

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.

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Wednesday 4th December 2019

The opening of the 2019 BWC Meeting of States Parties

The Meeting of States Parties (MSP) to the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) opened on Tuesday morning with Ambassador Yann Hwang (France) in the Chair.

The atmosphere in the building was not quite as usual. The annual UN bazaar (a charity fundraising event) was being held, with many stalls just outside of the meeting room. The escalators were not working, because of the UN's financial issues, with signs saying: 'Due to a severe liquidity problem on regular budget operations, escalators are out of use'. As had been indicated beforehand, the hours of building support services were reduced. This meant the meetings started and ended on time, which is not a common phenomenon in multilateral settings.

Opening of the MSP

The Chair, in his opening remarks, noted that in the modern world, no state claims biological weapons have any legitimate use. He noted that new scientific and technological developments were a source of hope but were also fraught with risk and that there was therefore a crucial need to find a way of transmitting useful proposals from the Meetings of Experts (MXs) to the Ninth Review Conference, scheduled for 2021.

The meeting heard a message from Izumi Nakamitsu, the UN High Representative for Disarmament Affairs which was communicated by Anja Kaspersen, Director of the Geneva Branch of the UN Office for Disarmament Affairs. The High Representative highlighted three 'core elements: preparedness, safeguarding and review capacities'. On preparedness, she noted that biological threats, whether natural or deliberate, 'cannot be dealt with by nation states acting alone' and it is worrisome 'that we are nowhere near having a global response mechanism in place' for future pandemics. Safeguarding the benefits of advances in the life sciences requires, amongst other things, strong public health services and overcoming the challenge of lowered barriers to access to materials that might be misused, she noted. On review capacity she welcomed the proposals made by several BWC states parties to establish a mechanism to comprehensively review relevant developments in science and technology relevant to the Convention and noted that the UN system already oversees several scientific review mechanisms across various domains, offering to 'facilitate insights and inputs from other relevant fora'.

General debate

The general debate provides an opportunity for delegations to make opening statements on any aspect of the Convention and its operations. Group statements were delivered by: Azerbaijan (on behalf of the NAM), Philippines (on behalf of ASEAN) and Iraq (on behalf of the Arab Group). National statements were given by: United States of America, Germany, Brazil, China, Canada, Belarus, India, Pakistan, Bosnia and Herzegovina, Japan, Russia, Spain, Thailand, Colombia, Jordan, Armenia, Azerbaijan, Australia, Norway, Kuwait, Saudi Arabia, Argentina, Sweden, Switzerland, Netherlands,

Philippines, South Africa, Peru, Ecuador, Republic of Korea, Ireland, Myanmar, Sri Lanka, Romania, Nepal, Ukraine, UAE, Italy, Malaysia, Venezuela, Iran, Turkey, Lebanon, Indonesia, Mongolia, Nigeria, Poland, Libya, Chile, Panama, Mexico, Bulgaria, Iraq, UK, Cuba and Austria. There were also right of reply statements from Russia and Ukraine. During the afternoon, Vice-Chair Ambassador Adrian Vierita (Romania) took the reins for a period. The general debate will continue into Wednesday. The topics of the Meetings of Experts will be covered in detail in coming days in the MSP proceedings. Therefore, the focus here will be on themes that fall outside of those topics.

Universality – universal membership for the BWC has been a long-stated goal and there were many statements welcoming Tanzania as a new member and many calls for those outside the Convention to join it. India noted that the sponsorship programme for delegates contributed to universalization. The Chair had noted that delegates from 18 countries had been sponsored to travel to the MSP with funding from Canada and the EU.

Workshops and similar events – often cited as key to progress in universality and in implementation of a variety of aspects of the BWC, there were a number of workshops, seminars and other events referred to in statements. Examples mentioned included a series of workshops being organized through the ASEAN Regional Forum with assistance from Japan in which there have been two held so far in Thailand and Malaysia with a further one scheduled for the Philippines. Colombia mentioned a workshop in association with the Organization of American States that with support from the BWC Implementation Support Unit (ISU) as well as other international bodies. European Union regional seminars, such as one held in Wellington, New Zealand were also mentioned.

Finances – Numerous delegations highlighted the financial situation of the BWC, with many stating that the only long-term solution was for assessed contributions to be paid in full and on time. China stated it had paid 2020 its dues already. The USA noted the need for states parties to clear arrears. On the Working Capital Fund, India announced a contribution of US\$10,000. The UK stated that the Fund should not be used to mask or excuse systematic non-payment of assessed contributions.

