

Friday 25th November 2016

## A difficult endgame: slow movement and late-night consultations

Thursday began with the final meeting of the Committee of the Whole (CoW) which took only a short time to adopt an entirely procedural report. This was followed by informal consultations to look at the 'President's Proposal', the non-paper containing a draft of what would constitute the forward-looking 'decisions and recommendations' section of the Final Document circulated on Wednesday. These went through the afternoon and into the night.

### **Report of the Committee of the Whole**

The morning started with the Committee discussing the adoption of its formal report with Ambassador Michael Biontino of Germany in the Chair. The draft report had been circulated on Wednesday night and included two annexes. The first annex was a compilation of all the proposed textual amendments to the article-by-article review resulting from the Seventh Review Conference and was, in itself, uncontroversial as it was entirely factual. The second annex was the updated 'best guess' text prepared by the Chair, under his own responsibility.

Iran objected to inclusion of the second annex within the report. However, some other delegations linked the two annexes such that the proposals made for a possible decision were either to include both annexes or to include no annexes. The final decision taken was no annexes.

This means that the CoW adopted only a procedural report. The implication of this is that there is no text of the article-by-article review forwarded to the plenary by the CoW. There is no rule or requirement for a Final Document to include an article-by-article review but this has been the past practice.

There followed a short plenary, barely two minutes long, to note that the report of the CoW contained no text and so that all that was left for possible use was the article-by-article review of the Seventh Review Conference. The President of the Review Conference, Ambassador György Molnár of Hungary adjourned the plenary to allow delegations to go into informal consultations on the forward-looking decisions and recommendations section as contained in the 'President's Proposal' non-paper circulated on Wednesday.

### **'President's Proposal' – reactions**

There have been no public statements on the President's non-paper as all meetings discussing it so far have been behind closed doors. Corridor discussions with delegates early in the day indicated that most had significant elements of the text they could support. Most also had elements they would have preferred not to have been included. Most were keen on some form of compromise, with expectations that negotiations would improve the acceptability of the text. As the day progressed, Iran stood out as having a distinct perspective. It has made many statements in favour of initiating negotiations on a legally binding instrument, in particular on verification aspects but also notably on Article X issues. Its position in the consultations seemed to be that an inter-sessional process of the

substantive nature being proposed would make governments too comfortable with the status quo and thus inhibit moves towards a legally binding instrument.

#### **‘President’s Proposal’ – informal consultations**

These informal consultations started behind closed doors shortly after 11.30 am. The process was similar to that used in the Committee of the Whole, i.e., a paragraph-by-paragraph reading with delegations able to insert suggestions for changes. As there was clearly not time for such proposed changes to be discussed at length, the purpose of insertion could only be to mark areas of contention for when other forms of consultations take place.

This ‘first reading’ process took many hours, including the whole of the afternoon, and lasted until 10.25 at night. From discussions with a variety of delegates leaving the room, it is clear that the consultations were frustrating for many of them as much of the discussion seemed to be derived from a desire by just a few delegations to wind the inter-sessional process back to the level that it has been at in past years (or in some instances even beyond); a prospect many found unacceptable.

At the end of these informal consultations on the President’s Proposal, the President invited a number of individuals for informal discussions. These continued until just past midnight.

The sheer length of the informal interactions indicates there is considerable effort being put into finding potential consensus solutions to the divergent views on key issues. However, it is not clear whether the time available will be enough.

#### **Expectations for the final day of the Review Conference**

As of Friday morning, the quantity of work required to bring the proceedings to a close with a consensus final document remains considerable. To complete this work on the final day will be a significant, but not impossible, challenge. However, each passing hour will limit the flexibility of action and limit the range of possible outcome options.

The scale of activity required during the final day is greater than that needed in earlier Review Conferences attended by this author.

**Side events**            There were no side events on Thursday.

***Please note: there will be a sixteenth report produced next week covering the final day of the Review Conference that will be e-mailed out and placed on the websites below***

*This is the fifteenth report from the Eighth Review Conference of the Biological and Toxin Weapons Convention (BWC/BTWC). 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 e-mail subscription link is available on each page.*

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