

Tuesday 3rd December 2019

The 2019 Meeting of States Parties: setting the scene

The 1972 Biological and Toxin Weapons Convention (BWC/BTWC) was the first treaty to ban an entire class of weapons of mass destruction (WMDs). It operates in rapidly changing contexts, primarily driven by continuing scientific and technological developments, but also by political changes. A main driver of these developments comes from improved understandings of the processes that underpin life, allowing new medical procedures, for example. But those new understandings can also be used to cause harm, by being used to impact on life processes to cause disease, sometimes fatal. There is a need to ensure that the harmful aspects of developments in the life sciences are prevented as far as possible while allowing the peaceful uses to benefit humankind.

In an attempt to keep abreast of developments, the BWC states parties hold regular meetings. There are five-yearly Review Conferences which are charged with providing strategic direction for the Convention as well as meetings each year held as the 'inter-sessional process' or the 'inter-sessional programme' – the inter-sessional refers to the holding of the meetings between the Review Conferences. The 2019 Meeting of States Parties (MSP) marks the second year of the current inter-sessional work programme and it follows a series of Meetings of Experts (MXs) held earlier in the year.

The Eighth BWC Review Conference, held in 2016, had been unable to agree on a new work programme to be carried out in the years running up to the Ninth Review Conference, scheduled for 2021. The Eighth Review Conference delegated the 2017 MSP to take the decision on the inter-sessional process and that meeting shaped the current work programme. The 2017 MSP agreed to hold 5 distinct MXs over 8 days in the middle of each of 2018, 2019 and 2020, together with a 4-day MSP towards the end of each year. The Chair of the 2019 MSP is Ambassador Yann Hwang (France) with Ambassador Adrian Vierita (Romania) and Ambassador Andreano Erwin (Indonesia) as Vice-Chairs. In summary, the 2019 MXs, their dates, their topics, and their Chairs were:

- MX1 – (2 days) *Cooperation and Assistance, with a Particular Focus on Strengthening Cooperation and Assistance under Article X* – Ambassador Victor Dolidze (Georgia)
- MX2 – (2 days) *Review of Developments in the Field of Science and Technology Related to the Convention* – Yury Nikolaichik (Belarus)
- MX3 – (1 day) *Strengthening National Implementation* – Lebogang Phihlela (South Africa)
- MX4 – (2 days) *Assistance, Response and Preparedness* – Usman Iqbal Jadoon (Pakistan)
- MX5 – (1 day) *Institutional Strengthening of the Convention* – Laurent Masméjean (Switzerland)

The official reports from each of the MXs in 2019 were essentially procedural as the MXs are intended to exchange ideas, innovations and perspectives rather than reach consensus positions, although they each included an annex prepared by the Chair to try to capture what had been discussed. When the new format for the MXs was decided in 2017, many delegations anticipated that the outputs of the Meetings would be used as inputs for the annual MSP later in the year. Such delegations were disappointed last year when

consensus on this matter could not be found and the 2018 MSP adopted a final report in which the key sentence of the section on the work of the MXs read: ‘No consensus was reached on the deliberations including any possible outcomes of the Meetings of Experts’. It is clear that many delegations are hopeful for a more substantive use of the outputs from the MXs this year. The reports from the MXs, along with other MSP documents, are available on the BWC website <<<http://www.unog.ch/bwc>>>.

Financial situation

The financial situation for the BWC remains difficult. The root cause is the non-payment of agreed assessments by a number of states parties. Some payments are simply late, which causes a cash flow problem. However, some countries are many years in arrears. The ongoing deficits have put BWC activities at risk – including meetings [the 2018 MSP was shortened by a day for its formal proceedings and that day was taken informally with no interpretation, putting a number of delegates at a disadvantage] and the support for the ISU [the Convention on Certain Conventional Weapons (CCW) lost its ISU owing to financial reasons]. The 2018 MSP decided to establish a Working Capital Fund ‘solely as a source of short-term financing pending receipt of reasonably anticipated assessed contributions’ which has improved stability. The Fund has received some voluntary donations and more are expected in the future. As of 27 November, the Fund contained roughly US\$275,000, according to the ‘Report on the Overall Financial Situation of the Biological Weapons Convention’ submitted to the MSP by the Chair.

On 30 October Ambassador Hwang, in his role as MSP Chair, read out a statement to the First Committee of the UN General Assembly on behalf of the Chairs of meetings of four disarmament treaties. This statement emphasized the ‘serious financial difficulties’ affecting the conventions and that the financial issues ‘that compromise the progress of our work and the credibility of the disarmament conventions’ require a permanent solution. This cannot be done unless the problem of non-payment is tackled: ‘As long as there are arrears, the financial problems will persist. That is why specific measures to address non-payment are important’.

As well as financial challenges within the BWC there are also financial challenges within the UN as a whole. Rooms are only being serviced from 9am to 6pm, with lights being turned off outside of these times. The UN Financial Austerity measures impacted a CCW meeting a few weeks ago such that its closing proceedings had to be carried out with the Chair shouting from the podium as the audio system had been switched off. In the past delegates could stay late in the Palais des Nations – especially important for informal consultations to negotiate final documents; the current guidance is that delegates are now expected to leave the building by 7.30pm.

BWC membership

Membership of the BWC is currently 183, with the newest member being the United Republic of Tanzania which deposited its instrument of ratification to the BWC in London on 14 August 2019. The previous deposit of a ratification was that of the Central African Republic on 25 September 2018. There remain four signatory states [i.e., signed the Convention before it entered into force but have yet to ratify it] and ten states which have neither signed nor ratified the Convention. While there has only been one ratification or accession thus far in 2019, there have been signs of progress elsewhere. For example, both South Sudan (in June) and Kiribati (in November) were able to announce progress towards membership following Cabinet decisions in each country in support of accession. Universal membership of the Convention is a long-established aspiration and a number of activities take place on a regular basis, such as regional workshops, to assist and encourage countries that are not yet members to join.

This is the first report from the Meeting of States Parties for the BWC which is being held from 2 to 6 December 2019 in Geneva. These reports have been produced for all BWC meetings since the Sixth Review Conference in 2006 by the BioWeapons Prevention Project (BWPP). They are posted to <<http://www.bwpp.org/reports.html>> and <<http://www.cbw-events.org.uk/bwc-rep.html>>. An email subscription link is available on each page. The reports are prepared by Richard Guthrie, CBW Events, who can be contacted via <richard@cbw-events.org.uk>.