

Thursday 24th November 2016

Entering the endgame: a new text and a new move towards consensus?

Wednesday began with a further meeting of the Committee of the Whole (CoW) which took most of the morning. This was followed by some brief general debate statements. The afternoon was taken up with a plenary discussing the Solemn declaration.

The significance of the official proceedings was overshadowed by the circulation of two documents: the draft report of the Committee of the Whole (CoW); and the 'President's Proposal' which is a non-paper containing a draft of what would constitute the forward-looking 'decisions and recommendations' section of the Final Document. It is clear that much work has gone into the two documents, but as they were distributed roughly an hour after the closure of formal proceedings on Wednesday, it is too early to be able to assess the reactions of delegates to what has been published. The last two days of the Conference are likely to be very challenging.

Committee of the Whole

The Committee continued with its 'fourth reading' of the article-by-article review during the morning, behind closed doors.

The draft report of the CoW was made available to delegates after the usual end of the working day. It is a short procedural-style report with two annexes. The first annex is a compilation of all the proposed textual amendments to the article-by-article review resulting from the Seventh Review Conference. The second is a text prepared the Chair of the Committee, Ambassador Michael Biontino of Germany, under his own responsibility with a recognition that this text had not been agreed by the CoW.

General debate statements

Two additional prepared statements were made on Wednesday, by Libya and Argentina. Amongst other things, Libya referred to its implementation activities, such as the National Committee for Biosecurity and Bioethics. Argentina spoke to a new working paper on universalization, WP.43, submitted by a group of Latin American states – a similar grouping presented papers to the 2006 Review Conference and the 2007 inter-sessional meetings. After some discussions on procedure relating to the expected documents, Morocco took the floor to say that following its experience with a Peer Review exercise in France it was now intending to carry out such an exercise of its own. France then took the floor to congratulate Morocco on this initiative.

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. Progress was made on the paragraph relating to terrorism which had had a number of suggested amendments to it. A new text for this paragraph, jointly proposed by India, Russia and the United States, overcame some of the earlier issues. Amendments to this new text were proposed, with some being accepted. Further work will be needed.

‘President’s Proposal’ – outline

The President of the Review Conference, Ambassador György Molnár of Hungary released his new non-paper at around 7pm Geneva time on Wednesday. It is just over five pages (down from seven for the relevant part in the non-paper from last Thursday).

The ‘President’s Proposal’ includes an overt recognition of the need to balance an ambition to improve the inter-sessional programme of work within resource constraints that include financial and human factors.

The suggested programme consists of four open-ended working groups (OEWGs) plus annual Meetings of States Parties (MSPs). The suggested OEWGs broadly follow the subject areas within the non-paper from the second week but in some cases have slightly amended titles: ‘Science & Technology’; ‘National Implementation’; ‘International Cooperation’; and ‘Preparedness, Response & Assistance’. In this iteration, each group now has a much more concise list of topics to discuss during the inter-sessional period.

Rather than spend 2.5 days per year on each OEWG topic, the ‘President’s Proposal’ non-paper suggests that the OEWGs alternate so each has 5 days per two years. The suggested pattern would be for the Science & Technology and International Cooperation OEWGs to meet in the first and third years of the inter-sessional period (i.e., 2017 and 2019); and for the Preparedness, Response & Assistance and National Implementation OEWGs to meet in the second and fourth years (i.e., 2018 and 2020).

The non-paper states that OEWGs should operate on the basis of consensus. In the absence of consensus on any recommendations, ‘the reports will reflect all views’.

The Science & Technology OEWG is the subject area most changed from the earlier non-paper. In the earlier iteration, this was a committee rather than an OEWG. The membership is now open-ended, but states parties are invited to nominate for each meeting one or two scientific experts ‘to contribute to its work in an individual capacity’. There is a suggested special topic of gene editing for the session in 2017 with the special topic for 2019 to be determined by the 2018 MSP.

The National Implementation OEWG includes Article III and Article V issues within its mandate as well as ‘the role of international cooperation and assistance’ as part of Convention implementation.

The International Cooperation OEWG contains a decision to continue the Article X database with a mandate for it to be made ‘more user friendly and comprehensive’. The suggested discussion topics are similar to those of previous inter-sessional meetings.

The Preparedness, Response & Assistance OEWG section of the document contains a decision to establish an Article VII database as well as an invitation to states parties to ‘submit on a voluntary basis specific offers for assistance, information about capabilities that might be available, and/or national points of contact.’

Under the ‘President’s Proposal’ the mandate of the Implementation Support Unit (ISU) is prolonged until the Ninth Review Conference. The non-paper retains the earlier proposal of expanding the ISU, this time noting that ‘in consideration of the already under resourced staffing and budget profile of the ISU given its existing workload, the Conference decides exceptionally to the following enhancements to the ISU budget to cover 2 additional professional posts.’ It is hard to see how the package of work could be effectively implemented without this exceptional change to the staffing of the ISU. The non-paper notes the importance of recruitment of staff on ‘as wide a geographical basis as possible’.

Side events There were no side events on Wednesday.

This is the fourteenth 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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