

# Potential outcomes of the Ninth BWC Review Conference

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JEZ LITTLEWOOD



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## ABOUT THE AUTHOR



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## **Foreword**

The Ninth Review Conference of the Biological and Toxin Weapons Convention (BWC) provides States parties with an important opportunity to advance biological disarmament and chart the future course of this increasingly important treaty. To stimulate thinking ahead of the Review Conference, which is currently scheduled for August 2022, this report provides a forthright assessment of the risks, benefits, and financial implications of four different potential Review Conference outcomes.

The report has been produced by Dr Jez Littlewood, an expert on the Convention with unique insights derived from his experience working on the BWC at various points as a scholar, diplomat and international civil servant. We welcome informed commentary and expert analysis from those working in the field. Like all the contributions in the WMD Compliance and Enforcement series, the authors' views are their own.

James Revill  
January 2022



## Summary

The Ninth Review Conference of the Biological and Toxin Weapons Convention (BWC) will occur in 2022. This is a year later than planned, but the SARS-COV-2 pandemic delayed a number of diplomatic meetings, and States parties decided to hold the meeting in person from 8 to 26 August 2022, with a Preparatory Committee meeting from 4 to 11 April 2022.<sup>i</sup>

Beyond the delay, the impact of the pandemic on the Review Conference will be significant, but the pandemic does not change everything; it adds a new context to long-standing difficult issues related to biological disarmament. Whatever challenges the Convention faces in 2022, a three-week meeting cannot resolve all the issues; further work will be required. Conducting work between Review Conferences has been the practice of States parties since 1986, when the Second Review Conference established a Meeting of Experts to finalize the formats for the confidence-building measures agreed in 1986. Between the Ninth and Tenth Review Conferences, the BWC will pass its fiftieth anniversary since entry into force in 1975. States parties need to think beyond the Ninth Review Conference and about the evolution of biological disarmament over the coming decade. They need to plan for the BWC beyond 50. There are four potential outcomes for the Ninth Review Conference in 2022:

- A very limited outcome. No BWC Review Conference has completely failed to reach some form of agreement, and while failure to agree an outcome is possible, the history of the Convention indicates a limited outcome is more likely than failure.
- A status quo outcome of a final declaration and a continuation of the Meetings of Experts and annual Meeting of States Parties. This would be very similar to the practice over the last two decades, where States parties agree to discuss and promote common understandings and effective action on identified issues. This approach has diminishing value to all involved.
- A forward-looking outcome of a final declaration and a newly mandated work programme that explores ways to enhance biological disarmament and report to the next Review Conference.
- A negotiation outcome that includes a final declaration and a mandate to start negotiations on ways to enhance biological disarmament.

Each option has identifiable opportunities, risks and cost implications for States parties.

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<sup>i</sup> Report of the 2020 Meeting of States Parties, BWC/MSP/2020/7, 25 November 2021, p. 6.



## RISKS AND HEALTH SECURITY at WHO

Matthew L. Lim



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# 1. Introduction

Beyond simply delaying the Meetings of States parties since 2020, the impact of the SARS-COV-2 pandemic on the Ninth Review Conference of the Biological and Toxin Weapons Convention (BWC) will be significant, but the pandemic does not change everything. It adds a new context to long-standing difficult issues. It is now two decades since the negotiations on the protocol to the BWC collapsed, and a return to negotiations is the stated preference of a majority of States parties (as it has been since 2001). That majority view is reflected in the 120 States parties who are members of the Non-Aligned Movement (NAM) and the 17 other States who are observers to the NAM.<sup>1</sup> Statements from the NAM should not be read as if 130 or so States parties share the same views on verification. Rather, the stated objective is “resumption of the multilateral negotiations for a legally binding Protocol dealing with all Articles of the Convention, in a balanced and comprehensive manner, including through verification measures”.<sup>2</sup> Other States parties would support negotiations if that was possible, but have adopted a more flexible approach that seeks to work on issues where and when it is possible to do so.

