

Friday 6th December 2019

## Three MXs, preparations for the Review Conference and annual reports

The Meeting of States Parties (MSP) to the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) continued on Thursday with the conclusion of discussion of the reports from the Meetings of Experts (MXs), consideration of preparations for the Ninth Review Conference, discussion on finances and consideration of annual reports on universality and the Implementation Support Unit (ISU). There was a statement from one international body that had not been available for the general debate – the group of experts for the 1540 committee – and one from a signatory state – South Sudan.

During the afternoon the Chair, Ambassador Yann Hwang (France), circulated a draft of some sections of the MSP final report. He noted an updated version will be circulated on Friday morning.

### **MX3 – ‘Strengthening National Implementation’**

This was a one-day MX chaired by Lebogang Pihlela (South Africa) who introduced the report of the meeting (BWC/MSP/2019/MX.3/2) together with the annex she prepared. Discussion followed in which some interventions focused on Article IV which has been the traditional focus on national implementation discussions. Others included Article III, which is about not assisting others to acquire biological weapons and is often implemented through export controls. A few interventions spoke of implementing all articles, implicitly including Article X on cooperation and assistance. Both here and in the general debate, number of delegates spoke of progress in their country’s national implementation efforts. The system of Confidence-Building Measures (CBMs) was raised here and in the discussion on MX5 with suggestions that the quality of information provided needed to be improved as well as encouraging more countries to submit returns. Chair’s annex comments in support of a CBM assistance network were welcomed. Long held positions by some delegations about CBMs not being a substitute for verification were reiterated. There were a number of calls for the CBM forms to be updated. Russia proposed including military medical activities in the territory of other states into the CBMs.

### **MX4 – ‘Assistance, Response and Preparedness’**

This was a two-day MX chaired by Usman Iqbal Jadoon (Pakistan) who introduced the report of the meeting (BWC/MSP/2019/MX.4/2) together with the annex he prepared. This is probably the set of issues, focused on Article VII of the Convention, about which there is most cross-regional coherence. Indeed, it was in this area that most progress was made during the Eighth Review Conference. A 2018 proposal from South Africa on guidelines to help a country request humanitarian assistance within the framework of Article VII received considerable support, built on earlier work on the issue by that country. The France/India proposal from 2015 (updated in 2018) for a database on Article VII issues with parallels to that for cooperation and assistance received widespread support. Links to Article X and capacity building in areas such as detection of infectious disease were made. Perhaps the only point where views significantly differ in this area is whether there needs to be a decision by the UN Security Council that an biological weapons attack has taken place before assistance could be provided under the Convention.

### **MX5 – ‘Institutional Strengthening of the Convention’**

MX5 was a one-day Meeting chaired by Laurent Masméjean (Switzerland) who introduced the report of the meeting (BWC/MSP/2019/MX.5/2) together with the annex he prepared. The discussion included calls for a legally binding verification arrangement but also for improving other measures such as CBMs and consultative arrangements under Article V and ways of giving an institutional basis to areas under discussion in other MXs, such as science and technology review. Perhaps the most interesting exchange was one between Iran and the USA. Iran argued that politically binding decisions by Review Conferences did not carry as much weight as legally binding measures and cited decisions of the nuclear Non-Proliferation Treaty (NPT) at its Review Conferences that had not been followed up on. The US reacted by highlighting that November 25 had been exactly 50 years since President Nixon had renounced biological weapons and this political action had ‘paved the way’ to negotiating the BWC soon after. The US representative agreed that legal measures were very valuable and suggested that the essence of US arguments in recent years had been that legal measures were capable of being discussed, but political measures were important too. This prompted Iran (and Russia) to ask why the US was not interested in negotiating legal measures on verification to which the US responded that they had not heard concrete or specific arguments in favour.

### **Preparations for the Ninth Review Conference**

The next five-yearly Review Conference is scheduled to be held in 2021. Procedural decisions to prepare for such Conferences are usually made at the MSP the year before. This time, there are two reasons bringing such decisions a year forward. The first is that upcoming renovations of facilities at the Palais des Nations will impact upon availability of conference rooms. If a decision is not taken soon on timing and duration there may not be rooms available, meaning the Review Conference would have to be held elsewhere at a greater cost. The second is that the financial decisions made in 2018 call for early issuing of invoices to states parties for their assessed contributions. This would mean that a decision on Review Conference duration at the 2020 MSP would be after the invoices had been issued. Based on interventions, it seems that there is an acceptance of the benefits of holding two Preparatory Committee sessions, the first administrative (2 days) and the second substantive (5 days). The divergence was on whether the Review Conference itself should be for two weeks or three weeks. The Chair said he had listened to what had been said and would introduce a proposal in the draft report on Friday.

### **Finances, Universality and the ISU annual report**

The financial position of the BWC was discussed. Introducing his report on finances (BWC/MSP/2019/5), the Chair noted that the Convention was in a more stable financial position than a year before, following the decisions taken at the 2018 MSP. In the discussion, none of the countries significantly in arrears took the floor. It was noted that the collection rate for 2018 of 98.6 per cent was higher than in recent years, but some of this had been received during the current year. There were calls for all of those in arrears to pay these in full and for states parties to pay current assessments in full and on time as this is the only way to solve the underlying financial issues. The Chair noted that time taken for dealing with finances took time away from dealing with substantive issues. Monthly statements on the status of contributions received are posted to the BWC website. The annual report on universality (BWC/MSP/2019/3) was discussed briefly, highlighting actions taken to promote wider membership of the Convention. The annual report of the ISU (BWC/MSP/2019/4) was discussed. Introducing the report, the ISU noted that 78 CBM returns had now been submitted (updating the figure in the printed report) and that all four signatory states had participated in the MSP.

*This is the fourth report from the Meeting of States Parties for the BWC which is being held from 2 to 6 December 2019 in Geneva. These reports have been produced for all BWC meetings since the Sixth Review Conference in 2006 by the BioWeapons Prevention Project (BWPP). They are posted to <<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, CBW Events, who can be contacted via <[richard@cbw-events.org.uk](mailto:richard@cbw-events.org.uk)>.*