

Monday 12th December 2022

## Second reading of the article-by-article review completed

The end of the middle week of the Ninth Review Conference for the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) saw the Committee of the Whole (CoW), complete its second reading of the article-by-article review and the informal plenary that is pretending not to be the Drafting Committee continued behind closed doors.

The day started with some transport interruptions following a snowfall overnight which seemed to have reduced initial attendance.

### **The Committee of the Whole – second reading**

The CoW met in the morning, with Ambassador Tatiana Molcean (Republic of Moldova) in the Chair, beginning with some discussion of Article X before returning to Articles XI, XII and XIV (grouped together in the meeting but separated in reporting below for readability) which had been where the meeting on Thursday had left off. Some points in this reporting relate to interventions made on that day. A brief second reading of the Solemn Declaration followed that was limited in scope as not all text suggestions for it had been circulated.

Azerbaijan (for the non-aligned group) introduced working paper WP.56 that proposes the creation of a Cooperation Committee which has been a long-standing focus of a number of non-aligned countries to enhance implementation of *Article X*. The current proposal leaves out some of the more contentious aspects of earlier versions, such as scrutiny of export denials, which had been strongly resisted by Western countries. A number of states, primarily from the non-aligned, spoke in favour of this proposal, describing it as a practical means to implement Article X more effectively. No Western state made any comment.

*Article XI* (amendments) discussion was focused on the Iranian suggested text in relation to its proposal to amend the Convention to explicitly add use as a prohibition. Other delegations opposed the text on the basis that use is implicitly prohibited.

While *Article XII* only provides for one Review Conference, its provisions are considered relevant for those that followed, mandating that ‘Such review shall take into account any new scientific and technological developments relevant to the Convention’ leading to a number of interventions in support of some form of ongoing science and technology review. The question of whether annual Meetings of States Parties (MSPs) could take decisions was the subject of divergent views. This has been discussed in previous years, but the subject is now more pertinent as some proposals, such as that for a temporary experts working group, might need some decisions taken before the next Review Conference. Some delegations want MSPs to take some decisions and believe the authority exists, others disagree. The precedent of the Special Conference in 1994 to establish the Ad Hoc Group (the basis for the protocol negotiations) was raised.

No text suggestions had been made for *Article XIII* (duration and withdrawal) or *Article XV* (official languages) and so no discussion for these articles was needed.

There were only a few points raised under *Article XIV* (membership and depositaries), primarily to do with welcoming new states parties and whether they should be listed in the final document.

Ambassador Molcean indicated that the next task would be for her and her team to consolidate the text suggestions, taking into account what had been discussed, in order to move forwards in the search for consensus text.

The Add.1 documents for both COW/INF.1 and INF.2 are now on the official BWC website for the Review Conference at <https://meetings.unoda.org/bwc-revcon/biological-weapons-convention-ninth-review-conference-2022>. [Note: it is easier to find documents by ignoring the 'Documents' link on the title banner and clicking on 'Expand all sections' and scroll down to see the list of documents further down the page.]

### **Schrödinger's Committee**

The informal plenary that both is, and is not, the Drafting Committee met in private session during the afternoon with Sara Lindegren (Sweden) presiding. A notable action was the introduction by Pakistan of WP.57 which proposes an 'Ad Hoc Working Group' (AWG) to have two meetings a year to discuss a range of subjects during the inter-sessional period, with each meeting devoted to a particular topic.

### **Office holders of the Conference**

As promised in an earlier daily report, the collated list of the office holders is:

*Review Conference:* President – Ambassador Leonardo Bencini (Italy). There are 20 Vice-Presidents – Croatia, Kazakhstan, Latvia and Slovenia for the eastern group; Brazil, China, Cuba, Dominican Republic, Guatemala, Indonesia, Iran, Iraq, Malawi and Panama for the non-aligned group; and Canada, France, Germany, Japan, Spain and Switzerland for the western group.

*Committee of the Whole:* Chair – Ambassador Tatiana Molcean (Moldova).

Vice-Chairs – Andreas Bilgeri (Austria) and Angel Horna (Peru).

*Drafting Committee:* Chair – Sara Lindegren (Sweden). Vice-Chairs – Ljupčo Gjorgjinski (North Macedonia) and Jonelle John ('JJ') Domingo (Philippines).

*Credentials Committee:* Chair – Angus September (South Africa). Vice-Chair – Ali Sezgin Isliak (Türkiye).

### **Some reflections on the second week**

In line with the chapeau given in report 6 of this series, the following are some personal reflections that do not necessarily represent anyone's views other than the author's own.

The atmosphere within the Review Conference remains positive overall, but with a number of concerns about the challenges to achieving a substantive final document, particularly owing to questions of how much time is available. It would seem that all elements that would be needed for a package are there, but finding the right balance will be challenging. Some proposed elements are likely to be dropped or substantially altered in order to try to reach consensus and the proponents of those dropped or altered elements need to be kept on board for the final package.

### **Side events**

There were five side events on Friday. At breakfast, Canada and King's College London (KCL) hosted a virtual briefing on 'Countering Disinformation on Bioweapons and Public Health Labs' and Russia held an in-person briefing on 'Mobile biomedical units: Perspectives of their operationalization to strengthen the BTWC'. There were three events at lunchtime. The EU, Slovenia and Germany convened a hybrid event on 'Bioterrorism'. Two virtual briefings were held: one by UNIDIR on 'Technological opportunities for building confidence in compliance with the BWC'; and the other by KCL on 'Maximum Containment Labs and Biorisk Management'.

*This is the twelfth report from the Ninth BWC Review Conference (28 November-16 December 2022). These have been produced for all BWC meetings with NGO registration since the Sixth Review Conference (2006) by the BioWeapons Prevention Project (BWPP). They are available from <<https://www.bwpp.org/reports.html>> and <<https://www.cbw-events.org.uk/bwc-rep.html>>. A subscription link is available on each webpage. Financial support for these reports has been gratefully received from Global Affairs Canada. The reports are written by Richard Guthrie, CBW Events, who is solely responsible for their contents <[richard@cbw-events.org.uk](mailto:richard@cbw-events.org.uk)>.*