A lot has changed since 2001, and beyond the pandemic and the protocol, complex and challenging issues are important to the future of biological disarmament, including:

- The challenges to arms control and disarmament generally, such as the willingness to leave treaties (e.g. the Treaty on Open Skies), non-compliance and violation of treaties, and challenges to existing norms (e.g. use of chemical weapons in Iraq, Malaysia, the Russian Federation, the Syrian Arab Republic and the United Kingdom in recent years)
- Developments in science and technology that have both positive implications (e.g. health and economic) and negative implications (e.g. lower barriers to biological weapons)<sup>3</sup>
- A multipolar order that involves varying degrees of cooperation, competition and conflict between many different actors

An additional factor is the ability of a disarmament agreement to evolve in practice: the obligations under the BWC may remain as written in 1972, but individual and collective understanding about implementation of those obligations has been in constant evolution.<sup>4</sup> The Convention sits within a much broader anti-biological weapons regime with many components. Some are obvious, such as the 1925 Geneva Protocol, the United Nations Secretary-General’s Mechanism for Investigation of Alleged Use of Chemical and Biological Weapons, and the overlap between the BWC and the Chemical Weapons Convention on toxins. Others are less obvious

1 J. Littlewood, “Implications for the Biological and Toxin Weapons Convention”, in Preventing Chemical Weapons, Royal Society of Chemistry, 2018, pp. 504–506.

2 Azerbaijan, 2020 Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. General Statement on behalf of the Non-Aligned Movement and other States Parties to the Biological and Toxin Weapon Convention delivered by the Permanent Mission of the Republic of Azerbaijan to the United Nations Office in Geneva. Geneva, 22–25 November 2021.

3 Interacademy Partnership, The Biological and Toxin Weapons Convention: Implications of Advances in Science and Technology, 2016.

4 Preparatory Committee, Eighth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, BWC/CONF.VIII/PC/4, 31 May 2016, p. 1.

and involve State, intergovernmental, non-governmental, public and private actors fulfilling roles that contribute to implementation of the BWC.<sup>5</sup>

Twenty-first century biological disarmament must adjust to the realities of the world as it is, and in planning for the Ninth Review Conference the frame of reference going forward should not be the past (the protocol) or the present (the pandemic), but the future. Between the Ninth and Tenth Review Conferences, the Convention will have been in force for 50 years (in 2025), and it is time to plan for the BWC beyond 50. The big question is what States parties will do indi-

vidually and collectively. Will they develop a work programme for the BWC to address difficult issues and set a course for the Convention to be revitalized within a broader anti-biological weapons regime and norm against the use of disease as a weapon? Or will they settle for the limited outcomes of the last two decades, where collective effective action is absent and difficult conversations about compliance and peaceful cooperation do not evolve into substantive discussion?

States parties need to decide if it is time for change.

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5 L. Kemp and C. Rhodes, The Cartography of Global Catastrophic Governance, Centre for the Study of Existential Risk, 2020, pp. 8–13, <https://www.cser.ac.uk/resources/cartography-global-catastrophic-governance>.

# Potential outcomes in 2022

Review Conferences of the BWC generally do two things.<sup>6</sup> First, they review the Convention and agree on a final declaration that reaffirms the object and purpose of the BWC and captures additional understandings about the Convention. Additional understandings are neither legally binding nor voluntary: rather they represent political understandings between States parties that interpret, define or elaborate the meaning or scope of a provision of the Convention or provide instructions, guidelines or recommendations on how a provision should be implemented.<sup>7</sup> Second, because Review Conferences are the decision-making organ of the Convention, States parties have used them to initiate work programmes between Review Conferences. This practice began in 1987 with a 12-day meeting, expanded in 1991 with the creation of a group of verification experts (VEREX) that met four times over two years, developed into a formal negotiation process under the Ad Hoc Group between 1995 and 2001, and has evolved since 2002 into a regular series of Meetings of Experts and annual Meetings of States Parties.

