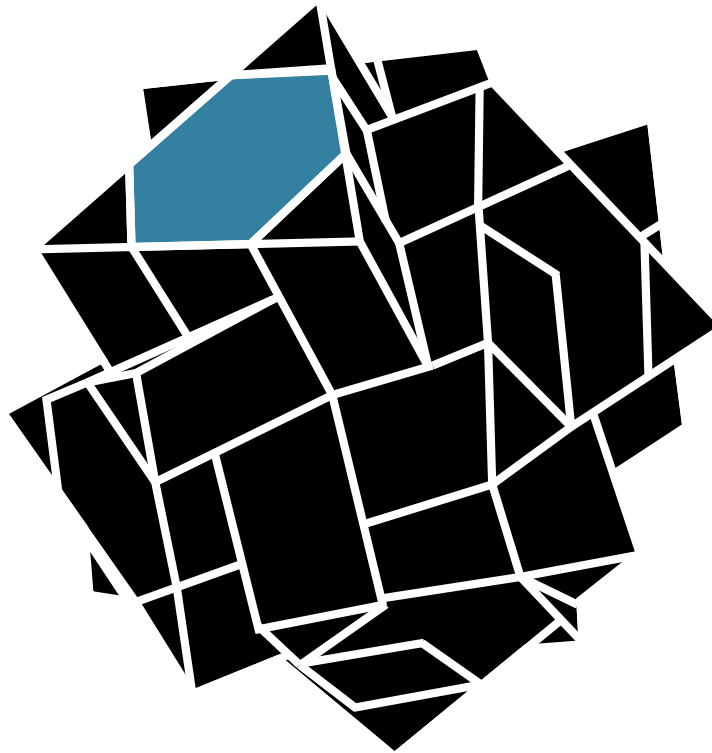


# SUMMARY REPORT OF THE WORKSHOP

## Eighth Review Conference of the Biological Weapons Convention: Where Next?

21 March 2017, Cambridge



### CSER – Workshop Report Series – No.1.c, 2017

There are three versions of this report: [1.a] for audiences familiar with the Biological Weapons Convention; [1.b] with additional background material for those less familiar with the Biological Weapons Convention; and [1.c] a summary version.

The Centre for the Study of Existential Risk is an interdisciplinary research centre within the University of Cambridge dedicated to the study and mitigation of human extinction-level risks that may emerge from technological advances and human activity.

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# SUMMARY REPORT OF THE WORKSHOP

## Eighth Review Conference of The Biological Weapons Convention: Where Next?

### OVERVIEW

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While there was potential to make progress in several areas, the Eighth Review Conference of the Biological Weapons Convention (BWC) failed to move things forward, and has left the process for the next few years largely undirected. The purpose of this workshop was to inform activities of civil society in support of the aims of the Convention over the next few years. Many of the issues raised and actions suggested by participants also have relevance to activities that might usefully be undertaken by states parties and other groups, such as science and technology communities.

Three scenarios – and the way in which they might shape the role of civil society – informed much of the workshop discussion, and are based on the outcome that might be achieved at the 2017 Meeting of States Parties (MSP):

1. **Positive outcome.** A more effective intersessional process (ISP) is agreed and funded. Civil society will have a role in supporting this new process, for example through advocacy activities, support for small delegations, convening expertise, and developing policy recommendations.
2. **'More of the same' outcome.** An intersessional process is agreed that is very much the same as the previous ones. Civil society will probably still provide some support to this process, but it is unlikely to be a priority in terms of achieving objectives, and focus is likely to shift to other approaches and routes to impact.

**3. Nothing through to 2021 outcome.** This includes situations in which there is agreement only to hold annual MSPs on a simple technical basis, or no decision is achieved. Civil society will probably be far more active through different forums and with a strong practical focus e.g. on tools and training, and campaigning on national policy.

The initial framing of the workshop gave priority to identifying actions that could be taken by participants to promote progress in the lead up to the 2017 MSP. It was clear from early in workshop that there is a high likelihood that the 2017 MSP (if it takes place) will result in a 'more of the same' or 'nothing until 2021' outcome. We therefore paid greater attention to potential activities over the longer period, which will be needed anyway, and may help create a positive atmosphere for progress at the 2021 Review Conference.

The urgency of the current situation was not overlooked and it is still considered important to support more immediate efforts that might achieve a positive outcome this year.

