

Saturday 31st December 2011

The Seventh BWC Review Conference: outcome and assessment

The Seventh Review Conference of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) concluded on the afternoon of Thursday 22nd December after a tense day during which there were moments that it seemed a conclusion might not be reached in time. However, the atmosphere at those moments probably helped to focus minds. The entire morning session was taken up with consultations which took longer than many people expected. The Final Document is outlined in report no 15.

Adoption of the Final Document

The President of the Review Conference, Ambassador Paul van den IJssel (Netherlands), circulated a text of the draft Final Document to States Parties just after 3pm. He then suspended the meeting for roughly an hour to allow delegates to read the draft. The only questions raised on the text related to the costs of the inter-sessional programme (ISP) and the Implementation Support Unit (ISU). Portugal and Spain stated they could not accept the proposed budget as the numbers were still higher than the earlier ISP and ISU costs. This was explained by the ISU as resulting from exchange rate changes and inflation. Once additional language was added to the budget decision noting that the figures 'represent zero real growth' the objections were dropped.

The Conference adopted the Final Document at 17.21 to a spontaneous round of applause. The President remarked that the adoption of the Final Document was good for maintaining Geneva as the focus of multilateral disarmament activities. Ambassador Idriss Jazaïry (Algeria), who will chair the 2012 meetings, also spoke briefly.

Closing formalities

Usually at the end of a BWC meeting the coordinators of the regional groups will give a brief word of thanks. This time, however, there were many closing statements, given in the following order: Cuba (for the non-aligned/NAM group), Nigeria, Australia (for the Western group), Romania (for the Eastern Europe group), Greece, USA, Japan, China, Mexico, Iran, Republic of Korea, Russia, France, UK, India, United Arab Emirates and Pakistan.

The financial squeeze on ambitious realism

The President's mantra for this Review Conference had been 'ambitious realism'. At the beginning of the Review Conference there were proposals for increasing the duration of meetings in the ISP and increasing the activities, and thus the size, of the ISU. While there was intellectual and political debate about the merits and disadvantages of these proposals, the harsh economic realities of the end of 2011 meant that the predominant opposition to expansion of international activities under the BWC was financial. It is clear that resource restraints had been very influential on the decisions of individual States Parties.

While the sums involved in supporting the BWC are trivial compared with those of other international arrangements, the proposals to expand BWC activities, including the ISU,

would have represented a significant percentage increase. With some governments giving clear instructions to their delegates that no international body should have any real growth in its budget, expansion of the ISU through the regular budget became an impossibility.

Budgetary transparency has always been difficult for BWC costs as the ISU budget is wrapped up within the meetings budget. This is an historical anomaly as the ISU evolved from the secretariat that had previously serviced BWC meetings. A re-examination of how the budget is presented may make the process more transparent.

Reflections

A conscious effort is taken in writing the daily reports to stick to facts and not give opinion. There are times that this style of reporting has limitations. The following are personal reflections that do not necessarily represent anyone's views other than the author's own.

This was a difficult Review Conference in its later stages, much harder than that of 2006. The contrast between the positive, even aspirational, tone of the first week and the tensions of the final few days was stark. Many delegates were painfully aware that they weren't able to achieve all that they wanted. There were some minor successes – the new Article X assistance database has potential and the appointment of two Vice-Chairs each year of the ISP will provide additional political focus – but there were greater losses.

Perhaps the biggest lost opportunity of this Conference was that no substantive progress was made on verification issues – a subject area that needs subtlety to push it forward. The government of the US has a deep-seated fearful reaction to the verification 'bogeyman' and has to be persuaded gently that certain things are, in the long run, good for it. There was a moment during the Conference in which there was language put forward for one of the ISP agenda items that would have included a conceptual discussion about how compliance might be understood. This language would have allowed verification to have been discussed within the ISP and this language was not opposed by the US, although it was a grudging acceptance. Here was the moment at which the Review Conference could have opened up the basket of verification issues by tackling the hardest of the questions that underlie the problem – what do States Parties really have to understand about each other's activities in order to have confidence, or otherwise, in the compliance of other States Parties to the BWC? Common understandings about that question during the ISP would move the debate about compliance and verification forward. But the opportunity was lost. Some States Parties, feeling the language about conceptualization was not strong enough, chose to present stronger phrasing which could never have achieved consensus. The subsequent lack of agreement left the subject off the agenda completely. This was a significant loss.

There was a concern expressed by some delegates that, if States Parties with resources to support effective action deepen their implementation of the BWC while other States Parties are short of resources to build their own internal capacities for implementation, a two-speed BWC might emerge. The capacity-building issues need to be addressed urgently. There was a significant irony that States Parties that have been vocal in calling for capacity building – China, India, Iran, Pakistan and Russia – were collaborating to keep subjects off the agenda which would have been ideal hooks for capacity building assistance. These hooks included further transparency activities and promotion of national implementation.

The regime to control biological weapons, of which the BWC is the focal point, is built upon the convergence of legal, political, scientific, technical, moral and humanitarian (including public health) issues. A major weakness of the Seventh Review Conference was the focus of some delegations on a purely legalistic perspective rather than a focus on practical action that could reduce biological threats around the world. When histories are written of the BWC in decades to come, 2011 will be seen as a significant missed opportunity.

This is the sixteenth and final report from the Seventh Review Conference of the Biological and Toxin Weapons Convention which was 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>>.

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