The mandate, duration and cost of the work between Review Conferences has varied. In the first iteration after the Second Review Conference in 1986, the ad hoc Meeting of Experts was mandated to finalize the decision of States parties to begin an exchange

of information (i.e. develop the modalities and forms for the confidence-building measures) and was costed simply as a continuation of the work of the Second Review Conference. Four decades later, the latest iteration of the Meetings of Experts and Meetings of States Parties, between 2017 and 2020, also has its mandate within the final declaration of the Review Conference, but its costing arrangement is different to that of 1987.

In simple terms, meeting for 12 days in 1987 cost approximately US\$850,000, whereas meeting in the 2010s for 12 days costs approximately US\$1.5 million per year. The difference is staffing. Staff of the United Nations Office for Disarmament Affairs acted as Secretariat to Review Conferences and meetings until the mid-1990s. This was followed by a mixed arrangement of United Nations staff and additional staff paid for by States parties and replaced by a dedicated Implementation Support Unit from 2006 onwards. States parties require secretarial and other support for meetings, so staff costs are integral to the actual cost of any intersessional work programme.<sup>8</sup>

Two Review Conferences did not follow this approach of a final declaration that captured additional understandings and included a mandate for intersessional work. The Fifth Review Conference in 2001 was suspended

<sup>6</sup> See the 2021 UNIDIR publication for a good overview: J. Revill et al., Preparing for Success at the Ninth Biological and Toxin Weapons Convention Review Conference: A Guide to the Issues, UNIDIR, 2021, <https://doi.org/10.37559/WMD/21/BWC/01>.

<sup>7</sup> This is reflected in Preparatory Committee, Eighth Review Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, BWC/CONF.VIII/PC/4, 31 May 2016.

<sup>8</sup> A single meeting in 1987 occurred over 12 days (31 March–15 April) and based on cost estimates for the Review Conference, the meeting likely cost US\$376,160 (approximately US\$856,992 in 2020 dollars). Four decades later, the current Meetings of Experts and annual Meeting of State Parties cost approximately US\$1.5 million dollars per year in total when staffing costs are included in the budget calculation. Staffing the implementation support unit cost approximately \$905,000 per year between 2018 and 2021. The estimate for 2022 is slightly over \$1 million.

due to a lack of agreement about the future work programme after the collapse of the protocol. A final declaration was not agreed, and a reconvened Fifth Review Conference in 2002 adopted a single decision related to an intersessional work programme for 2003–2005. The Eighth Review Conference in 2016 also failed to reach substantial agreement due to differences over the future work programme. A very limited final declaration was adopted, and a decision on the next work programme was deferred to the 2017 Meeting of States Parties.

A positive interpretation of these two Conferences is that disputes were resolved within a year.

Taken together, Review Conferences to date identify the range of potential outcomes that could occur in 2022 in relation to a future programme of work:

- A limited outcome where further decisions must be agreed at a subsequent meeting (2001 and 2016)
- The continuation of the mandate and process agreed at the previous review or special conference (1996, 2006 and 2011)
- The adoption of a new approach (1986, 1991 and 2002)

A new approach can take various forms, including authorization for States parties to work on a specific issue as part of an incremental process (1991), with later decisions subject to a Review Conference or the authority provided to a Special Conference of States parties.

The range of outcomes are not mutually exclusive. Overlap is clear in that each intersessional work programme agreed in 2002, 2006, 2011 and 2017 is incremental and dependent on decisions taken at the next Review Conference. It is also possible a completely new approach will emerge in 2022, and States parties will do something they have never done before. This is unlikely since BWC States parties have been unable to embrace change for over two decades. In addition, the existing options allow for substantial agreement if it emerges. For example, even the limited current mandate of the intersessional work programme can accommodate significant variation in the number of issues discussed, the duration of meetings, and the working methods employed.

## **Four options**

The table on the following pages provides an overview of four potential outcomes of the Ninth Review Conference and their rationales, advantages, disadvantages, impacts and risks, estimated costs, and historical context. A preliminary assessment of the likelihood of each outcome is indicated, but this represents an estimate rather than a structured assessment.

