

Monday 11th December 2023

## WG discussions on organizational, institutional and financial arrangements and adoption of the WG3 report

Friday, the final day of the Third Session of the Working Group (WG) on the strengthening of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC), was devoted to the topic of 'Measures on organizational, institutional and financial arrangements'. To assist with discussions on this topic Husham Ahmed (Pakistan), Ambassador Ichiro Ogasawara/Shigeru Umetsu (Japan) and Arsen Omarov (Kazakhstan) were appointed as facilitators/Friends of the Chair (FoCs).

The official webpage for this session that hosts presentations, statements, documents and details of side events is at <https://meetings.unoda.org/meeting/67453>. Official BWC documents are also available via <https://documents.un.org>.

### ISU presentation

Rather than start with a panel discussion, as the topics had started on each day earlier this week, the substantive part of Friday started with a presentation by the Implementation Support Unit (ISU). ISU Chief Daniel Feakes reminded delegates that the ISU was a recent innovation having been founded by the Sixth BWC Review Conference (2006) with some additions to its role being decided by the following conference in 2011. The legal position is that it requires a decision at each Review Conference for it to continue. The ISU started with three staff, which was increased to four following a decision at the Ninth BWC Review Conference (2022). The ISU is paid for from assessed contributions to the BWC and receives no income from UN funds. There is funding from voluntary contributions that allows for additional activities that fall outside of the regular ISU budget, such as support for the Article X database and the sponsorship programme. While the voluntary contributions are valuable, more predictable core funding would allow for further additional activities such as capacity-building.

Many delegations from across the geographical regions took the floor to express support for the ISU. Some highlighted the challenges of funding and suggested that the ISU should be put on a permanent footing. A related suggestion was for the ISU to continue until any specific Review Conference decision to disband it or replace it.

### Substantive discussions

As with earlier topics, delegations that had submitted relevant working papers were encouraged to introduce them at the beginning of discussions.

Kazakhstan introduced two papers, WP.1 and WP.2, that relate to its proposal for an International Agency for Biological Safety. The first is an update to the concept paper that has taken into account consultations with other stakeholders. The second contains elements that might be included in the legal arrangements for such an agency. In response, other delegations took the floor and provided broad expressions of support for the initiative – either for the proposed agency itself or for the opportunity it provided to discuss what form of institution would be useful for the BWC in the future. Some

interventions raised concerns about whether such the proposed agency might duplicate other activities. Differing perspectives were expressed over the role of the UN Security Council in overseeing the proposed agency. As with ISU discussion, delegations from across the geographical regions took part in the discussion of these two working papers.

In the broader debate that followed, it was noted that the BWC was the only treaty prohibiting a category of weapons of mass destruction that did not have a permanent institution. Other than the Kazakh proposal, there were no specific structures suggested. The phrase ‘form should follow function’ was used a number of times in this context as well as the suggestion that any institution within the BWC must be a means to an end, not an end in itself. Questions were raised on what role the ISU or any new body would have in support of the two proposed mechanisms on international cooperation and assistance and on reviewing scientific and technological developments. Some delegations noted there needed to be some near-term and medium-term decisions on institutional arrangements. There were calls for staffing of any institution to have a fair geographical and gender balance and calls for any BWC institution to mainstream gender policies.

There were calls for finances for BWC activities to be more predictable. A number of interventions urged states parties to pay their assessed contributions in full and in a timely manner. It was noted that every proposal for new activities has a price tag. The three criteria for any new compliance and verification arrangements suggested by the Friends of the Chair for that topic – ‘politically palatable’, ‘technologically feasible’, and ‘financially viable and sustainable’ – were cited under this topic.

In line with the emerging practice, the Friends of the Chair provided some thoughts on how discussion on the topic was developing. They noted that they saw their role for this topic to be to ease discussion. Without any intention to presuppose the outcomes of the WG, the FoCs were preparing a non-paper which would include illustrative figures for likely costs of various measures that might be proposed under other WG topics. The non-paper would also include a template to help match proposals with their organizational, institutional and financial implications.

### **Adoption of the procedural report of the Third Session**

Usually the adoption of a procedural report by a BWC meeting is a fairly routine matter as they are factual statements about the meeting. The exception is when there are questions raised about some aspect of the meeting. In this case, Russia raised questions about the status of working papers submitted by the European Union and published on the final day.

The general sense in the room was that this had more to do with the geo-political situation than with a specific issue in the BWC. Russia phrased its objections in a way that seemed intended to provoke a strong reaction from EU member states and such a reaction was forthcoming. That delegation connected the issues it was raising with the points it raised on Monday about practice diverging from what was written in the Rules of Procedure and suggested that since its interruption of the NATO statement at the Ninth BWC Review Conference that previous practice had been terminated. No other delegation took the floor to support the Russian position.

As the plenary meeting room needs staffing to run its systems, including the audio system, the WG had to move to a smaller room to work without interpretation after 6pm. A number of informal consultations were carried out before a solution that allowed the report to be adopted by consensus was found. One element of this was the formal adoption of a decision about the presence of the EU at the WG session and its ability to put forward its views in writing. The report was adopted at 20.19 and the meeting was promptly closed.

*These reports have been produced by the BioWeapons Prevention Project (BWPP) for all BWC meetings with NGO registration since the Sixth Review Conference (2006). They are available from <https://www.bwpp.org/reports.html> and <https://www.cbw-events.org.uk/bwc-rep.html>. A subscription link is available on each webpage. Financial support for reporting for the Third Session of the Working Group 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](mailto:richard@cbw-events.org.uk)>.*