

Tuesday 17th December 2024

A minimal MSP and some reflections on the 2024 BWC meetings

The annual Meeting of States Parties (MSP) of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) met on Monday for the briefest of meetings. The MSP website which hosts official documents is at <https://meetings.unoda.org/meeting/71785>.

The difficulties of finding an MSP Chair

In normal circumstances, the rotation system would have had this position filled by a representative from the Eastern European Group some time before the MSP; however that Group informed the BWC Implementation Support Unit (ISU) on 22 October it had decided not to present a nominee. Usual practice is to then approach the next Group in the cycle and the Western Group informed the ISU on 26 November that it too was not in a position to provide a nomination. The final Group in the rotation, the Group of Non-Aligned Movement and Other States Parties (NAM), informed the ISU on 13 December that it was not in a position to present a nominee.

Issues in play

In the run-up to the MSP, there were a number of issues in play, not just around who might hold the position of the Chair. Some of these were being dealt with at the same time as the attempts to bring the Working Group (WG) to consensus in the previous two weeks and there were many moments when for practical reasons the WG took priority. The divergences previously expressed at BWC meetings and the rights of observers such as inter-governmental and non-governmental organizations were anticipated to be raised under discussion of the adoption of the rules of procedure. The 2023 MSP had been a lost opportunity, brought down by procedural issues having been unable to adopt its rules of procedure or programme of work and thus not carry out any substantive discussions. There were concerns that the situation would be repeated in 2024. Much of this was down to the underlying global political context. Russia, the delegation that raised the procedural objections at the 2023 MSP (as well as at the openings of the sessions of the WG during 2024), has claimed that positions of states parties should not be criticized by observers in official proceedings or documents and has objected to comments by NATO and the EU in recent BWC meetings. Meetings of the Convention on Conventional Weapons (CCW) in November had also been impacted by procedural issues which may have been a further disincentive to potential volunteers for the BWC MSP Chair.

Proceedings of the MSP

The meeting was opened on Monday morning by Mélanie Régimbal, Chief of Service of the UN Office for Disarmament Affairs, Geneva Branch. She highlighted the challenges of finding a Chair for the MSP and emphasised the need for a Chair so that the 2025 dates for the WG Sessions could be agreed. Without a formal decision officially reported, conference rooms could not be booked and other arrangements put into place. With less than four minutes of plenary time used, the meeting was suspended to allow for informal consultations and quick Group meetings were held. The plenary resumed for two minutes to check whether any nominees had been found and was suspended again. The Group coordinators and the depositaries then consulted informally about the best way forward.

The plenary resumed at 11.50 with the announcement that Ambassador Yuri Sterk (Bulgaria) would be nominated as Chair and he was promptly appointed by acclamation. He noted the 'extraordinary circumstances' and that he would chair it with the 'only purpose of facilitating the preparation and adoption of the report of this Meeting' – a phrase agreed in informal consultations. With a Chair in place it was possible to announce that the draft report would be circulated so it could be discussed during the afternoon. The plenary closed at 11.56. The draft report was the bare bones of what could be adopted and noted the limited role of the Chair, stating: 'This does not set a precedent for the future.' The afternoon plenary was opened at 15.17. The dates for the 2025 meetings were agreed with the Sixth Session of the WG to be held 11-22 August and the Seventh Session scheduled for 8-12 December to be followed by the MSP on 15-17 December. Other than some minor amendments in relation to attendance and documents, the report was adopted at 15.30 and the Meeting closed. There was no general debate and, as with MSP 2023, states parties could submit their statements to be published as working papers.

Reflections on the BWC meetings in 2024

A conscious effort is taken in writing these summaries to report as objectively as possible. However, there are times that this style of reporting does not convey some key aspects. The following are some personal reflections that do not necessarily represent anyone's views other than the author's own.

The BWC meetings in 2024 took considerable time and effort and at a first glance look like they achieved very little. But drill deeper than a superficial examination and it is clear that progress has been made, not only on the two mechanisms but also in thinking about what would constitute a compliance and verification regime. Nevertheless, there is much distance yet to travel. But if BWC meetings produce few immediately obvious tangible results, will states parties commit the human and financial resources needed to eventually negotiate a legally binding instrument that would comprehensively strengthen the Convention?

There were many analogies to cars during 2024. The Iranian position that all WG provisions should be agreed at the same time led to this author wondering whether anyone would trust a car that had been put together without testing key parts such as means of propulsion before everything is finally assembled. The two mechanisms would have been an engine for the required provisions to strengthen the Convention but the simplest opportunity to test them and refine them has been lost.

Iran's position was a substantive one. Russia's position came across as using procedural objections to prevent substantive discussion. There was much visible frustration at its late raising of its interpretation of paragraph 16 of the Decisions and Recommendations section of the Final Document of the Ninth BWC Review Conference and it is notable that none of its usual allies, including within the BRICS, gave a public endorsement of its actions.

Aside from the opportunity costs of not being able to make best use of the MSP, the MSP highlighted the direct financial costs of political shenanigans. About 25 minutes of plenary time was used. Usual practice is for there to be six hours of plenary per day with full interpretation. The MSP was scheduled for three days, a total of 1080 minutes of possible plenary, meaning that the MSP used only around 2.5 percent of this. However, as the conference room itself, the conference room assistants and the interpreters were all booked and paid for, the states parties do not save any costs in holding a minimal meeting.

The most memorable moment of the 2024 BWC meetings was the speech by WG Chair Ambassador Frederico S Duque Estrada Meyer (Brazil) on Friday 13th. His suggestion that 'History will judge harshly those who left urgent needs unmet and critical opportunities wasted' clearly resonated with many in the room. With no nominee for Chair of the WG for 2025, there are many hoping that Ambassador Meyer will allow his name to be put forward, notwithstanding his bruising experiences of the Fifth Session.

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>.