## Potential outcomes of the Ninth BWC Review Conference JEZ LITTLEWOOD

POTENTIAL OUTCOME 1	POTENTIAL OUTCOME 2	POTENTIAL OUTCOME 3	POTENTIAL OUTCOME 4
<b>Limited:</b> No BWC activity until next Review Conference	<b>Status quo:</b> MXs on agreed topics plus MSP	<b>New approach:</b> New mandate for working groups on enhancing BWC implementation	<b>Negotiation:</b> New mandate to negotiate on ways to enhance BWC implementation
<b>Assumptions</b> <ul style="list-style-type: none"> <li>No SP will openly promote this outcome</li> <li>Inability to agree in 2022 may result in compromise in 2023 and activity in 2024–2025</li> </ul>	<b>Assumptions</b> <ul style="list-style-type: none"> <li>Most likely outcome as it is the default option</li> <li>Existing ISP mandate is retained</li> <li>Diminishing value due to more identified issues to discuss, less time allocated to meetings, and little effective action</li> </ul>	<b>Assumptions</b> <ul style="list-style-type: none"> <li>A new (expanded) MX approach that includes working groups on compliance, cooperation, capacity-building and cross-cutting issues (e.g. institutional architecture)</li> </ul>	<b>Assumptions</b> <ul style="list-style-type: none"> <li>A negotiation mandate is possible, albeit exceedingly difficult</li> <li>Consensus agreement is required for any outcome from any negotiations</li> </ul>
<b>Rationale for outcome</b> <ul style="list-style-type: none"> <li>Used to prevent unfavourable outcome in 2022 by a single or very few party(ies)</li> <li>Used to create failure to signal intent and as a means to negotiate another outcome in future</li> </ul>	<b>Rationale for outcome</b> <ul style="list-style-type: none"> <li>Familiar, flexible and low-cost default outcome with no new obligations</li> <li>Low political cost compromise with meetings maintained but SPs free to promote their preferred alternative approach</li> </ul>	<b>Rationale for outcome</b> <ul style="list-style-type: none"> <li>Need to create a shift in working methods</li> <li>Potential alternative compromise for all SPs with strong negotiation or no negotiation views</li> <li>Flexible and allows for phased enhancement of BWC</li> </ul>	<b>Rationale for outcome</b> <ul style="list-style-type: none"> <li>Belief that multilateral negotiations have a chance of success</li> <li>Long process to shape final outcome</li> </ul>
<b>Advantages</b> <ul style="list-style-type: none"> <li>Used to prevent a worse potential outcome</li> <li>Creates cooling off period if major disputes arise in 2022</li> </ul>	<b>Advantages</b> <ul style="list-style-type: none"> <li>Familiar to SPs</li> <li>Highly flexible: allows for significant variation (topics, number and duration of meetings) to expand or reduce effort, time commitment and costs</li> </ul>	<b>Advantages</b> <ul style="list-style-type: none"> <li>Signals shift in approach to bio-related threats without imposing new obligations on any SP</li> <li>Compromise-driven approach to explore issues and promote future change</li> <li>Evolutionary shift in ISP that is not too radical</li> <li>Can establish the groundwork for future efforts</li> </ul>	<b>Advantages</b> <ul style="list-style-type: none"> <li>Signals explicit response to bio-related threats</li> <li>Allows for agreement on new obligations for SPs to enhance BWC implementation</li> <li>Outcome can take different forms (e.g. a potentially minimal or a maximal agreement or series of agreements of different types)</li> <li>Likely to revitalize interest and effort</li> </ul>
<b>Disadvantages</b> <ul style="list-style-type: none"> <li>Will be viewed as failure given pandemic</li> <li>Increases divisions among SPs</li> <li>Mandate of ISU may not be renewed in a worst-case scenario, and loss of sponsorship programme, administration of CBMs and other activities is possible</li> </ul>	<b>Disadvantages</b> <ul style="list-style-type: none"> <li>Diminishing value and effectiveness of existing MX/MSP approach</li> <li>Likely to be perceived as limited response to pandemic experience</li> <li>Unlikely to address complex and divisive issues in systematic manner to enhance implementation</li> </ul>	<b>Disadvantages</b> <ul style="list-style-type: none"> <li>Additional costs for all SPs</li> <li>Requires investment in a serious effort to reach outcome</li> <li>Requires willingness to address a number of very difficult issues</li> <li>Any enhancement of BWC is in the future</li> </ul>	<b>Disadvantages</b> <ul style="list-style-type: none"> <li>Significant additional costs for all SPs</li> <li>Inevitable repetition of old debates</li> <li>Success is dependent on reaching an agreement: process fails if no agreement(s) are adopted</li> <li>Cost and level of effort required may prevent any other work on BWC by SPs</li> <li>Any enhancement of BWC is in the future</li> </ul>

