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## The Eighth BWC Review Conference: setting the scene

The Eighth Review Conference of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) offers the opportunity for the States Parties to carry out a full review of the purposes and the provisions of the Convention, taking into account relevant scientific and technological developments. The three-week Review Conference is being held in Geneva.

The Review Conference was preceded by a Preparatory Committee (PrepCom) that met in two sessions during April and August. In an unprecedented move, the PrepCom considered a number of substantive issues, although it had no mandate to reach conclusions. These additional days of substantive discussion should assist consideration of issues this year, although there is a danger of repetition of some discussion rather than exclusively building upon what has already been considered.

The Conference will follow the Provisional Agenda agreed by the PrepCom. This draft agenda, together with the draft programme of work have been circulated by President-designate Ambassador György Molnár of Hungary. These have been put on the BWC website run by the Implementation Support Unit (ISU) <<http://www.unog.ch/bwc>>. Other Conference documents, such as the Working Papers and background information papers that have already been submitted, are also posted here. Official documents (those that start BWC/...) are also on the UN documents server <<http://documents.un.org>>. The BWPP daily reports from the 2006 Review Conference, and all official meetings since (including the PrepCom), are available via the links listed overleaf.

### Issues relating to the Eighth BWC Review Conference

There are a number of issues that will be discussed during the Review Conference. A selection are characterized here following the allocation of topics to facilitators, together with an outline of other issues. The President-designate has indicated that further facilitators may be appointed later.

A key part of the final document is that containing the overarching political statement. The 'Solemn declaration' facilitator is Ambassador Boudjemâa Delmi (Algeria).

Access to peaceful uses of the life sciences is covered by Article X of the Convention, embodying a bargain that the renunciation of biological weapons and the control of the hostile uses of the life sciences should be implemented in such a way as to facilitate and promote the use of the life sciences for peaceful purposes. The facilitator for 'Assistance and cooperation' is Zahid Rastam (Malaysia).

The ongoing rapid advances within the life sciences mean that the BWC operates within a rapidly changing scientific and technological (S&T) context which includes advances for peaceful uses as well as possible hostile uses. The need for the Convention to operate effectively within this constantly changing context has led to various proposals as to how some form of ongoing review of S&T developments might be carried out. The 'Science and technology' facilitator is Laurent Masméjean (Switzerland).

The importance of national implementation of Convention obligations has been regularly highlighted. Many states parties have incomplete domestic implementation measures and there is wide recognition there is much room for improvement. Moreover, S&T developments mean that regular reviews of measures help keep them effective. The 'National implementation' facilitator is Ambassador Michael Biontino (Germany).

Response to use of biological weapons falls within Article VII of the Convention which provides for assistance by States Parties if a State Party is 'exposed to danger' because of a breach of the Convention. The 'Article VII' facilitator is Ambassador Alice Guitton (France).

The current ISU mandate ends at this Review Conference. In renewing the mandate, the Review Conference is likely to also consider the scope of the work of the ISU and the level of staffing. The scope of work will be connected with whatever inter-sessional work programme (the series of meetings between review conferences) is agreed. Three inter-sessional processes have been carried out so far. The facilitators for the 'Future intersessional work programme and the ISU' are Ambassador Tehmina Janjua (Pakistan) and Ian McConville (Australia).

BWC membership has risen from 165 at the 2011 Conference to 177 with the Marshall Islands, Cameroon, Nauru, Guyana, Malawi, Myanmar, Mauritania, Andorra, Côte d'Ivoire, Angola, Liberia and Nepal acceding or ratifying – the last two on the Friday before the Review Conference. There have been occasional ambiguities about legal succession across a wide range of multilateral treaties when states gain independence. During 2016, formal clarifications of succession status have been received by the depositaries from Dominica and Vanuatu. Membership remains lower than for the comparable nuclear and chemical treaties.

Most controversial, perhaps, is the issue of verification with some delegations expressing desires to start negotiations on new arrangements and others suggesting the opposite. Some complementary arrangements have been proposed, such as peer review and compliance assessment, which are intended to build greater confidence in compliance through transparency in effective national implementation. A counter argument to these proposals is they are a distraction from the creation of formal verification arrangements.

### **Contextual events**

The Review Conference is being convened less than a week after the First Committee of the UN General Assembly concluded its proceedings in New York. With nuclear disarmament and Syrian chemical weapons issues producing highly contested votes for draft resolutions, this First Committee session has had a more divided atmosphere than in recent years, although this did not affect draft resolution L.56 on the BWC which was adopted by consensus. While many of the disarmament ambassadors from across the world have flown back to Geneva having been working together in New York for the past few weeks the BWC specialists have travelled in from capitals and this may have had an impact upon preparation time for the Review Conference. Divergences of opinion in the UN Security Council and in the Executive Council of the Organization for the Prohibition of Chemical Weapons over responses to chemical weapons issues in Syria may also influence the political context.

There is a notable anniversary during the Review Conference as the halfway point (i.e., the middle Wednesday) marks 45 years since the adoption by the UN General Assembly of resolution 2826 (XXVI) which commended the Biological Weapons Convention to member states and led the way for the Convention to be opened for signature in April 1972.

*This is the first report from the Eighth BWC Review Conference. These reports have been produced for all official BWC meetings since the Sixth Review Conference in 2006 by the BioWeapons Prevention Project (BWPP). They are available via <<http://www.bwpp.org/reports.html>> and <<http://www.cbw-events.org.uk/bwc-rep.html>>. A subscription link is available on each page.*

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