Preparations for the Ninth Review Conference – key decisions on the duration of the Conference and its associated preparatory meetings will need to be taken at the MSP this year so budgets can be set and plans made for accommodation while refurbishment of the Palais des Nations means there will be reduced space for conferences during construction work. Many delegations called for Preparatory Committee meetings that could discuss substantive items, as had been the case in 2016 for the Eighth Review Conference. Some noted that if there were substantive PrepCom meetings of the same duration as 2016 they would be content that the Review Conference be two weeks rather than the three that has been the usual duration. Russia, expressing regret for a lack of substantive outcome to the Eighth Review Conference, noted a need for preparations now.

Gender issues – there were many more references to this than in previous years, with numerous references to gender balances on delegations and to issues of gender impacts in relation to policies to respond to disease outbreaks. There were a number of references to recent work by UNIDIR in this area.

Side events

Usually in these reports it is useful to list side events taking place as an indication of the topics gaining most attention. However, the number of side events at BWC meetings keeps growing and is becoming too long to note them individually. However, they are listed on the BWC website with links to relevant publications where applicable. For example, on Monday there had been an all-day event and on Tuesday there were two breakfast events and two held at lunchtime.

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Thursday 5th December 2019

The general debate ends and discussion of the Meetings of Experts begins

The Meeting of States Parties (MSP) to the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) continued on Wednesday with the conclusion of the general debate. The rest of the day's proceedings were taken up with consideration of the reports from the first three of the Meetings of Experts (MXs). As discussion of MX3 will continue on Thursday, this will be covered in the next daily report.

When introducing the agenda item for discussion of the MX reports the Chair of the MSP, Ambassador Yann Hwang (France), encouraged delegates to think of inputs into the report to be drawn up from the MSP and consider how topics could be carried forward into the 2020 meetings and then onwards to the Ninth Review Conference in 2021. To further encourage such thoughts at the end of the day the MSP Chair, working with the Chairs of the MXs, circulated an aide memoire of proposals made during the MXs this year.

The MSP has continued to operate close to the official timings in order to make the most of the available time. It is not clear how many delegates have appreciated the consequences of the limits to meeting times for this MSP caused by the UN financial austerity measures; at the current rate of progress it will be challenging to reach conclusion on a substantive report from the Meeting.

During the day, Russia circulated some draft text that included proposed paragraphs relating to each of the MXs that could go into the final report but the suggestions were not discussed in the formal proceedings.

General debate

The general debate continued with statements from states parties (Fiji, Kenya, Sudan, Qatar, Costa Rica, Algeria and Kazakhstan) and from signatory states (Somalia, Haiti and Egypt). Vice-Chair Ambassador Andreano Erwin (Indonesia) took the chair for part of this. These were also statements from international organizations: European Union (EU), International Science and Technology Centre (ISTC), United Nations Interregional Crime and Justice Research Institute (UNICRI), World Health Organization (WHO), African Union, the Caribbean Community (CARICOM), Interpol, Organization for the Prohibition of Chemical Weapons (OPCW) and World Organization for Animal Health (OIE). Following past practice, there was a joint statement from some NGOs, followed by statements from: Parliamentarians for Global Action, VERTIC, University of Massachusetts Lowell, University of Hamburg, Rogue Bioethics, Georgetown University, Stimson Center, Johns Hopkins Center for Health Security and University of London. As with statements given on Tuesday, where copies of statements are provided by those who delivered them, the ISU will place these on the BWC website <<http://www.unog.ch/bwc>>.

MX1 -- cooperation and assistance

MX1 was on the topic of 'Cooperation and Assistance, with a Particular Focus on Strengthening Cooperation and Assistance under Article X' and was a two-day MX chaired by Ambassador Victor Dolidze (Georgia) who introduced the report of the meeting (BWC/MSP/2019/MX.1/2) together with the annex he prepared. There followed a wide-ranging discussion.