POTENTIAL OUTCOME 1	POTENTIAL OUTCOME 2	POTENTIAL OUTCOME 3	POTENTIAL OUTCOME 4
<p><b>Impacts and risks</b></p> <ul style="list-style-type: none"> <li>• Short-term, but lasting, damage</li> <li>• Increases animosity as one or two SPs likely to be responsible for outcome</li> <li>• Risks loss of the ISU if there is no action for whole intersessional period</li> <li>• CBM administration, database management and other functions will end without the ISU</li> <li>• May accelerate shift to like-minded agreements and actions outside of BWC</li> <li>• Perception of BWC having limited relevance may increase</li> </ul>	<p><b>Impacts and risks</b></p> <ul style="list-style-type: none"> <li>• Effective action remains largely absent for SPs within the Convention</li> <li>• Decreasing value of MX/ MSP approach in BWC to bio-related challenges</li> <li>• No effective action means bi-, mini- and plurilateral efforts outside of BWC become the only way to adopt new mechanisms to address bio-related challenges</li> <li>• Acting outside of BWC may result in competing parallel frameworks (e.g. rival export control regimes) and/or rejection of mechanisms (e.g. investigation procedures)</li> </ul>	<p><b>Impacts and risks</b></p> <ul style="list-style-type: none"> <li>• Interim outcome: requires action after ways to enhance implementation are identified</li> <li>• Any demand for a consensus-based final report severely limits value of the process</li> <li>• If involvement in the new approach is limited only to SPs, the value is diminished: inclusive, transparent and iterative development of ideas must involve multiple types of entity and actor (e.g. public, private, NGO, State, intergovernmental)</li> </ul>	<p><b>Impacts and risks</b></p> <ul style="list-style-type: none"> <li>• Need to define what is in and out of scope for negotiation mandate</li> <li>• Single legally binding agreement approach has very high risk of failure</li> <li>• Failure will renew animosity and reduce relevance of BWC</li> <li>• Subject to risks inherent in go-slow process</li> <li>• Would need to embrace ability to learn from practices based on key lessons of recent decades</li> <li>• Must address contentious and complex issues of last two decades and look to future</li> </ul>
<p><b>Cost estimate</b></p> <ul style="list-style-type: none"> <li>• Zero if there is no work and ISU ceases to exist</li> <li>• US\$901,000 per year if there is no work but ISU continues for duration</li> <li>• US\$3.7 million if ISU continues and agreement is reached at MSP in 2023 for existing MX/MSP practice in 2024 and 2025</li> </ul>	<p><b>Cost estimate</b></p> <ul style="list-style-type: none"> <li>• US\$1.5 million per year based on current meeting duration and size of ISU</li> <li>• 2023–2025 costs = US\$4.5 million</li> </ul>	<p><b>Cost estimate</b></p> <ul style="list-style-type: none"> <li>• US\$2.5 million per year</li> <li>• 2023–2025 costs = US\$7.5 million*</li> </ul>	<p><b>Cost estimate</b></p> <ul style="list-style-type: none"> <li>• US\$3.8 million per year</li> <li>• 2023–2025 costs = US\$11.4 million</li> <li>• 2023–2030 costs = US\$26.6 million**</li> </ul>
<p><b>Timeline</b> 2023 to 2025</p>	<p><b>Timeline</b> 2023 to 2025</p>	<p><b>Timeline</b> 2023 to 2025</p>	<p><b>Timeline</b> 2023 to 2025</p>
<p><b>Likelihood of adoption at RevCon</b></p> <p>Low</p>	<p><b>Likelihood of adoption at RevCon</b></p> <p>High</p>	<p><b>Likelihood of adoption at RevCon</b></p> <p>Medium</p>	<p><b>Likelihood of adoption at RevCon</b></p> <p>Low</p>
<p><b>Historical context</b></p> <ul style="list-style-type: none"> <li>• Fifth RevCon reconvened in 2002</li> <li>• Eighth RevCon delegated to 2017 MSP to agree work</li> </ul>	<p><b>Historical context</b></p> <ul style="list-style-type: none"> <li>• Current MX/MSP approach to intersessional work agreed in 2002</li> <li>• Renewed by SPs in slightly different format (duration of meetings, topics) with intersessional work programmes 2003–2005, 2007–2010, 2012–2015, and 2018–2020 (2020 meetings delayed to 2021 due to pandemic)</li> </ul>	<p><b>Historical context</b></p> <ul style="list-style-type: none"> <li>• Second RevCon tasked an Expert group to finalize forms for CBMs in 1987</li> <li>• Third RevCon established VEREX in 1991, which then met four times during 1992 and 1993; its consensus report was considered by the Special Conference in 1994</li> <li>• Expert groups have been meeting since 2002</li> </ul>	<p><b>Historical context</b></p> <ul style="list-style-type: none"> <li>• AHG mandate agreed by Special Conference in 1994</li> <li>• 24 AHG sessions between 1995 and 2001</li> <li>• AHG costs, 1995 to 2001, are approximately US\$17.6 million (at 2020 dollar value) and 330 days of negotiation time</li> <li>• AHG failed to reach agreement</li> </ul>

