

Wednesday 23rd November 2016

The Eighth BWC Review Conference: waiting for the end-game

Tuesday began with a further meeting of the Committee of the Whole (CoW) which took the whole morning. The afternoon was taken up with an update on financial issues and a plenary discussing the Solemn declaration.

The annual UN Bazaar caused some distraction from the proceedings in the meeting rooms, although this distraction was rather pleasurable as there were stalls serving traditional foods from their parts of the world as well as selling other goods. It would appear facilities will be back to normal from Wednesday.

Underpinning much of the discussion of the day was the expectation that the President of the Review Conference, Ambassador György Molnár of Hungary, would be putting together a new non-paper, as had been announced on Monday. By the close of formal proceedings on Tuesday, no new non-paper had been circulated.

Committee of the Whole

The CoW continued with what is effectively its 'fourth reading' of the article-by-article review, starting with a discussion of Article V; by lunch it had reached Article VII. The CoW carried out its proceedings behind closed doors and appears to have made little substantive progress in this session. At the end of the day's formal proceedings there were informal consultations facilitated by the Chair of the Committee of the Whole, Ambassador Michael Biontino of Germany.

Financial issues

The Chief of the Implementation Support Unit (ISU), Daniel Feakes, provided an update on financial issues during the afternoon. Further work on estimating the costs for the activities proposed in the non-paper circulated on Thursday had brought the estimates down to USD 1.985 million from the USD 2.303 million presented on Monday. The annual cost of the ISU and the Meeting of Experts and Meeting of States Parties was USD 1.387 million during the last inter-sessional process (2012-15). The cost estimate of activities in 2016 remained at USD 1.967 million.

A request was made for a breakdown for what this would mean for each state party. The President noted that as the proposed sum was very similar to the total for 2016, the assessments for this year would provide a good guide. [*Note: the scale of assessments were published for the Preparatory Committee and can be found in document BWC/CONF.VIII/PC/6.*]

There followed a discussion on the position of the ISU within the UN Office for Disarmament Affairs (UNODA). The discussion was started by Iran, who had noted that the open ended working group (OEWG) on nuclear issues had been paid for out of the UN regular budget and had wondered if there might be space in this budget to carry out the work of the ISU. The delegation indicated it was not calling for a switch, merely to see whether unused resources could be unlocked to save the BWC states parties some funds. Mary

Soliman, Acting Director, UNODA Geneva Branch, stated that the nuclear OEWG had been funded from the regular budget following a specific decision of the UN General Assembly and indicated the UNODA did not have the spare capacity to take on further tasks. In short, whether the ISU was paid directly by the BWC states parties or through the UN regular budget, the costs would be about the same. It was also noted that, as the BWC membership is lower than that of the UN, non-states parties would be contributing to the costs of support of the BWC.

Solemn declaration

The afternoon saw a further plenary on the Solemn declaration with Ambassador Boudjemâa Delmi of Algeria as facilitator on this subject taking the Chair. He noted that a number of informal consultations had taken place and that he was extremely satisfied with the results emerging from them. He outlined three principles that had guided him in his work on the Solemn declaration, which he described as a 'political declaration': it should reiterate positions from the previous Review Conferences; it should be taking a consensus position, not that of any particular person or group; and, it needs to focus on the main aims of the Convention. He put forward a text that resulted from the consultations and which focused on particular areas of contention, including accountability in any case of use of biological weapons and on international cooperation. Ambassador Delmi suggested that where there was no agreement on text, the language used should revert back to that used in the Seventh Review Conference.

The paragraph-by-paragraph review of the facilitator's text did not get far before there was a request to re-insert an earlier proposed amendment on which it had not been possible to reach agreement during earlier consultations. This was followed by a number of similar requests, resulting in a text that was less clean than at the start of the session.

On the issues surrounding the areas of contention identified by Ambassador Delmi, there was some substantive discussion but no agreement on new text.

Expectations for the final days of the Review Conference

The pace of formal proceedings in the conference room is too slow to be able to reach their conclusions before the end of the Review Conference. Indeed, such proceedings might be considered as 'marking time' while the President's non-paper is being prepared. This has been a pattern of activity seen in some earlier Review Conferences attended by this author.

Much will depend on how much traction the new non-paper can gain with delegations. Even if it is seen as a workable text, it will be subject to intense further negotiation, including late-night sessions, to bring the Review Conference to its conclusion.

Side events

There was one side event on Tuesday. It was held at lunchtime and convened by VERTIC on 'BTWC - Implementing Legislation Analysis and Online Legislative Assistance Tool'.

Erratum

Many thanks to all those who spotted that report no 12 started with the words 'The second week of the Review Conference' when it was indeed the start of the third!

This is the thirteenth report from the Eighth Review Conference of the Biological and Toxin Weapons Convention (BWC/BTWC). 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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