

Wednesday 30th November 2022

The second day: the general debate and points of order

The second day of the Ninth Review Conference for the Biological and Toxin Weapons Convention (BWC/BTWC) saw the continuation of the plenary exchange of views known as the general debate.

High-level statements were made by the UK and the USA. These were followed by statements from Saudi Arabia, Sierra Leone, Malaysia, Argentina, Spain, United Arab Emirates, Burkina Faso, Kyrgyzstan, Libya, Mexico, Poland, Mozambique, Cuba, Norway, Morocco, El Salvador, Namibia, Montenegro, Iran, Hungary, Peru, Venezuela, Ireland, Ukraine, Samoa, Belgium, Holy See, Ecuador, Kenya, Slovakia, Romania, Brazil, State of Palestine, Panama, Qatar, Portugal, Zambia, Côte d'Ivoire, Guatemala, Thailand, Bolivia, Niger, South Africa, Jordan and Sudan. Egypt made a statement as a signatory state. This was followed by rights of reply statements from the USA, Russia, Israel and State of Palestine. The Conference then moved on to statements from international organizations and UN agencies: the International Centre for Genetic Engineering and Biotechnology, the UN Technology Bank for the Least Developed Countries, the World Organization for Animal Health, the Shanghai Cooperation Organization, Interpol and the North Atlantic Treaty Organization (partial).

The statement by Ukraine included comments on the military situation there. Four points of order were raised by Russia during this statement, each time with the claim that issues being raised were outside of the remit of the BWC. In response, each time, the President of the Review Conference, Ambassador Leonardo Bencini of Italy, ruled that he wanted to give delegates some flexibility and allow them to develop their arguments to show why what they were raising was relevant to the BWC. At the end of the national statements, the USA used its right of reply to highlight that senior Russian political figures had made remarks claiming to justify the military action because of supposed evidence of components of biological weapons being made in Ukraine. This, the US argued, meant the invasion was relevant to the BWC. In reply, Russia argued that the West was trying to avoid awkward questions about military-sponsored research in Ukraine. The statements by international bodies ran smoothly until NATO spoke of Russian disinformation in relation to Ukraine. Russia raised points of order claiming the rules of procedure did not allow for oral statements from observer organizations. In view of the late hour, the President suggested suspending the meeting to return to this question in the morning. The NATO statement was thus partially presented.

General debate themes

This discussion on themes draws from statements given on Monday and Tuesday and themes are listed in no particular order. Further themes including national implementation, Article VII issues and the BWC Implementation Support Unit (ISU) will be explored in future daily reports.

Universality – As with all BWC meetings there were calls for universal membership of the BWC with reminders that the Convention cannot achieve its overall aims if there is even one state outside of it that might be capable of acquiring or using biological weapons. There were welcoming words for the states parties that had joined

since the last Review Conference and many specific welcomes for Namibia which had joined in 2022. Many statements called for states that were not yet parties to join the Convention.

Article X / cooperation and assistance – This is an issue area where there have been consistent strongly held views with no obvious significant changes in overarching positions from those put forward in earlier meetings. Calls for creation of a cooperation committee were made by those who had previously done so. Issues around capacity building in relation to Article X (and Article VII) were prominent, with some discussion of the challenges of matching needs for assistance with offers. The Cooperation and Assistance Database, commonly known as the ‘Article X database’, was mentioned many times together with suggestions that it would be useful to improve its functionality. The France/Senegal/Togo ‘SecBio’ proposal was highlighted as a way to help implement Article X. There were calls for the addition of a cooperation and assistance officer to the ISU. There seemed to this author to be fewer explicit calls for Article X to be a specific topic in any future inter-sessional work programme but this may simply reflect that most states expect it to be so and therefore focus on calling for other things.

Review of scientific and technological (S&T) developments – No statements disagreed with the idea that there are rapid S&T changes that BWC states parties need to be aware of. Almost all statements referring to S&T issues were explicitly in favour of some form of ongoing systematic review process, notwithstanding some differences in perspectives on how such a process might be structured. Iran, which has had a long-standing focus on cooperation and assistance issues, had a different emphasis, suggesting that any review process for S&T developments within the context of the Convention ‘should have tangible results for developing states’. There were calls for the addition of an S&T officer to the ISU.

Confidence-Building Measures (CBMs) – The record number of submissions this year (95 so far) was noted by a number of delegations with a few noting that this was not much more than half of the number of states parties (currently 184). There were calls to improve the number of returns as well as some calls to improve the quality of information provided. Only one substantive suggestion for amending the information submitted was put forward which was by Russia calling for military-funded labs outside the territory of a state party to be reported. Unlike earlier meetings there was little expression of encouragement for states parties to make CBM returns public.

Compliance / verification / proposal for a temporary expert working group – A large number of statements suggested that the BWC would be significantly strengthened if it had some form of compliance measures. Some statements highlighted the US withdrawal from the negotiations for a protocol that had been taking place in the Ad Hoc Group and called specifically for a return to the protocol negotiations. These were consistent with similar statements made over the years. But there were many statements with a somewhat changed tone, including a number of Western states calling for formal compliance measures who had been much more muted in the past when they were aware the US would have opposed progress in this area. There were numerous expressions of support for the temporary expert working group proposal in the Canada/Netherlands working paper. The US statement referred to the need for a better understanding of what was required for an effective understanding of compliance and, for the first time in many Review Conferences, used the term ‘verification measures’ in a positive context.

Side events

There were four side events on Tuesday – two at breakfast and two at lunchtime. Details are provided on the Conference website.

This is the third report from the Ninth BWC Review Conference (28 November-16 December 2022). These reports 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 <<http://www.bwpp.org/reports.html>> and <<http://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>.