AHG = Ad Hoc Group; BWC = Biological and Toxin Weapons Convention; CBM = confidence-building measure; ISP = Intersessional Work Program; ISU = Implementation Support Unit; MSP = Meeting of States Parties; MX = Meeting of Experts; RevCon = Review Conference; SP = State party; VEREX = Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint

\*Costs: Potential Outcome #3 Costs using six weeks of work per year + MSP and no expansion of ISU and costs based on 2018–2020 work programme

\*\* Costs: Potential Outcome #4: Costs using 12 weeks of negotiation time per year, small expansion of ISU (1 one individual) and no negotiation during year of Tenth RevCon. Costs based on 2018–2020 work programme.



# Conclusion

Since 1986, States parties have undertaken work on the BWC between Review Conferences. The consensus requirement for a Review Conference final declaration means each of these work programmes represents the limit of States parties' collective ambition to enhance the Convention. Twenty years on from the failure of the Ad Hoc Group negotiations and in the midst of a pandemic that has killed millions, cost billions of dollars, and underscored the risks of disease outbreaks to all humanity, it is time to plan for the BWC beyond its fiftieth anniversary since entry into force. Intersessional work between the Ninth and Tenth Review Conferences should examine options for continued evolution of the Convention.

There are some positive signs from States parties. In a joint statement, China and the Russian Federation reaffirmed their preference for a return to negotiations but also expressed a willingness to support ancillary measures and "consider any proposals capable of strengthening the Convention and improving its implementation in a non-discriminatory manner".<sup>10</sup> The United States has called for a two-pronged approach focused on near-term measures and a working group to address the more complex issues of enhancing assurance of compliance, increasing transparency and strengthening implementation of the Convention.<sup>11</sup>

