## Potential outcomes of the Ninth BWC Review Conference

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<tr>
<th>POTENTIAL OUTCOME 1</th>
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<td><strong>Limited:</strong> No BWC activity until next Review Conference</td>
<td><strong>Status quo:</strong> MXs on agreed topics plus MSP</td>
<td><strong>New approach:</strong> New mandate for working groups on enhancing BWC implementation</td>
<td><strong>Negotiation:</strong> New mandate to negotiate on ways to enhance BWC implementation</td>
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### Assumptions

- **Limited:** No BWC activity until next Review Conference
- **Status quo:** MXs on agreed topics plus MSP
- **New approach:** New mandate for working groups on enhancing BWC implementation
- **Negotiation:** New mandate to negotiate on ways to enhance BWC implementation

### Assumptions

- No SP will openly promote this outcome
- Inability to agree in 2022 may result in compromise in 2023 and activity in 2024–2025
- Most likely outcome as it is the default option
- Existing ISP mandate is retained
- Diminishing value due to more identified issues to discuss, less time allocated to meetings, and little effective action
- A new (expanded) MX approach that includes working groups on compliance, cooperation, capacity-building and cross-cutting issues (e.g. institutional architecture)
- A negotiation mandate is possible, albeit exceedingly difficult
- Consensus agreement is required for any outcome from any negotiations

### Rationale for outcome

- Used to prevent unfavourable outcome in 2022 by a single or very few party(ies)
- Used to create failure to signal intent and as a means to negotiate another outcome in future
- Familiar, flexible and low-cost default outcome with no new obligations
- Low political cost compromise with meetings maintained but SPs free to promote their preferred alternative approach
- Need to create a shift in working methods
- Potential alternative compromise for all SPs with strong negotiation or no negotiation views
- Flexible and allows for phased enhancement of BWC
- Belief that multilateral negotiations have a chance of success
- Long process to shape final outcome

### Advantages

- Used to prevent a worse potential outcome
- Creates cooling off period if major disputes arise in 2022
- Familiar to SPs
- Highly flexible: allows for significant variation (topics, number and duration of meetings) to expand or reduce effort, time commitment and costs
- Signals shift in approach to bio-related threats without imposing new obligations on any SP
- Compromise-driven approach to explore issues and promote future change
- Evolutionary shift in ISP that is not too radical
- Can establish the groundwork for future efforts
- Signals explicit response to bio-related threats
- Allows for agreement on new obligations for SPs to enhance BWC implementation
- Outcome can take different forms (e.g. a potentially minimal or a maximal agreement or series of agreements of different types)
- Likely to revitalize interest and effort

### Disadvantages

- Will be viewed as failure given pandemic
- Increases divisions among SPs
- 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
- Diminishing value and effectiveness of existing MX/MSP approach
- Likely to be perceived as limited response to pandemic experience
- Unlikely to address complex and divisive issues in systematic manner to enhance implementation
- Additional costs for all SPs
- Requires investment in a serious effort to reach outcome
- Requires willingness to address a number of very difficult issues
- Any enhancement of BWC is in the future
- Significant additional costs for all SPs
- Inevitable repetition of old debates
- Success is dependent on reaching an agreement: process fails if no agreement(s) are adopted
- Cost and level of effort required may prevent any other work on BWC by SPs
- Any enhancement of BWC is in the future
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| - Short-term, but lasting, damage  
- Increases animosity as one or two SPs likely to be responsible for outcome  
- Risks loss of the ISU if there is no action for whole intersessional period  
- CBM administration, database management and other functions will end without the ISU  
- May accelerate shift to like-minded agreements and actions outside of BWC  
- Perception of BWC having limited relevance may increase | - Effective action remains largely absent for SPs within the Convention  
- Decreasing value of MX/MSP approach in BWC to bio-related challenges  
- 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  
- 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) | - Interim outcome: requires action after ways to enhance implementation are identified  
- Any demand for a consensus-based final report severely limits value of the process  
- 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) | - Need to define what is in and out of scope for negotiation mandate  
- Single legally binding agreement approach has very high risk of failure  
- Failure will renew animosity and reduce relevance of BWC  
- Subject to risks inherent in go-slow process  
- Would need to embrace ability to learn from practices based on key lessons of recent decades  
- Must address contentious and complex issues of last two decades and look to future |
| **Cost estimate** | **Cost estimate** | **Cost estimate** | **Cost estimate** |
| - Zero if there is no work and ISU ceases to exist  
- US$901,000 per year if there is no work but ISU continues for duration  
- US$3.7 million if ISU continues and agreement is reached at MSP in 2023 for existing MX/MSP practice in 2024 and 2025 | - US$1.5 million per year based on current meeting duration and size of ISU  
- 2023–2025 costs = US$4.5 million | - US$2.5 million per year  
- 2023–2025 costs = US$7.5 million* | - US$3.8 million per year  
- 2023–2025 costs = US$11.4 million  
- 2023–2030 costs = US$26.6 million** |
| **Timeline** | **Timeline** | **Timeline** | **Timeline** |
| 2023 to 2025 | 2023 to 2025 | 2023 to 2025 | 2023 to 2025 |
| **Likelihood of adoption at RevCon** | **Likelihood of adoption at RevCon** | **Likelihood of adoption at RevCon** | **Likelihood of adoption at RevCon** |
| Low | High | Medium | Low |
| **Historical context** | **Historical context** | **Historical context** | **Historical context** |
| - Fifth RevCon reconvened in 2002  
- Eighth RevCon delegated to 2017 MSP to agree work | - Current MX/MSP approach to intersessional work agreed in 2002  
- 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  
- Expert groups have been meeting since 2002 | - AHG mandate agreed by Special Conference in 1994  
- 24 AHG sessions between 1995 and 2001  
- AHG costs, 1995 to 2001, are approximately US$17.6 million (at 2020 dollar value) and 330 days of negotiation time  
- AHG failed to reach agreement |

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**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.*