still subject to some discussion.

Funding – a number of concerns were raised about the financial implications of the mechanism as whichever model is chosen there would be at least some increase in assessed contributions to the BWC by states parties. There would also be some knock-on implications, such as the need for more ISU staff to service the mechanism. Global resource inequalities were highlighted as the costs of participation might privilege representation from countries more able to handle the resource implications.

Process of adoption – there were some divergences of perspectives on what was expected from the WG in terms of process, partly this may be down to when a decision is a decision or not a decision! It was suggested that only Review Conferences or Special Conferences could take decisions. [This is a point that is contested.] From this perspective, the WG cannot decide on anything. However, many delegations were speaking about adopting a decision to create an S&T mechanism. This seems to be simply a shorthand way of saying that the WG would agree a text that could be forwarded to the MSP in December which might then convene a Special Conference that would decide to create the mechanism(s). As the participants in the WG would be the same as in the Special Conference, it would be a reasonable assumption that if a text to create a mechanism was agreed by consensus at the WG it would also be adopted by consensus at a Special Conference.

A notable intervention was that of Ambassador Leonardo Bencini (Italy) who drew on his experiences as President of the Ninth BWC Review Conference that had provided the mandate for the Working Group, adopted by consensus in December 2022. He wanted to remind delegates of what had been agreed in 2022 and drew particular attention to the last sentence of paragraph 12 of section B of the Final Document which reads: ‘The Conference urges the Working Group to complete its work as soon as possible, preferably before the end of 2025.’ He asked the rhetorical question: ‘Why did the conference agree to urge, that is quite a strong word, to urge this Working Group to complete its work as soon as possible? Why?’ Answering his own question, he said: ‘Because there was a clear sense of urgency in that sentence that we all shared. It was the sense of urgency of the world just coming out of the worst pandemic in a century. We had to rise to the occasion and, if only partially, we did. And we did so by establishing this Working Group and deciding to develop the two mechanisms. The two mechanisms had a special place in the Final Document, specific separate paragraphs for both of them. This is why we think they should be part of what we and others have called an early harvest, a decision to be made in 2025 at a Special Conference.’

The specific topic of the possible mechanism is earmarked to be discussed on the seventh day of the Fifth Session, scheduled to start on 2 December. The current Friends of the Chair (FoCs) on this topic are Grisselle Rodríguez (Panama), Peter Babigumira Ahabwe/Musa Kwehangana (Uganda), Vincent Bodson (Belgium) and Ljupčo Gjorgjinski (North Macedonia) Owing to other commitments, not all of the team had been able to be in the BWC meetings this week and Mr Bodson indicated that this would be his last BWC meeting before moving to a new post. The FoCs provided the plenary with an update on progress to reach consensus and encouraged delegates to remain active and in contact on this topic as they prepare a new version of their non-paper ready for discussion in December.

The discussions on S&T developments finished about two-thirds through the morning session on Thursday. Which meant they had been discussed for the same duration as had been scheduled if they had all been carried out on Thursday. The Chair then continued with the rolling agenda and moved on to the next topic – cooperation and assistance under Article X – that had been scheduled to start on Friday. The ICA/Article X discussions on Thursday and Friday, together with the adoption of the report and closing of the meeting 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>.