Those States parties interested in ensuring that biological disarmament is equal to the challenges of the twenty-first century have options beyond the current work programme or the past (formal negotiations). They can reach back into their own history and create an outcome in 2022 that permits them to explore the challenges biological disarmament faces and develop responses to these challenges in phases of agreed work. Reaching an agreement in 2022 that breaks with the limitations of the existing mandate will be difficult, as one seasoned participant in BWC diplomacy remarked in 2020, "the real challenge is to make things happen and secure substantive progress; and that is never easy."<sup>12</sup> As Revill et al. noted, proposals need to be developed early and involve cross-regional exchange, discussion and coalition building.<sup>13</sup>

Three things, however, are clear. First, another intersessional work programme within the BWC that is of limited ambition will continue to be a catalyst for action outside the Convention. If States parties cannot reach collective agreement within the BWC, some States parties will reach other types of agreement outside it. Second, if implementation of the Convention is to be enhanced by all States parties, it will require an investment of time and money. The current approach of 12 days of effort and US\$1.5 million per year is unequal to the challenge. States parties need to

<sup>10</sup> China and Russian Federation, Joint Statement by the Foreign Ministers of the People's Republic of China and the Russian Federation on Strengthening the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, Meeting of State Parties, 22 November 2021.

<sup>11</sup> United States, Statement by Under Secretary of State Bonnie Jenkins to the 2021 Biological Weapons Convention Meeting of State Parties, 22 November 2021.

<sup>12</sup> J.R. Walker, A Farewell to Arms Control, VERTIC, Trust and Verify no. 167, December 2020, p. 3

<sup>13</sup> J. Revill et al., Preparing for Success at the Ninth Biological and Toxin Weapons Convention Review Conference: A Guide to the Issues, UNIDIR, 2021, p. 38.

be prepared to double or triple their investment in the BWC. Third, States parties will have to develop their visions for the BWC beyond 50 before the Review Conference.

Breaking the deadlock of the last two decades is not an impossible outcome in 2022, even though it is a far from simple task. It does require States parties to move beyond their entrenched positions and embrace change in terms of working methods

and in their investment in the BWC. It also requires recognition of the current realities around biological risks and biological-related threats and adaptation by States parties to a world where they are one, but not the only, actor with a role to play in biological disarmament. Above all, change requires a plan that States parties can rally behind and agree upon in a spirit of compromise to ensure biological disarmament has a future.

# Potential outcomes of the Ninth BWC Review Conference

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JEZ LITTLEWOOD

## Recent UNIDIR reports on biological weapons-related issues

- J. Revill and M. Garzón Maceda (eds.), “Options for International Cooperation under Article X of the Biological Weapons Convention”, Geneva, Switzerland: <https://doi.org/10.37559/WMD/21/BWC/04>
- J. Revill, A. Anand and G. Persi Paoli, “Exploring Science and Technology Review Mechanisms Under the Biological Weapons Convention”, Geneva, Switzerland: UNIDIR, 2021.  
<https://doi.org/10.37559/SECTEC/2021/SandTreviews/01>
- J. Revill, J. Borrie, R. Lennane and E. Saunders, “Preparing for Success at the Ninth Biological and Toxin Weapons Convention Review Conference: A Guide to the Issues”, Geneva, Switzerland: UNIDIR, 2021.  
<https://doi.org/10.37559/WMD/21/BWC/01>
- V. Borrett, M. Hanham, G. Jeremias, et al., “Science and Technology for WMD compliance monitoring and investigations”, WMD Compliance and Enforcement Series No. 11, Geneva, Switzerland: UNIDIR, 2020.  
<https://doi.org/10.37559/WMD/20/WMDCE11>
- R. H. Dalaqua, J. Revill, A. Hay and N. Connell, “Missing Links: Understanding Sex- and Gender-Related Impacts of Chemical and Biological Weapons”, Geneva, Switzerland: UNIDIR, 2019.  
<https://doi.org/10.37559/WMD/19/gen1>
- F. Lentzos, “Compliance and Enforcement in the Biological Weapons Regime”, WMD Compliance and Enforcement Series No. 4, Geneva, Switzerland: UNIDIR, 2019. <https://doi.org/10.37559/WMD/19/WMDCE4>