This topic brings together a cluster of issues for which there are long-standing divergences of views between governments, but there is some common ground. The Cooperation and Assistance Database [commonly known as the Article X database] was broadly welcomed but there were many comments about how it might be improved. These included broadening its scope to include offers from international organizations or even non-governmental sources. One suggestion was for successful matches of offers with recipients to be reported back so that the experience could be learned from. There was cross-regional support for a cooperation officer post in the BWC Implementation Support Unit (ISU), although there were questions about whether this might be through the creation of a new post or a reallocation of tasks for the existing staff. A new post has obvious financial implications. There were a number of interventions in favour of the establishment of a cooperation committee that would be able to examine denials of national export licences – a proposal that has existed in a number of forms over the years. There were also interventions opposed to this. A number of references were made to the China-Pakistan proposal for a non-proliferation export control arrangement made in 2016. Paragraph 61 of the Final Declaration of the Seventh BWC Review Conference in 2011 called for the submission of national reports, at least every two years, on the steps taken by states parties to implement Article X. A number of delegations expressed regret that there were few such reports submitted. Germany noted its Article X report to this MSP (WP.3) which highlighted capacity building through the German Biosecurity Programme. Australia reminded the MSP of its 2018 working paper on structure and content of Article X reports.

MX2 – science and technology

MX2 was on the topic of ‘Review of Developments in the Field of Science and Technology Related to the Convention’ and was a two-day MX chaired by Yury Nikolaichik (Belarus). In a similar vein to the session on MX1, he introduced the report of the meeting (BWC/MSP/2019/MX.2/2) together with the Chair's annex he prepared.

In the discussion that followed, there was broad agreement of a need for some form of review arrangement, but with very little detail in the discussion. In the past, for example, some delegations have favoured a small committee of experts while others have favoured some form of arrangement that would allow all states parties to contribute to it. The lack of expressions of support for specific models may be a positive sign as many delegates would seem to prefer achieving consensus on some form of review mechanism rather than pressing for their ideal. A number of delegates called for work to start now in order to have a proposal ready for the Ninth Review Conference. One area on which there was broad agreement in interventions in the discussions was about codes of conduct for scientists and engineers. There are divergences of views on some details, many delegations stressed that codes should be voluntary for states to adopt – as in the model code from a China-Pakistan working paper from MX.2 in 2018. Others suggested codes should come from scientists themselves. An area recognized as challenging is the identification of risks and benefits of new developments – how should the identified risks be used as an input into policy processes? How can benefits have best use made of them? Concerns were raised that an overemphasis on risks could have a negative impact on peaceful developments.

Erratum – a series of workshops referred to in report 2 were mistakenly ascribed as being through the ASEAN Regional Forum but were instead through the ISU, funded by Japan. There is to be a separate event to be hosted by the Philippines next year under the auspices of the ARF which will be a tabletop exercise to test regional response capabilities. These were conflated in my note taking. Apologies for any confusion caused, *mea culpa*.

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Friday 6th December 2019

Three MXs, preparations for the Review Conference and annual reports

The Meeting of States Parties (MSP) to the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) continued on Thursday with the conclusion of discussion of the reports from the Meetings of Experts (MXs), consideration of preparations for the Ninth Review Conference, discussion on finances and consideration of annual reports on universality and the Implementation Support Unit (ISU). There was a statement from one international body that had not been available for the general debate – the group of experts for the 1540 committee – and one from a signatory state – South Sudan.

During the afternoon the Chair, Ambassador Yann Hwang (France), circulated a draft of some sections of the MSP final report. He noted an updated version will be circulated on Friday morning.

MX3 – ‘Strengthening National Implementation’

This was a one-day MX chaired by Lebogang Pihlela (South Africa) who introduced the report of the meeting (BWC/MSP/2019/MX.3/2) together with the annex she prepared. Discussion followed in which some interventions focused on Article IV which has been the traditional focus on national implementation discussions. Others included Article III, which is about not assisting others to acquire biological weapons and is often implemented through export controls. A few interventions spoke of implementing all articles, implicitly including Article X on cooperation and assistance. Both here and in the general debate, number of delegates spoke of progress in their country’s national implementation efforts. The system of Confidence-Building Measures (CBMs) was raised here and in the discussion on MX5 with suggestions that the quality of information provided needed to be improved as well as encouraging more countries to submit returns. Chair’s annex comments in support of a CBM assistance network were welcomed. Long held positions by some delegations about CBMs not being a substitute for verification were reiterated. There were a number of calls for the CBM forms to be updated. Russia proposed including military medical activities in the territory of other states into the CBMs.

