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The 2017 Meeting of States Parties: setting the scene

The 2017 Meeting of States Parties (MSP) is being convened after the failure of the Eighth Review Conference for the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) to agree an on-going work programme.

BWC Review Conferences have been held on a five-year cycle and the previous three Review Conferences had agreed on programmes of inter-sessional meetings intended to be practical and focused on developing 'common understanding and effective action'. The Eighth Review Conference, held in November 2016, had received a number of proposals for inter-sessional activities but consensus could not be reached on a programme. Instead, the only Final Document that could be agreed was one that did not include any substantive discussion topics for inter-sessional work but did include an annual MSP without a specific agenda apart from the first year in which it 'will seek to make progress on issues of substance and process for the period before the next Review Conference, with a view to reaching consensus on an intersessional process'. The document also preserved the Implementation Support Unit (ISU), the small nucleus of support staff for the Convention.

The MSP will be chaired by Ambassador Amandeep Singh Gill of India, assisted by Ambassador Michael Biontino of Germany and Ambassador Juraj Podhorský of Slovakia as Vice-chairs. The agenda and an indicative schedule for the meeting have been published together with a number of Working Papers (either in formal or advance copy versions) along with other materials such as the report on universalization activities [Samoa joined the BWC during 2017] and the annual report of the ISU. These can be found via the ISU website <<http://www.unog.ch/bwc>>; official documents can also be found via the UN server <<http://documents.un.org>> (identifiers for official documents for this meeting all start BWC/MSP/2017/).

Prospects for progress

It is hard at this stage to assess prospects for the MSP. There was one state in particular, Iran, that pushed for a minimalist outcome from the Review Conference. The motivation for this appeared to be a desire for a legally binding instrument to enhance the BWC that would include verification provisions, coupled with a belief that an inter-sessional programme would be a distraction from efforts to achieve such an instrument. Numerous other delegations are in favour of such an instrument (although see it as impossible to negotiate in the current political context) but regard an inter-sessional programme as the best way to make progress in the circumstances. The driving influences for the actions by the delegation of Iran seem to be mysterious to many other delegates and gaining a better understanding of these motivations may be key to possible success.

There have been a number of preparatory events in the run-up to this MSP. Perhaps the most notable of these was an international conference entitled 'Global Biosecurity Challenges: Problems and Solutions' held in Sochi, Russia on 1-2 November. Deputy Foreign Minister Ryabkov actively participated in the conference – a strong

indication of high-level political interest in the subject matter. A Russian-led statement by the three BWC depositary states (Russia, UK and USA), issued to coincide with the conference, stated ‘it is vital to redouble efforts to build consensus around the next programme of work the adoption of which in our common view must be the main outcome of [the MSP]’ – a further clear sign of a Russian intention to seek a substantive outcome from the Meeting. As Russia and Iran appear to operate so closely together in other fields in which they are allies it is noteworthy that they have expressed divergent views in this area.

It should also be noted that there are clearly external influences that arise from disagreements between major players in other forums, but as there is a reasonably solid global consensus that biological threats should be tackled these may not impinge too much.

If there is no outcome from this MSP, it is unlikely that agreement could be reached before 2021, even if delegations used a loose interpretation of the mandate in future years. In other words, this MSP is the final chance for a BWC inter-sessional process.

Inside or outside the formal BWC structures?

If there is no agreement at the MSP, it is likely that governments will move activities to reduce deliberate biological threats away from the BWC. With resources freed up from not holding an annual Meeting of Experts or convening Open-Ended Working Groups, meetings could be held on specific topics on an ad hoc basis, possibly away from Geneva.

The upshot of this would be that there will be fewer gatherings of diplomats and experts on the BWC in Geneva. It would therefore be harder to promote discussions in the city on the subject of deliberate biological threats. This would weaken the position of Geneva-based diplomats to influence policy on the BWC.

Potential topics for future work

There are a number of topics which have been part of previous inter-sessional work programmes that might be considered for a programme between now and 2021.

Article VII deals with the provision of ‘assistance’ if a State Party is ‘exposed to danger’ because of a breach of the Convention. Recent Review Conferences have agreed this includes dangers from non-state actors. No country is likely to have all of the resources at its immediate disposal to respond to a severe biological attack and there is widespread recognition that there are many improvements that can be made in this area.

Article X of the Convention relates to access to the life sciences, and materials and equipment connected to them, for peaceful purposes; embodying a bargain that the renunciation of biological weapons (and thus the control of the hostile uses of the life sciences) should allow access to the use of the life sciences for peaceful purposes. Cooperation and assistance in this context also includes issues such as capacity building.

Rapid advances in the life sciences mean the BWC operates within a rapidly changing science and technology (S&T) context which changes the nature of challenges the Convention may need to counter as well as providing new opportunities for peaceful uses. These contexts need to be understood to ensure the BWC remains relevant.

The improvement of national implementation of the BWC in ways that are appropriate to national contexts has long been regarded as an important way of enhancing effectiveness of the overall regime to control biological weapons.

The BWC Confidence-Building Measures (CBMs) provide for returns to be submitted on certain relevant activities and facilities. While numbers of returns have been rising, there has been wide recognition that CBM participation could be improved further.

This is the first report from the BWC Meeting of States Parties, being held from 4 to 8 December 2017 in Geneva. 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>>. An email subscription link is available on each page.

The reports are prepared by Richard Guthrie. He can be contacted during the Meeting of States Parties on +41 76 507 1026 or <richard@cbw-events.org.uk>.