

Friday 21st December 2018

The 2018 Meeting of States Parties: conclusion and reflections

The 2018 Meeting of States Parties (MSP) for the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) met for the last day on Friday 7 December. The morning was devoted to financial issues, reports from the MXs, universalization and the annual report from the Implementation Support Unit (ISU). The afternoon and evening were spent on the MSP final report.

Financial issues

The day started with further discussions under agenda item 7 on finances and the introduction by the Chair, Ljupco Jivan Gjorgjinski (former Yugoslav Republic of Macedonia), of a draft of the final report with a section on financial matters that built upon the updated elements paper of the previous day.

A number of delegations again highlighted that their national financial years did not match the UN calendar year which is used for financial planning in the BWC. This was considered by many delegations to be a significant factor in making it hard to pay assessed contributions early in the UN year. The Chair noted the need for the BWC to have a reliable funding stream while balancing the needs of national financial arrangements with UN financial procedures. Much of the discussion was about how to get states to pay their dues in full and on time. Brazil questioned the use of terms in the draft such as ‘discourage non-payment’ and ‘repayment plans’ and suggested that this latter term did not seem to be used in treaties that didn't have penalties for non-payment. Penalties were an issue that that delegation had expressed strong opposition to.

Financial issues were key in the later consideration of the final report.

Universalization

The report on universalization highlighted progress in increasing the membership of the Convention. The Chair welcomed the three new members that had joined during 2018 and left the podium to shake the hands of the delegates from the new members that were present in the room. Notably, the US intervention under this agenda item specifically welcomed the Central African Republic and Niue but made no mention of Palestine.

Conclusion of the report

The conclusion of the final report was a long and difficult negotiation. This started with the circulation by the Chair of a further iteration of the draft report during the lunch break.

The final result includes progress on financial issues with the establishment of a ‘working capital fund’ based on voluntary contributions. This should improve financial stability with the voluntary contributions likely to come from those governments that have been consistent in their payment of assessed contributions.

It is impossible to report so many hours of discussion in detail. One notable intervention was that of Brazil wanting to remove references to the day of informal meetings on Thursday having being ‘due to budgetary constraints’. This prompted responses from many other delegates that there was absolutely no doubt that this was the reason for the

informal day, as had been indicated clearly in the letter from the Chair that informed states parties of the change to the programme of work.

On matters in relation to the core of the BWC – efforts to control biological weapons – the report is almost devoid of substantive material. The section on the work of the MXs is only a couple of sentences long. The key sentence reads: ‘No consensus was reached on the deliberations including any possible outcomes of the Meetings of Experts.’

The MXs in 2019 will be held within the period 29 July to 9 August [*Note*: 1 August is a Swiss public holiday so the UN will be closed that day]. The MSP will be 3-6 December. These dates carry the caveat ‘taking into account the availability of resources’. The Chair of the 2019 MSP will be Ambassador Yann Hwang (France), with Ambassador Adrian Vierita (Romania) and Ambassador Andreano Erwin (Indonesia) as Vice-Chairs

At the end of the meeting, the Chair expressed regret that the report could not include more substantive elements. He particularly regretted the loss of reference to the Chairs of the MXs who he said had done excellent work. The MSP adopted its report at 00.24 and the meeting closed at 00.35.

Reflections

A conscious effort is taken in writing these daily summaries to report objectively and not give opinion. However, there are times that this style of reporting does not convey some of the atmosphere of meetings. The following are some personal reflections that do not necessarily represent anyone’s views other than the author’s own.

Financial issues dominated this MSP. Brazil [responsible for roughly 50 per cent of the outstanding arrears], was particularly outspoken in wanting to erase references in the final report to the financial difficulties that the BWC is facing. This was clearly working very effectively in its national interest, but was not seen by many in the room as being helpful to the BWC. Brazil was not the only country pushing in this direction. The controversy over a sentence in the draft report that suggested that payment of assessed contributions was ‘of utmost importance and prerequisite for the sustainability of the BWC’ would surprise people who are aware that staff and meetings cost money. It was notable that most countries opposed to this phrasing were in arrears with their contributions.

The position taken by Iran defies any conventional political analysis. It was the Iranian delegation that was responsible for there being no substantive element to the final report, much to the visible frustration of countries that often have been allied with that country, such as China and Russia. Indeed, this is a very clear illustration that there are times when issues guide alliances. For example, at the Chemical Weapons Convention (CWC) Fourth Review Conference (held the week before the MSP) there was a very strong Iran-Russia-Syria alliance in direct opposition to most western countries on issues relating to attribution of use of chemical weapons. Yet in the BWC a week later there was a joint Russia-UK paper on Article VII issues and Russia was forceful in pressing for a substantive outcome against the Iranian position.

The contrast between the productivity of the MXs and the difficult negotiations on the MSP report once again calls into question the purpose of the MSP report.

This MSP will be remembered as the travelling meeting, having moved around the Palais des Nations. On Friday it convened in room XVII, where the Meetings of Experts (MXs) had been held in August. At the end of the usual UN working day, when more negotiating time was needed, the MSP was moved to the Council Chamber (where the BWC itself was negotiated decades earlier). This was the fourth room in which the MSP had met during the space of four working days, having already met in rooms XVIII and XXIV.

Side events – There were no side events on Friday 7 December.

This is the fifth and final report from the BWC Meeting of States Parties, held from 4 to 7 December 2018 in Geneva. These reports have been produced for all official BWC meetings since the Sixth Review Conference in 2006 by the BioWeapons Prevention Project (BWPP). They are available via <<http://www.bwpp.org/reports.html>> and <<http://www.cbw-events.org.uk/bwc-rep.html>>. The reports are prepared by Richard Guthrie of CBW Events <richard@cbw-events.org.uk>.