

Thursday 16th March 2023

The first day of the BWC Working Group organizational meeting

The Working Group on the strengthening of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) completed the first of two days of meetings on organizational issues on Wednesday. There was considerable discussion on issues in relation to the agenda, duration and handling of topics. Discussions on these will continue on Thursday.

Opening of the meeting and election of office holders for 2023-24

The meeting was opened on Wednesday morning by Mélanie Régimbal, Chief of Service of the UN Office for Disarmament Affairs, Geneva Office. She confirmed the nominations of Ambassador Flávio Damico (Brazil) as Chair and of Ambassador Camille Petit (France) as Vice-Chair by the non-aligned and western groups respectively. Slovakia, as convenor of the eastern group, informed the meeting that the nomination for the other Vice-Chair would be Irakli Jgenti (Georgia). Ambassador Damico was elected Chair by acclamation and took his seat on the podium. He noted there were some exceptional circumstances to his taking this position as, until May, he is also Chair of the Group of Governmental Experts looking at Lethal Autonomous Weapon Systems. Rather than have him steering two processes in parallel, Vice-Chair Petit would preside over the rest of the proceedings for the organizational meeting once appointed. When Ambassador Damico asked the meeting to approve the Vice-Chair nominations, Russia asked for more time to consider the one from the eastern group. This delay was granted. Ambassador Petit was appointed and took on the role of Acting Chair.

Adoption of the Agenda

One of the first tasks of the meeting was the adoption of the agenda. A draft agenda had been circulated to delegates just before the meeting by Ambassadors Damico and Petit which was focused on the organizational aspects of the Working Group. It became clear very quickly that there were differing views on this subject that related to whether this meeting should be adopting an agenda for its own work on organizational matters that was separate from the agenda that would be adopted for the Working Group as a whole, including the sessions on substantive issues. Russia proposed an alternative text, based on the agenda adopted for the Ad Hoc Group (AHG) in January 1995. This included an item on adoption of rules of procedure which was needed for the AHG but not relevant for the Working Group as its rules of procedure were specified by the Ninth Review Conference. Nonetheless, the Russian proposal provided a focal point for discussion which enabled further development of a draft agenda that might be suitable for the Working Group as a whole. Concerns were raised that any agenda adopted at this meeting that would apply for the duration of the Working Group should be simple in scope in order to allow flexibility of activities as these could continue into 2026. On the other hand, concerns were also raised that too much flexibility could lead to long procedural discussions in the future as meetings considered how to tackle particular issues. A new draft agenda was circulated after lunch to delegates for their consideration and possible adoption on Thursday.

Duration of the Working Group

The Ninth Review Conference allocated 15 days of meeting time each year from 2023 to 2026 for substantive discussion within the Working Group. The Review Conference was also explicit in encouraging the Working Group to complete its work before the end of 2025 – the year that marks the centenary of the 1925 Geneva Protocol and 50 years since the entry into force of the BWC. If the Working Group was able to complete its work during the tenure of its initial office holders it would only need 30 working days. If it needed all the possible time allocated it would use 60 working days. This indeterminacy of duration raised further questions about how the Working Group might decide when it had completed its work, but also how the topics should be dealt with to make the best use of available time.

The handling of topics

The seven topics for discussion by the Working Group handed down by the Ninth Review Conference are: (a) international cooperation and assistance under Article X; (b) scientific and technological (S&T) developments relevant to the BWC; (c) confidence-building and transparency; (d) compliance and verification; (e) national implementation of the Convention; (f) assistance, response and preparedness under Article VII; and (g) organizational, institutional and financial arrangements.

There was broad agreement that the topics should remain as specified by the Review Conference. Many interventions noted that the topics were sufficiently diverse that they may need different approaches at times during the Working Group. Some were highlighted as possibly needing more time than others, such as (a), (b) and (d). There were some suggestions that the topics should be allocated a block of time each; for example, the August substantive session of two weeks could deal with one topic in its first week and another in its second.

Ambassador Leonardo Bencini (Italy), the President of the Ninth Review Conference who had overseen the adoption of the mandate for the Working Group, suggested that one approach could be to work through all of the topics in the first two years. The Working Group could assess the situation and repeat this cycle in 2025 to allow topics to be reconsidered if this was desired. There would also be the chance for a further repetition in 2026, if needed. There were a number of expressions of support for this idea. Bencini had used the term ‘cycles’ in his intervention and for some this raised echoes of the repetitive Meetings of Experts from the previous inter-sessional process. Others suggested that potentially useful proposals raised in a session may take time to be considered by delegates but also by their capitals; therefore it would be useful for any process to include a return to topics so that views from capitals could be considered and proposals further developed.

The role of facilitators to deal with specific topics became a topic of discussion. Ambassador Bencini highlighted how useful they had been in making progress during the Review Conference. There was broad support for their use within the Working Group and in particular how they might be able to make progress on issues between formal sessions.

While the current meeting is about procedure rather than substance, there were some comments about aspirations for the Working Group process. An example of how much the debate over strengthening the Convention has changed in recent years was given in a statement by the United States during the afternoon. Ambassador Ken Ward highlighted that the aim of the Working Group included ‘legally-binding measures’ and efforts to ‘institutionalise the Convention’. From the US perspective, the Working Group should therefore be identifying the building blocks that could be taken up in a subsequent formal negotiation to ‘finally achieve an implementation agreement for the BWC’. This is a perspective that country would not have brought into a BWC meeting for much of the past two decades.

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>.