MX4 – ‘Assistance, Response and Preparedness’

This was a two-day MX chaired by Usman Iqbal Jadoon (Pakistan) who introduced the report of the meeting (BWC/MSP/2019/MX.4/2) together with the annex he prepared. This is probably the set of issues, focused on Article VII of the Convention, about which there is most cross-regional coherence. Indeed, it was in this area that most progress was made during the Eighth Review Conference. A 2018 proposal from South Africa on guidelines to help a country request humanitarian assistance within the framework of Article VII received considerable support, built on earlier work on the issue by that country. The France/India proposal from 2015 (updated in 2018) for a database on Article VII issues with parallels to that for cooperation and assistance received widespread support. Links to Article X and capacity building in areas such as detection of infectious disease were made. Perhaps the only point where views significantly differ in this area is whether there needs to be a decision by the UN Security Council that an biological weapons attack has taken place before assistance could be provided under the Convention.

MX5 – ‘Institutional Strengthening of the Convention’

MX5 was a one-day Meeting chaired by Laurent Masméjean (Switzerland) who introduced the report of the meeting (BWC/MSP/2019/MX.5/2) together with the annex he prepared. The discussion included calls for a legally binding verification arrangement but also for improving other measures such as CBMs and consultative arrangements under Article V and ways of giving an institutional basis to areas under discussion in other MXs, such as science and technology review. Perhaps the most interesting exchange was one between Iran and the USA. Iran argued that politically binding decisions by Review Conferences did not carry as much weight as legally binding measures and cited decisions of the nuclear Non-Proliferation Treaty (NPT) at its Review Conferences that had not been followed up on. The US reacted by highlighting that November 25 had been exactly 50 years since President Nixon had renounced biological weapons and this political action had ‘paved the way’ to negotiating the BWC soon after. The US representative agreed that legal measures were very valuable and suggested that the essence of US arguments in recent years had been that legal measures were capable of being discussed, but political measures were important too. This prompted Iran (and Russia) to ask why the US was not interested in negotiating legal measures on verification to which the US responded that they had not heard concrete or specific arguments in favour.

Preparations for the Ninth Review Conference

The next five-yearly Review Conference is scheduled to be held in 2021. Procedural decisions to prepare for such Conferences are usually made at the MSP the year before. This time, there are two reasons bringing such decisions a year forward. The first is that upcoming renovations of facilities at the Palais des Nations will impact upon availability of conference rooms. If a decision is not taken soon on timing and duration there may not be rooms available, meaning the Review Conference would have to be held elsewhere at a greater cost. The second is that the financial decisions made in 2018 call for early issuing of invoices to states parties for their assessed contributions. This would mean that a decision on Review Conference duration at the 2020 MSP would be after the invoices had been issued. Based on interventions, it seems that there is an acceptance of the benefits of holding two Preparatory Committee sessions, the first administrative (2 days) and the second substantive (5 days). The divergence was on whether the Review Conference itself should be for two weeks or three weeks. The Chair said he had listened to what had been said and would introduce a proposal in the draft report on Friday.

Finances, Universality and the ISU annual report

The financial position of the BWC was discussed. Introducing his report on finances (BWC/MSP/2019/5), the Chair noted that the Convention was in a more stable financial position than a year before, following the decisions taken at the 2018 MSP. In the discussion, none of the countries significantly in arrears took the floor. It was noted that the collection rate for 2018 of 98.6 per cent was higher than in recent years, but some of this had been received during the current year. There were calls for all of those in arrears to pay these in full and for states parties to pay current assessments in full and on time as this is the only way to solve the underlying financial issues. The Chair noted that time taken for dealing with finances took time away from dealing with substantive issues. Monthly statements on the status of contributions received are posted to the BWC website. The annual report on universality (BWC/MSP/2019/3) was discussed briefly, highlighting actions taken to promote wider membership of the Convention. The annual report of the ISU (BWC/MSP/2019/4) was discussed. Introducing the report, the ISU noted that 78 CBM returns had now been submitted (updating the figure in the printed report) and that all four signatory states had participated in the MSP.

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31st December 2019

The closing day of the Meeting of States Parties and some reflections

The 2019 Meeting of States Parties (MSP) to the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) concluded on Friday 6 December with the adoption of a final report in a conference room with the lights dimmed.

The final report of the MSP and the closing of the Meeting

At the beginning of the day the Chair, Ambassador Yann Hwang (France), circulated a further draft of the MSP final report, following up on the version circulated on Thursday afternoon. Aside from sections inserted to cover the proceedings that had occurred since the earlier version, this one included suggested language on preparations for the Ninth BWC Review Conference scheduled to be held in 2021 – the next in the five-yearly cycle. The language was chosen to keep the decision on the duration of the Review Conference open. In other words, the decision on dates allows for the conference room to be reserved but is phrased in such a way that a later decision could be taken on exactly how long the conference itself should be – two weeks or three weeks. The Ninth Review Conference will thus be held within the period that starts on 8 November 2021 and ends on 26 November 2021 with the precise dates of the Conference to be decided. As part of this, the report includes a decision that the initial draft of the budget for 2021 should be set for 22 days of meeting activities which indicates there is an understanding that the Preparatory Committee (PrepCom) should meet for two sessions, the first administrative (2 days) and the second substantive (5 days). The total number of meeting days in 2021 would reduce to 17 if the Review Conference was for two weeks only. The MSP also decided upon the dates of the annual meetings for 2020 with the Meetings of Experts (MXs) to be held from 25 August to 3 September and the MSP from 8 to 11 December.

