

Tuesday 19th April 2022

The conclusion of the PrepCom and some reflections

Monday 11 April 2022 was the sixth and final day of the second session of the Preparatory Committee for the Ninth Review Conference of the Biological and Toxin Weapons Convention (BWC/BTWC). It saw the adoption of a report of the meeting with decisions on the dates of the Review Conference, the appointment of the President-designate and the allocation of other roles in the Conference. There was one side event, held during the lunch break.

The meeting was presided over by the Vice-Chairs, Tancredi Francese (Italy) and Florian Antohi (Romania). Documents and side event details are available from the official meeting web page at <https://meetings.unoda.org/meeting/bwc-prepcom-2021/>.

The Review Conference decisions and the adoption of the report

The PrepCom adopted the proposed package of measures such that Ambassador Leonardo Bencini (Italy) would be President-designate of the Review Conference which would be rescheduled for 28 November-16 December 2022. This decision was made on the understanding that the non-aligned (NAM) group would retain the right to preside over the Tenth Review Conference.

It had been widely expected that the change of the rotating Presidency from the NAM group to the western group would bring with it some changes to other positions held within the Conference. However, Russia took the stance that decisions on positions such as the Chair of the Committee of the Whole and of the Drafting Committee taken at the first session of the PrepCom should be unchanged. The argument made was that the regional groups had been discussing nominations for the Vice-Chairs of these committees with some possible office holders having started work on the issues they might be responsible for. If the Chairs were to be moved between the groups it would also change the groups the Vice-Chairs would be nominated from. After consultations between states parties, it was decided that these positions would remain as agreed in December. The result creates something of an anomaly in multilateral arrangements in which the same regional group holds the presidency of a conference as well as one of its major committees. For the Ninth BWC Review Conference, the western group will hold the Presidency and the Chair of the Drafting Committee; the eastern group the Chair of the Committee of the Whole; and the NAM group the Chair of the Credentials Committee.

The PrepCom also decided that a further background paper should be prepared on 'New scientific and technological developments relevant to the Convention', to be compiled from information submitted by states parties.

One element of the final report that was not included was the 'Chair's summary' of the meeting to be prepared by the Vice-Chairs in lieu of a Chair. This had been an important element of the report from the equivalent PrepCom in 2016. It was claimed that a Chair's summary could be confused with a consensus statement on the meeting. At least one country suggesting this had been vocally supportive of inclusion of the comparable summary in 2016. The Chair's summary will instead be published as a separate PrepCom document.

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.

Perhaps the first thing to note from the perspective of this author was that the PrepCom contained more substantive discussion than had seemed possible in the weeks running up to it. While the PrepCom was officially co-chaired by the two Vice-Chairs, it was Tancredi Francese who presided over all of the plenary sessions. While his relative youth and corresponding diplomatic rank ruled him out as a potential Review Conference President, he showed remarkable skill at guiding the PrepCom to a consensus outcome.

The confrontational geo-political context loomed large in the room with many references to the invasion of Ukraine by Russia. The allegations about US-funded biological facilities in Ukraine were repeated by the Russian delegation many times. It is not clear what the end game for the Russian policy of focusing on these allegations is meant to be. The allegations found little traction at the PrepCom, as many experts attending from across the world highly familiar with peaceful biological research programmes could see nothing in what had been published that was inconsistent with peaceful research. Unless some dramatic new piece of information becomes available, this seems likely to remain the case. The allegations are a reminder that almost anything can be made to appear dangerous if aspects are selectively highlighted. In the 1990s, a mock campaign group was put together calling to ban a particular substance which, amongst other things, was an industrial solvent found in all cancer tumours and which could kill you if inhaled but there were no controls on who could possess it or use it. The vast majority of people presented with the information about this substance were willing to sign a petition calling for controls to be implemented. The substance was water, given the pseudo-scientific name 'dihydrogen monoxide'. As the USA and some of its allies found to their cost since 2002-03, making unsubstantiated claims in the field of biological warfare issues can result in long-lasting reputational damage.

The agreed package that combined appointment of a President-designate alongside a delay to the holding of the Review Conference was possibly the only solution that would have gained consensus. In earlier years it would have been expected that any regional group would actively push back against a possible decision that would have left it without any of the three major posts within a Review Conference. That the NAM group accepted holding only the Chair of the Credentials Committee is possibly a reflection of the bruising experience within the group over the Presidency nomination.

The increased gap between the PrepCom and the Review Conference could be disadvantageous as it may be difficult to maintain focus on key issues without any formal meetings in the interim. During the pandemic lockdown, when it was not possible to hold in-person meetings, a range of virtual events such as webinars were held and the continuation of some of these might prove beneficial. Within the PrepCom itself, the reduced COVID precautions allowed for a greater attendance than at recent BWC meetings and this also led to increased interaction outside of the main conference room. Such informal interactions are key to success in a Review Conference.

The confrontational geo-political context makes it harder to define what might be considered success at the Review Conference. There is still much work that needs to be done to formulate a balanced package of measures that might garner consensus. One unknown quantity is the US proposal to establish an expert group to consider compliance issues. It is not clear how much traction this will gain amongst states parties. This PrepCom had far fewer working papers presented to it than had been the case in 2016 – early submission of working papers for the Review Conference itself may help gather support for ideas.

This is the seventh and final report from the Preparatory Committee for the Ninth BWC Review Conference held during 4-11 April 2022 in Geneva. These have been produced for all BWC meetings since the Sixth Review Conference by the BioWeapons Prevention Project (BWPP). They are available from <<http://www.bwpp.org/reports.html>> and <<http://www.cbw-events.org.uk/bwc-rep.html>>. A subscription link is available on each webpage. The reports are written by Richard Guthrie, CBW Events, who is solely responsible for their contents <richard@cbw-events.org.uk>.