

Wednesday 21st December 2011

Two Days to Go, Late-Night Sessions: countdown to a conclusion?

The Seventh Review Conference of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) continued on Tuesday with a plenary reading of the article-by-article review during the morning and consideration of sections of the forward-looking part of the document in the afternoon. Throughout the day there were also various informal consultations taking place, some involving the facilitators appointed by the President of the Review Conference, Ambassador Paul van den IJssel (Netherlands), and some involving groups of delegates informally discussing possible solutions to logjams that have been appearing. In addition, informal consultations started in the evening and continued into the night, meaning that an evening meeting of the full Conference was avoided. Two groups of consultations were on-going in parallel into the night, one on the article-by-article review and the other, chaired by the President, on the inter-sessional programme (ISP). The ISP group broke at 11.15 with a possible solution that will need to be taken back to delegations for consideration. The article-by-article consultations continued until 11.45 with issues remaining to be resolved.

The clock is counting down. When Review Conferences run into timing issues such as these, the default mode becomes ‘nothing is agreed until everything is agreed’.

Article-by-article review

The morning consisted of a plenary reading of the draft article-by-article review that had been prepared by the Committee of the Whole. This was still without the Solemn declaration being facilitated by Ambassador Alexandre Fasel (Switzerland). The President noted that the Chair of that Committee, Ambassador Desra Percaya (Indonesia) had departed for Jakarta, but that the Indonesian delegation was still acting on his behalf. The run through the articles was rapid, but the arguments raised were mostly ones that had been aired before. States Parties were, however, more specific on which paragraphs they wanted to significantly amend or delete and which they wanted to retain. On a number of occasions there were suggestions for amending or deleting text that had been carried forward from the Sixth Review Conference; this was resisted by other delegations. Overall, a substantial number of key disagreements remained, hence the need for informal consultations in the evening.

Inter-sessional process / programme

Further consultations on the ISP continued on Tuesday under the joint facilitators appointed by the President – Ambassador Jo Adamson (United Kingdom) and Ben Steyn (South Africa). A particular area of contention that remained was whether there should be two or three ongoing topics for the ISP. There were some delegations who wished there to be two topics – science and technology developments, and cooperation and assistance. Other delegations wished there to be a third – national implementation. During the evening another round of informal consultations were held on the subject.

After lunch, a paper was presented to the meeting by Canada on behalf of the ‘JACKSNZ’ (pronounced ‘jacksons’) – the informal grouping of Japan, Australia, Canada,

Republic of Korea, Switzerland, Norway and New Zealand – that was an attempt to mark out some common ground. This paper was very different in tone to that from the group of five – China, India, Iran, Pakistan and Russia – that was presented on Monday. The JACKSNNZ paper also limits the annual meetings to a total of ten days, but does not specify how these should be split between the Meeting of Experts and the Meeting of States Parties.

Forward-looking section – standing agenda items

The afternoon was taken up with an informal plenary meeting that spent most of its time discussing possible topics for standing agenda items. The President noted that all of the issues that could be separated from the ISP had now been discussed in an informal plenary. With time running low, there was a need to discuss issues that touched upon the ISP.

The President circulated a paper with three possible topics in it that was to be discussed without prejudice to whether there would be two or three topics in the final ISP decision. The three topics in the President's paper were untitled, as titles were still the subject of consultations, but were, broadly, science and technology developments, cooperation and assistance, and national implementation. At least one delegation overtly noted their position was that if there were not three ongoing topics, there would be no ongoing topics at all.

The science and technology developments text was derived from the facilitated consultations by Zahid Rastam (Malaysia) and it not only included scope of the overall review but also suggested specific subjects to be discussed in individual years. As this had been facilitated text, there were no substantial disagreements raised in the discussion. The cooperation and assistance text was based on the Gary Domingo (Philippines) facilitated consultations. Again, as this had been derived from facilitated text there were no substantial contradictory positions. The national implementation text had been put together by the President based on what had been raised in various discussions. A number of delegations contributed to this discussion whether or not they were in support of the inclusion of the topic in as an ongoing agenda item. This debate had much more disagreement within it, as might have been expected. Also within this section was a sub-paragraph that would include for discussion 'conceptual and technical consideration of practical ways and means of assuring compliance of States Parties'. Suggestions were made to make this language stronger. However, it was clear that stronger language would not be adopted by consensus.

Forward-looking section – Implementation Support Unit (ISU)

The remaining part of the afternoon informal plenary meeting examined the section in the President's paper from Friday that dealt with the future of the ISU. The President noted that this was one area in which the Review Conference needed to make a decision as the ISU mandate expired automatically as it had only been given a life up until the Seventh Review Conference. The Head of the ISU, Richard Lenanne, introduced the annual report of the Unit to the Conference (document number BWC/CONF.VII/3) and noted how much had been achieved on limited resources. There was universal support for the activities of the ISU with no delegate taking the floor to call for the mandate to be allowed to lapse. However key questions were the size of the unit and its financing. The decision on the size of the unit would be influenced by other decisions taken on the ISP and other possible tasks such as creation of an assistance database. A number of States Parties indicated that they would not wish to increase their assessed contributions to BWC activities and so any increase in ISU staff would have to come from voluntary contributions.

Side Events There were no side events on Tuesday.

This is the thirteenth report from the Seventh Review Conference of the Biological and Toxin Weapons Convention which is being held from 5 to 22 December 2011 in Geneva. The reports are designed to help people who are not in Geneva to follow the proceedings. Copies of these reports and those from the earlier meetings are available via <<http://www.bwpp.org/reports.html>>.

The reports are prepared by Richard Guthrie on behalf of the BioWeapons Prevention Project (BWPP). The author can be contacted during the Conference on +41 76 507 1026 or <richard@cbw-events.org.uk>.