

Monday 14th December 2009

The Fifth Day: conclusion of the meeting

The fifth and final day of the 2009 Meeting of States Parties (MSP) for the 1972 Biological and Toxin Weapons Convention (BWC) was almost completely taken up by efforts to reach an agreed text for a Final Report. The major focus of informal consultations began with the divergent views on the use of the word 'mechanism' until an agreed text for the relevant paragraph ended up referring instead to 'current and future proposals' that the next Review Conference 'could consider'. Discussion then focused on the balance within the report relating to the different articles of the Convention.

The many hours of informal consultations in a side room were interspersed with short plenary sessions that simply reported that some progress was being made. The final plenary was convened shortly after 16.00 and adopted the Final Report, closing at 16.43. The final plenary also included a number of statements thanking the Chair, the Implementation Support Unit (ISU), the translators and the conference room staff. The dates for the 2010 Meeting of Experts will be 23-27 August and for the MSP will be 6-10 December.

An advance copy of the Final Report and copies of other official documents and Working Papers are available via the ISU website <<http://www.unog.ch/bwc>>.

Looking forward to 2011

With only one more year of BWC Meetings before the 2011 Review Conference, there have been some indications of what some countries want to see from this. The proposal by the non-aligned countries for an Article X mechanism was aimed for discussion in 2011.

During one of the brief plenary sessions in the afternoon, Cuba, on behalf of the non-aligned, requested that an item be placed on the agenda for the 2010 MSP relating to preparations for 2011. Ambassador Grinius responded that the 2010 agenda should be set by the chair of those meetings, Ambassador Portales of Chile. Canada took the opportunity to highlight a paper (WP.4), entitled 'Policy Issues for the Seventh Review Conference', submitted by Canada on behalf of the JACKSONZ. The paper is written by Jez Littlewood, an academic with long experience involved in BWC policy processes and is designed to prompt thinking about what might be desirable results from the Review Conference.

Side event

A lunchtime seminar was convened by the UN Interregional Crime and Justice Research Institute (UNICRI) on 'Biosecurity Risks and Assessment'. The seminar was chaired by retired Ambassador Sergey Batsanov (Russia). Presentations were given by three UNICRI staff: Andrew Prosser on 'Illicit Bio-trafficking: Assessing the Risks'; Marian de Bruijn on 'Intangible Transfers of Knowledge' and Sergio Bonin on 'Emerging Biotechnologies: Synthetic Biology and Nanobiotechnology'.

Reflections

A conscious effort is taken in writing these daily summaries to report what has taken place and not give opinion. However, there are many times that the question is raised – 'so what do

you think about what happened?’ The following are some personal reflections that do not necessarily represent anyone’s views other than the author’s own.

In the great majority of cases, membership of the BWC is essentially an invitation to countries to declare that they would not do something that they had never done, nor were they ever intending to do. Moreover, in accepting this invitation, they are also encouraged to implement controls to ensure that facilities within their jurisdictions are not abused by people with hostile intent to misuse the life sciences. This implementation of controls, through such measures as regulations and licensing, incurs significant costs within countries where there may be severe limitations on available resources. To keep such countries engaged in the BWC, it is important that political authorities see clear benefits in return for the costs they incur. This is where Article X has a particular importance.

The adjective used by most declared supporters of a mechanism for Article X implementation is ‘full’, yet it is not clear what ‘full implementation’ really means. Clearly, the desire is to have something that means greater implementation in the form of more activity by donor states which would lead to greater capacities and capabilities within recipient states. But how much does this greater implementation have to be to constitute ‘full implementation’ at any particular time? The same logic follows for removal of what are seen as obstacles to transfers. It is unlikely that any Western countries would be ready to agree to any form of mechanism unless the issue of what is expected by ‘full implementation’ is clarified.

Nevertheless, corridor discussions with delegates from non-aligned states invariably include illustrations of situations where additional or specifically targeted resources to deal with a particular problem in relation to infectious disease would make a significant difference. There is a level of frustration in delegates from many countries with lower levels of economic development that derives from wanting to reduce the huge burden that infectious disease imposes on their populations.

It is clear that there is a perception amongst some delegates from many poorer countries that tying questions of assistance for tackling infectious diseases to the BWC would open up significant new sources of funding from Western countries. However, this is unlikely to be the case. The sums spent by Western countries in support of general international development goals relating to infectious diseases are many times that which are spent on implementing the BWC.

A major event of the week was the announcement of the new biothreats strategy by the United States. The strategy had been kept closely guarded, which is always a signal that a document should be read carefully; it either heralds something truly significant or is a symptom of excessive news management and spin. Yet within the strategy there was considerable substance once it was possible to look beyond the hallmarks of spin such as phrasing the objectives of the strategy in a rather tortuous manner simply so that the initial letters would spell ‘protect’ or announcing that the President approved the policy ‘just last week’ when the letter from him within the Strategy document was dated 23 November [there are not many diplomats who would like to work a 16-day week!]

While there was substance within the strategy, many delegates felt the proof of whether it represented a significant change in policy would lie in how the United States engaged with multilateral processes. A considerable amount of goodwill was generated by the launch of the strategy at the BWC Meeting. However, much of this goodwill lasted barely 24 hours, until the US focused on the use of the term ‘mechanism’ in the draft final report. While it is clear that the US delegation felt it was involved in a debate over a matter of principle, it is not clear that many others in the conference room, who effectively lost half a day waiting for the informal consultations to arrive at an agreement, felt the same.

This is the sixth and final report from the Meeting of States Parties for the Biological and Toxin Weapons Convention which is being held from 7 to 11 December 2009 in Geneva. The reports are designed to help people who are not in Geneva to follow the proceedings.

The reports are prepared by Richard Guthrie on behalf of the BioWeapons Prevention Project (BWPP) in co-operation with the Verification Research, Training and Information Centre (VERTIC). Copies are available via <<http://www.bwpp.org/reports.html>>.