

Monday 9th December 2024

## End of the first week: organizational, institutional and financial arrangements

Discussions for the first week of the Fifth Session of the Working Group (WG) on the strengthening of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) concluded on Friday on the topic of ‘organizational, institutional and financial arrangements’. The plenary continued until lunchtime. The afternoon started with a Friends of the Chair-led session on the plenary topic which was followed by a similar session on the proposed international cooperation and assistance mechanism. At the end of the day, the Chair indicated he would circulate an updated version of his proposal on the adoption of the two measures and a non-paper on a compilation of recommendations.

Meetings within the BWC have been impacted in recent years by the global political context. During the weekend, rebel groups in Syria ousted the government of Bashar Assad. It is too early to tell if this might have an impact on WG proceedings.

### **Discussions on organizational, institutional and financial arrangements**

As organizational, institutional and financial arrangements underpin almost all aspects of strengthening the BWC that are in the mandate of the WG, there were many references to other topics under consideration at the Fifth Session.

Indeed, in his opening remarks, the Chair stressed ‘we cannot ignore the organizational, institutional and financial aspects of proposals made under other topics and I would strongly urge all delegations to consider these aspects at an early stage in the development of proposals’. Deciding that new tasks would need to be carried out, such as supporting the two proposed mechanisms, will require support for direct financial costs as well as human resources. He therefore urged delegates to liaise with the financial authorities in their countries, concluding: ‘If we do not provide adequate resources, both human and financial, we will be setting the mechanisms up for failure’.

Three working papers had been submitted to the Fifth Session on this topic: WP.1 (USA + cosponsors); WP.4 and WP.5 (both Kazakhstan). These, together with other documents and statements, are available from the official Fifth Session website at <https://meetings.unoda.org/meeting/71783>.

The US introduced its working paper as bringing the seven separate topics of the WG together so that there could be an organization to implement the strengthening of the Convention – ‘Think of it as the various parts of a car. Until you bring them together, it is not a car.’ An element in the paper was a proposal for ‘familiarization visits’ which might be used as a transparency and facilitation measure to visit biodefence sites and locations with the highest level of laboratory protection a state party had. This would allow for better understanding but also as a spur for international cooperation and assistance. It was suggested that these could be a substitute for routine visits for verification purposes. The paper suggested the organization could be a lean one and have annual costs around half of those of the OPCW which the delegation suggested was some EUR82 million. In discussion, one delegation suggested familiarization visits should be voluntary. The US replied to say they would not be voluntary. Other delegations welcomed the proposal as a useful discussion point; however, there were a number of questions about the role and function of such visits and expressions of desire to see more

details before considering the proposal. The car analogy ended up being taken up in many responses with Sweden asking whether the Convention needed a Fiat Uno or a school bus (preferring the former), Italy sharing the preference for a Fiat Uno and Kazakhstan raising the question of how do delegations make sure the wheels fit the car.

The two papers from Kazakhstan were the third version of its concept paper on an International Agency for Biological Security (IABS) and an update to elements that might be in the statute of such an agency. The delegation noted this proposal had evolved following many consultations. One of the latest changes was a change from ‘biological safety’ to ‘biological security’ in the title to better reflect the suggested roles. Kazakhstan noted that the UN General Assembly had adopted by consensus a resolution on Monday that encouraged the WG ‘to further consider the measures aimed at strengthening and institutionalizing the Convention in all its aspects, in particular on how to proceed on organizational matters within the Working Group, including the possibility of an international agency for biological security and other institutional arrangements’ [This resolution will bear the reference A/RES/79/79 when it is published.] In discussion, many delegations appreciated the flexibility from Kazakhstan in evolving its proposal and particular the title change that was agreed on the margins of the UNGA First Committee in New York. Russia suggested it could support an IABS if it reported to the UN Security Council. Other delegations responded to this by indicating that any BWC-related organization should be a stand-alone body and answerable to BWC states parties.

As discussion moved to more general aspects, there were suggestions that any BWC organization would need to be appropriately funded to carry out all of its aspects and that would include international cooperation and assistance. Many interventions highlighted the past financial challenges faced by the BWC which had been alleviated but not cured by the created of the Working Capital Fund at the Meeting of States Parties in 2018. There were a number of calls for states parties to pay their assessed contributions on time and in full. There were reminders that the monthly summary of contributions paid continue to be published and illustrate the challenges late payments can cause. A question was raised about whether the ISU model was the optimum for the functions that would need to be carried out centrally within the BWC as activities were expanded. The question was also raised about what was the best location for the ISU as it was allocated additional activities and thus staffing. Some delegations had made points that had touched upon the expansion issues and it would seem that there was clear recognition that there would have to be an expansion of the ISU if the two mechanisms were adopted but a fully-fledged organization if negotiations to strengthen the Convention achieved a result. There was less clarity on whether the ISU should take on additional tasks to support negotiations on an instrument to strengthen the Convention if this was decided upon at the Tenth Review Conference scheduled for 2027.

At the end of the plenary, the Friends of the Chair – Husham Ahmed (Pakistan), Arsen Omarov (Kazakhstan) and Daisuke Namioka (Japan) – provided an update on their consultations. They introduced a non-paper on the topic with some cost estimates prepared with the help of the ISU on possible costs for implementing a decision on the two proposed mechanisms. It was emphasised that these were provisional and did not include key aspects such as additional staff roles in the ISU.

An issue not discussed was the costs of convening a Special Conference. These will not be trivial as it is like holding Review Conference in miniature. As the Ninth Review Conference (2022) decided a Special Conference should follow the pattern set out by the Third Review Conference (1991), there would need to be a Preparatory Committee (PrepCom), a Credentials Committee (as formal credentials would be required), a Drafting Committee and a Committee of the Whole. While states parties may be able to adapt these measures – e.g., there is nothing that says a PrepCom has to last for a specific duration and could simply be a brief meeting just before the Conference – there would still be significant costs.

*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)>.*