

Monday 18th August 2025

## The WG6 halfway point and setting the scene for compliance and verification

At the end of the first week of Sixth Session of the Working Group (WG) on the strengthening of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) the proceedings are running ahead of schedule. The Chair of the WG, Ambassador Frederico S Duque Estrada Meyer (Brazil), has moved on to the next scheduled topic when the previous one has been exhausted for the moment. In addition, time was found on Friday afternoon to have an open exchange taking stock of the current situation. This discussion, plus those on confidence-building and transparency, will be covered in a later report. Overall, the atmosphere of the plenary is broadly positive, although there are occasional hints from delegations that have blocked progress in the past that key divergences remain.

### **Compliance and verification in context**

It has often been noted that the BWC is the only core WMD convention without an associated verification regime. One factor is that biological materials can be hard to verify through material balances (as chemical and nuclear materials can be by checking that quantities of particular materials going in and out of a process or facility) because living organisms reproduce and die. While lessons may be learned from implementation of verification arrangements within other regimes, it is not possible to simply adopt a system from another regime. For example, the chemical control system was not copied and pasted from the nuclear regime, but lessons were learned from it.

There remains a lack of a shared understanding of the underlying concept of verification and that of compliance in the context of the BWC. This may be a consequence of the lack of detailed discussion on this topic for over 20 years. There is some common ground around understanding compliance as the goal and verification as a tool to contribute to this. There is a shared acceptance that there is no single technique that deals with all aspects of things that might be considered desirable to verify, but no common list of what might be the physical items subject to verification, be they laboratories, other facilities or stocks of pathogens.

There had been a group of government experts to identify and examine potential verification measures from a scientific and technical standpoint that had become known as 'VEREX'. This identified 21 potential on-site and off-site verification measures which it reported in September 1993 that 'some of the potential verification measures would contribute to strengthening the effectiveness and improve the implementation of the Convention, also recognizing that appropriate and effective verification could reinforce the Convention'. This led to creation of an Ad Hoc Group (AHG) to consider a legally binding protocol to strengthen the BWC including verification measures. In 2001 the AHG failed to reach consensus on its work. Therefore the scientific and technical aspects of verifying compliance with the BWC have not been a thoroughly examined since completion of the VEREX report in 1993.

The general purpose criterion (that prohibitions apply to materials and technologies unless for peaceful purposes) that underpins the Convention is widely recognized by analysts as being key to understanding compliance, but it rarely gets mentioned directly at a diplomatic level. As many materials and technologies could be

used for both peaceful and hostile purposes getting implementation of the general purpose criterion correct is vital to ensure compliance measures do not hinder peaceful uses.

A theme of WG6 has been looking at the costs of measures that might be adopted to strengthen the BWC. There are challenges to understanding the balances between costs and benefits in this topic that don't apply to other WG topics. For example, if a decision is taken to double expenditure for international cooperation and assistance (ICA) projects it is reasonable to assume that twice as much capacity-building or other benefits would result from this. However, when it comes to verification, doubling the expenditure does not double the level of confidence in compliance. While it can be tempting to think of verification and compliance as a purely technical topic, it has at its core a policy-driven question: how much verification is enough?

### **Discussions in the WG and the rolling text**

This topic was previously discussed during the Third (December 2023) and Fifth (December 2024) Sessions. Working papers focused on (or with significant sections on) compliance and verification from WG3 include: WP.5 (Russia), WP.6 (UK), WP.8/Rev.1 (Denmark, Kenya, Malawi, Montenegro, Norway, Panama, Singapore, Thailand and Uruguay), WP.9/Rev.1 (USA), WP.10 (China), WP.11 (Iran), WP.13 (Russia), WP.17 (EU). Those from WG5 include: WP.6/Rev.2 (France with co-sponsors), WP.7 (Germany), WP.9 (Russia), WP.11 (Switzerland), and WP.13 (EU).

As with other WG topics, there have been active Friends of the Chair – Ambassador Robert in den Bosch (Netherlands) and Alonso Martínez (Mexico). In 2023 they identified three criteria for any arrangements: politically palatable, technologically feasible, and financially viable. In many ways this would come down to a question of how much to pay for what levels of effectiveness. Further work by the Friends of the Chair led to the conclusion that there was need for something like an open-ended working group (OEWG) to deal with the challenge that there is common ground on the need for verification of some sort but quite a diversity of perspectives on the details of how it might be carried out.

The proposal for an OEWG has been raised already during WG6 when questions about how it might interact with activities to review scientific and technological developments and to provide S&T advice. The possibility of duplication is likely to be discussed further.

A key sub-topic at the WG has been how to deal with past negotiations. Several states parties have indicated that the VEREX study and negotiations within the AHG may contain some useful elements for discussions within the WG. The number of calls to return to either of the texts being worked on at the AHG has reduced as the WG has discussed this topic further. Ambassador Meyer noted during WG5, while discussing the history: 'Last but not least, we should also recall that there were still wide divergences among states parties on the many fundamental issues in the text being negotiated by the Ad Hoc Group'. [Note: the Chair was posted in Geneva on the disarmament delegation of Brazil during the last stages of activity in the AHG.]

The longest section of the rolling text circulated by the Chair shortly before WG6 is on compliance and verification. The vast majority of the language in this section is about the proposed OEWG, for which it suggests a mandate in paragraph 21 for examining 'concrete compliance and verification measures, including possible legally-binding measures, aimed at building confidence in compliance, and detecting and deterring non-compliance' adapted to the biological field. The OEWG 'will consider the political, technical, legal, personnel and financial aspects of any proposed compliance and verification measures'. The text gives suggestions for administration and operation of the OEWG. In particular, it suggests in paragraph 23 that the OEWG should address seven specific issues and the scope of these are likely to be discussed during WG6.

*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. 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)>.*