The Russian delegation pressed their proposal, made available to delegations on the Wednesday, which included text in relation to each of the MXs for the MSP report. This was interpreted by many in the room as an attempt to get substantive issues reflected in the final report, which has in the past been opposed by Iran. There were suggestions from some delegations that Russia should circulate the text as an MSP working paper as there was little remaining time in the MSP for discussion. The US delegation stated that there would be nothing they could agree to that could come out of discussion of the Russian text. The draft report had included a reference that the MSP ‘took note’ of the *Aide Memoire* circulated by the MSP Chair, in association with the MX Chairs. In an example of ‘consensus by deletion’, the paragraph containing this reference was removed following Russian objections that the *Aide Memoire* did not reflect all proposals made. No objection to the paragraph had been made while the Russian proposal for new text was up for discussion.

The closing of an MSP often includes a number of statements. This time proceedings were very brief as there was not much time – lights had already been dimmed as an indication that support services in the room were coming to an end. A US delegate noted the upcoming retirement of John Walker of the UK delegation, meaning this would be his last MSP after more than thirty years working in this subject area. The US also noted the return of the trophy for the Bowling World Cup – the alternative BWC – that

had been resting in a cupboard at the US Department of State.

In his closing remarks the Chair referred to a short informal paper he had prepared on methodological issues. This paper was dated 4 December, but not made available in the room until the close of the meeting and then posted to the BWC website. The informal paper examines issues such as continuity between the annual inter-sessional meetings, overlaps between meeting topics and enhancing the value of the MSPs.

The Meeting closed at 18.09.

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.

The first thing to note is that this MSP was very full. This made it challenging to report as there was so much said in the the general debate and in the sessions relating to the subject matter of the MXs – this made reporting difficult as there was so much that had to be left out.

On substantive matters, it was frustrating that, despite considerable signposting that a decision was best made this year on the dates for the Ninth Review Conference, there were a number of delegations unprepared for taking such a decision. However, it is important that the MSP accepted that there would be a substantive PrepCom process. The session of the PrepCom dealing with substantive issues held in August 2016 in the run-up to the Eighth BWC Review Conference was the most productive week of activity this author has personally witnessed in decades of following BWC meetings. A problem of Review Conferences is that the review of any particular aspect of the Convention is dominated by thinking about what language would go into the final document – in other words, a discussion of what might be in the final text rather than of the issues themselves. As there is no negotiated text on substantive matters from the PrepCom, the interactive discussion can focus on the issues at hand, giving the proceedings a much more substantive character. The corollary of this is that a three-week Review Conference holds no great advantage over a two-week one as the extra time would be likely to be focused on textual matters rather than on matters of substance.

The *Aide Memoire* was a useful proposal to try to fill the gaps between the annual meetings and between the meetings and the Review Conference in order to bring greater coherence into how the work of the meetings will feed into the Review Conference processes. In the draft circulated at the MSP, the *Aide Memoire* represented a useful balance between usability and comprehensiveness – it would be impossible to create a short practical document that included every suggestion raised.

The UN financial austerity measures, distinct from the financial difficulties in the BWC itself, influenced the tone of the sessions, making it easier to schedule activities as there was no danger of overruns. They also reduced the potential for those that have historically used tactics to prolong meetings to wear down opposition – such tactics have often led to informal consultations going on late into the night. Loss of the tactic meant that there was a bit more focus on substance.

The financial issues within the BWC itself have improved, but it is hard to see how they will be resolved. In other circumstances, to get action from those in arrears to clear their debts would probably involve some kind of penalty. However operation by consensus within BWC meetings makes it challenging to resolve the financial problems as states parties in arrears would be unlikely to agree to penalize themselves. Efforts need to continue to find a solution to these challenges as the arrears will continue to affect the health of the regime.

This is the fifth and final report from the Meeting of States Parties for the BWC which was held from 3 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>.