

Preparatory arrangements for the Ninth BWC Review Conference

The first day of the first session of the Preparatory Committee (PrepCom) of the Ninth five-yearly Review Conference of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) is to be held on Friday 26 November in Geneva.

The Ninth BWC Review Conference was originally scheduled for the end of 2021 but was postponed (along with other BWC meetings) owing to the impacts of the COVID-19 pandemic. Review Conferences are the highest level of political meeting held under the Convention, providing strategic direction for the BWC. They are not isolated activities as they form part of a broader sequence of events, providing the key chance to take stock of the recent inter-sessional work programme and to look forward to any programme that might follow.

Following the pattern established in 2016 for the Eighth Review Conference, the Ninth Review Conference is expected to be preceded by two PrepCom sessions – the first on administrative matters and the second on substantive issues. Immediately before the first PrepCom meets, there will be the 2020 Meeting of States Parties (MSP), also delayed because of the pandemic, held over four days.

This report is focused on the administrative issues related to convening the Ninth Review Conference and is being circulated before the MSP so there may be progress on some of the issues highlighted below before the PrepCom meets. The MSP will be the subject of separate BWPP reports. The MSP is likely to touch upon all of the significant policy issues expected to be discussed at the Review Conference.

The Presidency of the Review Conference

The position of President of the Review Conference rotates between the three regional groups that operate in the BWC – the Western European and others (WEOG), the Eastern European (EEG) and the non-aligned (NAM). At each Review Conference, the other two groups provide the Chairs of the Committee of the Whole (CoW) and of the Drafting Committee. As part of the preparatory process, the nominees for these three roles become the Chair and the two Vice-Chairs of the PrepCom, respectively. NAM is the group that holds the position of President for the Ninth Review Conference with EEG holding the Chair of the CoW and WEOG the Chair of the Drafting Committee.

In normal circumstances, the President-designate is identified long before the Review Conference. The pandemic has meant that recent circumstances have been far from normal, and the NAM BWC states parties have not yet confirmed a candidate. This may be connected with the reduced NAM coordination in the recent series of Meetings of Experts (MXs), as noted in the BWPP MX reports.

The President-designate is a key role as the history of BWC Review Conferences shows that successful packages of substantive measures adopted by consensus have resulted from early discussion of what might be within them. In many cases, the President-designate is the focal point of this work during the 12 months or so before the Review Conference formally convenes. With the Ninth Review Conference currently pencilled in for August 2022, time is running low for such activity.

There is another time-critical aspect and that is who will preside over the PrepCom. If there is no President-designate identified beforehand, there is no PrepCom Chair. The Vice-Chairs could preside over the first day of the first session of the PrepCom in the absence of the Chair. This approach would mean that the President-designate could be appointed at a later date, although this would reduce further the time the President-designate would have for Review Conference preparations.

Dates and duration

While the date of the first day of the administrative PrepCom is set for Friday 26 November, there is currently no date yet set for a possible second day. Whether or not a second day is needed may not be known until the end of the first day and will depend on progress in taking key decisions. During the 2019 MSP there was discussion about two days of administrative PrepCom, five days of substantive PrepCom and either two or three weeks for the Review Conference itself. In the end, no firm decision was taken but that MSP decided that ‘for sound planning purposes’ states parties agreed to be invoiced ‘for 22 days of fully-serviced meetings’ which meant a budget was in place for a three-week Conference with seven days of PrepCom. The dates for the second session of the PrepCom have been pencilled in as 4-8 April 2022 for some months with plenty of time to raise any objections and so are likely to be formally adopted without debate. The decision on the duration of the Conference itself is likely to be the subject of considerable debate.

By coincidence, the fiftieth anniversary of the signing of the BWC falls during the weekend following the substantive PrepCom – there were high-profile signing ceremonies in London, Moscow and Washington DC on 10 April 1972.

ISU continuation

The Eighth BWC Review Conference agreed a mandate for the Implementation Support Unit (ISU) that runs until the end of 2021. This was made on the assumption that the Ninth Review Conference would be convened during 2021. With the delay in convening the Review Conference owing to the pandemic, the ISU would cease to exist at the end of the year. There is a logic that the PrepCom, as an integral part of the Ninth Review Conference, would be a suitable forum in which to extend the ISU mandate until the Review Conference itself (or perhaps to the end of 2022 as this would allow for the annual budget of the BWC to be decided for next year). Any such decision is likely to be uncontroversial as the ISU has widespread support. Moreover, without the ISU there would be an open question of who would organize the administrative arrangements for the Review Conference.

Financial issues

Once decisions on the issues highlighted above have been taken there may be budgetary implications which delegations may wish to discuss. An outline budget for the Ninth Review Conference was agreed at the MSP in 2019 in order that delegations could have advance notice of the financial contributions their governments would be liable for in relation to calendar year 2021.

A number of delegations have emphasised during previous BWC meetings that early calculations of assessed contributions assist national processes to get payments made on time. The financial situation in the BWC remains difficult, with many late payments of assessed contributions and some states having arrears going back over a number of years. Monthly summaries by the UN secretariat on the financial situation in a number of disarmament treaties continue to be published.

This is the second in a series of occasional reports looking towards the Ninth BWC Review Conference, currently scheduled to be held in 2022. They are published by the BioWeapons Prevention Project (BWPP), a global network of civil society actors dedicated to the permanent elimination of biological weapons and of the possibility of their re-emergence, and follow the style of the daily reports that have been produced for all BWC meetings since the Sixth Review Conference in 2006. 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 is solely responsible for their contents. He can be contacted via <richard@cbw-events.org.uk>.