This report summarises some of the key areas of discussion, providing context and potentially guiding prioritisation for range of potential actions for the next few years. Background information on the Biological Weapons Convention can be found in version 1.b of the full workshop report.

## HIGHLIGHTS

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- Preparations by states parties for the Eighth Review Conference were substantial and largely positive. Productive use of the Preparatory Committee sessions in April and August 2016 led to expectations that substantive progress would be achieved in several areas.
- The frustration of that progress by the blocking actions of a handful of states led to what has been described as a disappointing outcome, and may be viewed as a step backward for the formal Convention processes.
- In general, states parties still recognise the importance of the Convention and the need to pursue various lines of work to support it. Alongside this there continues to be a significant role for civil society.
- The balance of what is pursued within or outside of formal processes is likely to shift. The meaning, content and likely implications of this shift were one of the main areas of discussion at the workshop.
- There are things of value that states, the Implementation Support Unit (ISU) and civil society can do in preparation for the 2017 MSP.
- Even with such efforts, the chances of success (in terms of agreeing a more effective intersessional process) are low and, given limits to capacity and resources, this suggests that greater attention and effort be devoted to other activities through to 2021.
- Some of these activities would anyway take place alongside an expanded intersessional process (ISP), but additional actions may have higher value or warrant greater attention in the scenarios where this is not achieved.
- For this reason, a lot of discussion focused on the role that civil society can most usefully play and what its responses might be to different scenarios.

## MAIN DISCUSSION TOPICS

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These discussion summaries are designed to provide context for understanding and prioritising the actions outlined in the next section of this report.

### STUMBLING BLOCKS

There was a substantial gap between expectations and outcomes of the Eighth Review Conference, largely as the result of blocking action by a small number of states. This is one indicator that there are barriers likely to arise and which should be considered when trying to develop ways forward. Anticipating and identifying potential problems will help us to find ways of resolving them, working around them, or may lead us to decide that efforts would best be diverted to other routes.

Stumbling blocks identified include:

- Lack of clarity around what can be achieved at the 2017 MSP, including the extent to which it will be able to make decisions.
- Securing funding for the 2017 MSP.
- Maintaining momentum for progress.
- Balancing high expectations with what an intersessional process might realistically achieve over the next few years.
- The output-focused format of formal processes, which can provide easy opportunities to blocking progress.
- The potential for the formal process to be perceived as increasingly irrelevant and of low diplomatic priority, compounded by the problem of compartmentalisation (where work on BWC issues is not joined up to efforts in related areas such as global health security).
- Persistence of an institutional deficit and the failure to expand the capacity of and secure sustainable funding for the ISU is limiting what can be achieved in formal processes.
- Difficulty in achieving a collective voice for civil society.
- A diminishing role for UK civil society.

## **CAPACITY / RESOURCING**

There is a strong connection between capacity and resourcing and stumbling blocks. There are clear – and in some cases urgent – needs for building capacity for various actors, including civil society, states parties, and the ISU. Among the problems that this could help to address are: time pressures, financial pressures, coordination needs, and the impact of multiple issues facing diplomats. It will also facilitate various activities and actions needed to support the Convention – such as those outlined in the section below.

An overarching point is the need for sustainable resourcing, which may be very difficult to achieve, but some possibilities were picked up in later discussion of funding. Ideally, we would move towards achieving adequate resourcing for a more effective ISU, increased civil society presence in Geneva and for its national activities, development of a stronger collective focus for civil society groups, and increased engagement of industry in support of the Convention.

## **OPPORTUNITIES**

There is a lot that can be done both within and outside the formal BWC processes, and there are positive indications that many states parties are interested in continuing actions to support the Convention. Article VII was one area of the Final Declaration in which language was updated – there are likely to be particular opportunities in this area.

In the ‘more of the same’ or ‘nothing until 2021’ scenarios additional freedom of action may open up, including to imagine different futures for the Convention.

Civil society needn’t be limited by developments in the formal processes. It can work in parallel and with shared objectives, but take different paths going forward. It might take on more of an advocacy role, and there are various ways in which civil society might broaden engagement of other actors.

## INSIDE / OUTSIDE (BOUNDARIES AND BALANCE)

Participants were asked to reflect on whether there should be a more realistic expectation of the extent to which effective action can be achieved through formal processes, and how progress might instead be made through a shift to more activity 'outside' of the formal BWC arena.

