

Wednesday 7th August 2019

The first day of MX4 - challenges, guidelines and database

The fourth of the 2019 series of Meetings of Experts (MXs) for the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) opened on Tuesday morning, on the topic of 'Assistance, Response and Preparedness'. It is a two-day meeting that will continue on Wednesday. It was opened with Usman Iqbal Jadoon (Pakistan) in the Chair who noted that Article VII has never been invoked.

MX4 followed the pattern of earlier MXs such that at the beginning of each agenda item any delegations that had submitted working papers relevant to that item had a chance to introduce them. Next would be any relevant technical presentations, usually accompanied by visual aids. There would then be a question and answer session followed by general discussion on the agenda item including prepared national statements as well as more spontaneous comments. During the 2019 MXs these general discussions have been interactive with interventions sparking reactions and responses.

A short collective statement on MX4-related issues by some non-governmental organizations and other representatives of civil society was read out during the afternoon. The statement, including the list of those who signed up to it, is on the BWC website.

At the close of proceedings on Tuesday, MX4 was well ahead of its draft programme of work and so the agenda item under discussion at the close of the meeting will be covered in the next daily report.

There were some points made under more than one agenda item that cut across aspects of Article VII-related responses. The first is that it may not be apparent early on that an outbreak of disease was naturally occurring or deliberately induced; moreover, whether natural or deliberate (or resulting from an accident), there would be some form of emergency in public health terms with numerous agencies involved from the start. A second is that there is a need for relevant capacities to be put in place at local, regional, national and international levels. A third is that there is a desire expressed by a number of delegations to avoid duplication of activities, and in particular that deliberate disease issues should be kept within the BWC through the adoption of a legally binding instrument or protocol. Those delegations making this point were not clear on what practical measures they might accept in the interim before such a protocol might have a chance to be negotiated.

Practical challenges and possible solutions

The UK introduced WP.6 which, although a national paper, is a follow-up to a joint UK-Russian paper [WP.6 of the 2018 Meeting of States Parties (MSP)] on core elements for an effective Article VII response. The new paper highlights the need for international coordination, drawing in particular on management lessons learned from responses to Ebola Virus Disease (EVD) outbreaks, such as the creation of UNMEER. Rebecca Katz, Georgetown University [as a Guest of the Meeting] spoke to a project that examined lessons from EVD response in remodelled scenarios that included elements of deliberate spread of disease. Both interventions came to conclusions that the UN Secretary-General should be a focal point for preparations for Article VII responses. These conclusions were specifically disagreed with by some delegations such as Iran and Russia.

Guidelines and formats for requesting assistance

The need for requests for assistance to be clearly communicated has been recognized for some years. In 2014, South Africa raised questions about how a state party might go about requesting assistance under Article VII, leading to a working paper at that year's MX. Further elaboration of these ideas were contained in WP.3 from the 2018 MX4. There was general support for use of such guidelines and for there to be discussion on this at the Ninth Review Conference. There was some divergence of views on which bodies should receive the formal request. Some suggested that the request should go to the UN Security Council (UNSC) only; some suggested it should be sent out to others at the same time, for example to all BWC states parties or to other relevant international bodies, such as the WHO. Suggestions for other recipients included the BWC Implementation Support Unit (ISU) and the BWC depositary states to act as clearing houses for requests. As Article VII specifically mentions the role of the UNSC, there was some discussion about whether assistance should be dispatched by states before the UNSC had considered the matter. In some ways this was a moot point as the Eighth Review Conference had discussed this in detail, resulting in para 35 of the Final Declaration reading: 'The Conference considers that, should a request for assistance be made, it should be promptly considered and an appropriate response provided. In this context, in view of the humanitarian imperative, the Conference encourages States Parties in a position to do so to provide timely emergency assistance, if requested pending consideration of a decision by the Security Council.'

Article VII database and other methods for improving delivery of assistance

The proposals for an Article VII database, analogous to the Cooperation and Assistance Database dealing with Article X issues, were first made in 2016 in a paper by France and India. Such proposals were received positively at the Eighth Review Conference that year, although no decision was taken to establish it. The proposals still receive wide support and a new paper on the proposals was submitted to the 2018 MSP [WP.7 of that meeting]. MX4 heard a technical presentation by the EU on its Civil Protection Mechanism. Switzerland highlighted that the France-India papers included suggestions that a voluntary fund could also be considered for assistance under Article VII. The Chair noted such a fund might be used in two ways: to build preparedness now or to be held in reserve to assist in the response to an attack if it ever happened.

Mobile biomedical units

For a number of years, Russia has promoted the use of mobile biomedical laboratory facilities in response to disease outbreaks, highlighting benefits illustrated during the west Africa EVD outbreaks. There was a general recognition that mobile labs would contribute to any response effort with the key divergence of opinion being about whether there should be mobile labs as a BWC activity with associated costs managed centrally, or as a roster of units offered by various countries to be deployed in relevant circumstances.

Side Events

There were three side events on Tuesday. One at breakfast was convened by Japan and the BWC ISU on 'Strengthening National, Sub-Regional and International Capacities to Prepare for and Respond to Deliberate Use of Biological Weapons'. The two events at lunchtime were convened by Canada and the BWC ISU on 'Contribution by relevant international organizations to the response in case of the possible hostile use of biological agents and toxins against agriculture, livestock and the natural environment'; and by the Georgetown University Center for Global Health Science and Security and the Nuclear Threat Initiative on 'Strengthening Preparedness and Response Capacity for Biological Events'.

This is the seventh report from the series of five Meetings of Experts for the BWC which are being held from 29 July to 8 August 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 <richard@cbw-events.org.uk>.