

Monday 22nd November 2021

The 2020 Meeting of States Parties: setting the scene

The 2020 Meeting of States Parties (MSP) of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) will convene in Geneva this week having been delayed by a year owing to the COVID-19 pandemic and the consequent restrictions to protect health. The MSP will be followed by the first day of the first session of the Preparatory Committee (PrepCom) of the Ninth five-yearly Review Conference for the BWC. A BWPP report looking toward the PrepCom appears in the Review Conference preview series available via the websites overleaf.

The BWC was the first treaty to ban an entire class of weapons of mass destruction (WMDs). The Convention operates in rapidly changing contexts, primarily driven by continuing scientific and technological (S&T) developments, but also by political changes. Improved understandings of the processes that underpin life bring new positive opportunities for peaceful uses, such as innovative medical treatments and novel detection methods, but also lead to new negative opportunities for hostile uses. There is a need to ensure that the harmful aspects of developments in the life sciences are prevented as far as possible while allowing the peaceful uses to benefit humankind.

To help keep abreast of developments, the BWC states parties hold regular meetings. The five-yearly Review Conferences provide strategic direction for the Convention. In between the Review Conferences are annual meetings known as the ‘inter-sessional process’ or the ‘inter-sessional programme’. The 2020 MSP is the final meeting of the current inter-sessional work programme and follows the Meetings of Experts (MXs) held earlier this year.

The Eighth BWC Review Conference, held in 2016, had been unable to agree on a new work programme to be carried out in the years running up to the Ninth Review Conference, originally scheduled for 2021. The Eighth Review Conference delegated the 2017 MSP to take the decision on the inter-sessional process. The 2017 MSP agreed to hold five distinct MXs over eight days in the middle of each of 2018, 2019 and 2020, together with a four-day MSP towards the end of each year. In summary, the 2020 MXs, their topics, and their Chairs were:

- MX1 – (2 days) *Cooperation and Assistance, with a Particular Focus on Strengthening Cooperation and Assistance under Article X* – Kimmo Laukkanen (Finland)
- MX2 – (2 days) *Review of Developments in the Field of Science and Technology Related to the Convention* – Kazuhiro Nakai (Japan)
- MX3 – (1 day) *Strengthening National Implementation* – Arman Baissuanov (Kazakhstan)
- MX4 – (2 days) *Assistance, Response and Preparedness* – Elena Kuzmanovska Biondic (North Macedonia)
- MX5 – (1 day) *Institutional Strengthening of the Convention* – Grisselle del Carmen Rodrigues Ramirez (Panama)

The purpose of the MXs was to exchange ideas, innovations and perspectives rather than reach consensus positions. Each of the MXs produced an official report that was essentially procedural, although they each include an annex prepared by the Chair to try to capture what had been discussed. The 2017 MSP decision included: ‘The Ninth Review Conference will consider the work and outcomes it receives from the Meetings of States

Parties and the Meetings of Experts and decide by consensus on any inputs from the intersessional programme and on any further action'. Many delegations had anticipated that the work of the MXs would also be used substantively by the MSP each year, but were disappointed in 2018 when this was not possible and that MSP adopted a final report in which the key sentence of the section on the work of the MXs read: 'No consensus was reached on the deliberations including any possible outcomes of the Meetings of Experts'. This phrasing was repeated in the 2019 MSP report. It is clear that many delegations are hopeful for a substantive use of the outputs from the MXs this year, not least because this is the last MSP before the Review Conference.

The Chair of the 2020 MSP is Ambassador Cleopa Mailu (Kenya) with Ambassador Thomas Goebel (Germany) and Robertas Rosinas (Lithuania) as Vice-Chairs. Official MSP documents, including the reports from the MXs, as well as statements given (where the speakers have supplied them), are available on the BWC website for the MSP at <<https://meetings.unoda.org/section/bwc-msp-2020-documents/>>. As of Sunday, six Working Papers had been posted to this website. The BWC website for the MXs is at <<https://meetings.unoda.org/meeting/bwc-mx-2020/>>.

Financial situation

The BWC continues to face a challenging financial situation as considerable arrears have built up from the non-payment of agreed assessments of financial contributions by a number of states parties – some of which have arrears going back many years. The impact of such arrears is compounded by delayed payments by some other governments, causing a significant cash flow problem. The financial situation has had direct impacts on BWC activities – for example, the formal proceedings of the 2018 MSP were shortened by one working day and that day was taken informally with no interpretation, putting a number of delegates at a disadvantage. The Working Capital Fund, established by the 2018 MSP has improved the situation, allowing for simplified advance planning arrangements for meetings. The Fund has received a number of voluntary donations and more are expected in the future. As of 31 August, the Fund contained roughly US\$630,000, according to the 'Report on the Overall Financial Situation of the Biological Weapons Convention' submitted to the MSP by the Chair. One contribution to the fund has been received from a non-governmental entity. States parties have expressed differing views on whether contributions should only be received from governments.

BWC membership

Universal membership of the Convention is a long-established aspiration. Membership of the BWC remains at 183. The most recent addition was the United Republic of Tanzania which deposited its instrument of ratification to the BWC in London on 14 August 2019. There remain four signatory states [i.e., signed the Convention before it entered into force but have yet to ratify it] and ten states which have neither signed nor ratified the Convention. A number of activities take place on a regular basis, such as regional workshops, to assist and encourage countries that are not yet members to join. The 'Report on universalization activities' submitted to the MSP by the Chair provides some information on these. Many planned activities were affected by pandemic restrictions and an increasing number of virtual activities have been carried out.

Numbers of Confidence-Building Measures (CBMs) returns

The number of submitted CBM returns has reached a significant milestone. The BWC website run by the Implementation Support Unit (ISU) indicates that 92 states parties have submitted a return thus far in 2021. This not only represents a record number, but is also the first year that more than 50 per cent of states parties have submitted. During 2020, 85 states parties (46.4 per cent) submitted a CBM return.

This is the first report from the 2020 BWC MSP being held from 22 to 25 November 2021 in Geneva. 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. These reports have been produced for all BWC meetings since the Sixth Review Conference in 2006 by the BioWeapons Prevention Project (BWPP) and are written by Richard Guthrie, CBW Events, who is solely responsible for their contents. He can be contacted via <richard@cbw-events.org.uk>.