

Tuesday 13th December 2011

## Start of the Second Week: further exchanges of views

The Seventh Review Conference of the 1972 Biological and Toxin Weapons Convention (BWC/BTWC) started its second week on Monday. The morning saw more first reading within the Committee of the Whole with a further informal plenary session in the afternoon.

### **Article-by-article review / Committee of the Whole**

The article-by-article review continued in the Committee of the Whole with the remaining Articles of the Convention, that is XI to XV, under consideration for a first read through.

Article XI allows for amendment of the BWC. Iran noted that the amendment it had proposed to the Sixth Review Conference to add an explicit reference to use of biological weapons being prohibited under the Convention remained valid and also noted that since the amendment had been proposed more attention had been paid to the issue of use.

The provisions of Article XII are the basis for the Review Conference itself being convened. Although the article-by-article review is meant to consider what has already happened (with future possible activities being discussed in the informal plenaries) a major component of the discussion was the form that any new inter-sessional process might take and, in particular, whether inter-sessional meetings could take decisions. Some States Parties were open to this possibility while others countered this by suggesting that Review Conferences were the most appropriate forum for taking decisions that were binding on States Parties. Some others made it clear that they would not reach a final position on this matter until proposals within the context of specific inter-sessional process options had been put forward; details of various possible options being significant. Some delegates indicated that if decisions were to be taken, they should be only taken by consensus.

No delegation took the floor to discuss Article XIII which deals with withdrawal from the Convention.

Article XIV deals with membership of the Convention and therefore the discussion was primarily about universality issues. It was noted that the decision by a State to join a treaty was a political act that falls within the prerogative of individual State choice. As this is in the political realm, some delegates indicated that it was therefore up to States Parties to promote universality, and that the Implementation Support Unit (ISU) should only carry out administrative roles. Some delegates noted benefits of taking a regional approach to promoting membership of the BWC. The need to facilitate action that States may take towards accession or ratification was noted. There were suggestions that the language previously used by Review Conferences to 'encourage' States to join the BWC could be strengthened, perhaps by using the word 'urge', although this did prompt a response that such language should be chosen carefully in case States Parties were perceived as trying to force other States to join.

The last Article of the Convention, Article XV, deals with the official languages used. Past Review Conferences had decided to treat Arabic as if it were an official language and the short discussion on the subject supported the continuation of this.

During the day, a further compilation of suggestions made within the Committee of the Whole was circulated to delegates by Ambassador Percaya (Indonesia) to supplement the compilation circulated on Friday.

### **Informal plenary topics – Assistance and cooperation, compliance and universality**

Three subjects were under discussion in the informal plenary on Monday afternoon: assistance and cooperation; compliance; and universality. As with the earlier sessions, the aim was not to come to any immediate conclusions, but to encourage discussion.

The discussion on assistance and cooperation was a continuation from Friday afternoon. Starting points were the working papers by Cuba/NAM (WP.26) and South Africa (WP.16). Also referred to was a new paper by the European Union (advance copy on the ISU Conference website <<http://www.unog.ch/bwc/7rc>>). A key aspect of the discussion related to what might be meant by ‘full’ implementation of Article X. Non-NAM countries indicated that there were parts of WP.26 that were useful, but that the six-point plan contained within it would not receive universal support. The role of the ISU as a matchmaker to bring potential recipients of assistance together with potential donors was highlighted.

Key starting points for the discussion on compliance were the working papers by Australia, Japan and New Zealand (WP.11) and Germany (WP.14). Other working papers referred to were a new joint working paper by Canada and Switzerland (advance copy), and the US paper on the inter-sessional process (WP.23). Some States Parties outlined voluntary measures that could be adopted, such as visits by consent to clarify questions or as simple transparency activities. Other States Parties noted a need for more than just voluntary arrangements while a few made explicit calls for a verification system. A need for reciprocity in any measures was noted. A distinction was drawn between the existing system of Confidence-Building Measures (CBMs) and what would be needed in a system of compliance measures, although other delegates described these as different points on a continuum. During the discussion it was suggested that the two key questions in WP.11 (what constitutes compliance?; how can States Parties demonstrate compliance?) should be supplemented by a third – how can States Parties be sure of compliance by other States Parties?

There had been no specific working papers on the subject of universality. This was a short discussion as similar issues had been discussed in the Committee of the Whole earlier in the day. There was a mention of the Action Plan on universality under the Chemical Weapons Convention, but another delegation suggested it was not a good model for the BWC.

### **Side Events**

Two side events were held on Monday. The morning event was convened by the Landau Network-Centro Volta (LNCV) and the University of Bradford with the support of Foreign Affairs and International Trade Canada. The event was introduced by Ambassador Elissa Golberg (Canada) and presentations were given by Masoom Yasinzi (Quaid-i-Azam University), Hafida Hanine (Moroccan Biosecurity Association), Giulio Mancini (LNCV) and Olena Kysil (Palladin Institute of Biochemistry).

The lunchtime event was convened by the delegations of Japan and Switzerland on ‘Dual-use issues and the role of life scientists’. Opening remarks were provided by Ambassador Van den IJssel (Netherlands) and presentations were given by Nariyoshi Shinomiya (National Defense Medical College, Japan), Fumiko Kasuga (Science Council of Japan), Brian Rappert (University of Exeter), François Garraux (Switzerland) and Masamichi Minehata (Bradford Disarmament Research Centre). The event was co-chaired by Ambassador Mari Amano (Japan) and Ambassador Alexandre Fasel (Switzerland).

*This is the seventh 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>>.*

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