Such a shift was likely to happen anyway, but will probably gain further impetus if no new ISP is agreed in December. It is recognised that care is needed not to diminish the core value of the BWC as such a shift takes place. For many activities, the boundaries between 'inside' and 'outside' are unclear and it may not be useful to make a strong distinction between the two.

There was broad agreement that there are separate and complementary things that can and are being done in both spaces. To some extent this is a continuation of a historic mix of activities, with the outside space growing over time and likely to expand further. Within these spaces, a number of actors (states, regional organisations, international organisations, science academies, civil society, etc.) usefully play different roles. The different weight, meaning, authority and validity associated with these actors and their activities was identified as an area requiring further consideration.

Further exploration of the implications of a shift to more activity taking place outside of formal processes is also warranted, for example investigating the potential advantages and disadvantages of 'out-sourcing' certain activities.

## DISAPPOINTMENT, NOT DISASTER?

Generally, official statements about the outcome of the Eighth Review Conference have taken the line that it was a disappointment, rather than a disaster. There is value to adopting this perspective – overstating potential damage to the Convention may dis-incentivise future efforts to achieve progress, and further diminish the perceived relevance of its formal processes. There is also a risk associated with understating the seriousness of the situation, and civil society in particular may choose not to ‘paper over the cracks’, particularly if the most minimal outcome is achieved at the 2017 MSP.

Whether the outcome of the Eighth Review Conference should be considered to be more serious than a disappointment, will partly depend on what can be achieved anyway and the extent to which it matters where it is done. While the norm against biological weapons (BW) appears robust, there are grounds for concern about major shortcomings in the international system for dealing with deliberate disease threats, particularly while there are continuing deficiencies in our ability to incorporate up-to-date information on BW threats and vulnerabilities.



# ACTIONS

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## GENERAL POINTS

Many of the ideas presented require further work. The scope of what is achievable depends heavily on availability of funds to support such actions.

Suggested actions included:

- Understanding what assistance countries are looking for under Article VII, and linking up with groups such as those working on Sustainable Development Goal 3 (on health and well-being) and the Global Health Security Initiative.
- Further work on education and training initiatives and development of codes of conduct (potentially feeding into MSPs).
- Continuation of work on science and technology (S&T) review, including work exploring what it is that states parties want from a strengthened S&T review process.
- A range of activities to raise the profile of BWC related issues and broaden and sustain engagement.

## FUNDING

Attaining funding for some of these activities and the groups and organisations that undertake them is vital. As well as civil society needing to secure funding for its own activities, it can play a key role in bringing attention to resourcing needs of other actors (as it is currently doing in relation to the ISU and 2017 MSP).

Development of positive metrics to provide evidence of impact will be a useful supporting mechanism for efforts to acquire future funding. Work on this might include producing a guide on metrics and outcomes to aim for with long-term sustainable impacts.

## CIVIL SOCIETY FOCUSED ACTIONS

Particularly in the 'more of the same' or 'nothing until 2021' scenarios, civil society may need to be more active and take leadership in some areas. In any scenario, there is still high value to civil society working with formal BWC processes, but the main focus of its efforts may shift.

Work undertaken / led by civil society might, more specifically, include:

- Further development of shared aims and objectives to coalesce around.
- Engaging a younger generation of civil society actors.
- More generally broadening the base of civil society engagement in the area, linking up with communities engaged in related areas.
- Establishing productive routes to raising public awareness enough to influence policy agendas.
- Further investigation of the landscape of projects relating to different articles of the Convention, and the roles and activities of various actors, to establish what is and isn't being done at present.
- Working out how to effectively evaluate and capture the value of civil society activities.
- Investigating how more severe or complex scenarios than a one-time attack might impact the scope of activities needed to support the Convention.
- Produce a guide for practical action by a coalition of the willing.
- Undertake some report card type analysis e.g. on un-actioned points from the ISP and ideas presented in the lead up to the Eighth Review Conference.
- Supporting smaller delegations, providing back up and resources to encourage engagement, and addressing some of the problems associated with multi-issue overload.

## CONCLUDING REMARKS

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While collectively groups represented at the workshop will put effort into achieving the best possible outcome from the 2017 MSP, given the limited chances of success there, work that generally supports preparations and improves the climate for progress at the 2021 Review Conference should take higher priority, in terms of attention and resources, particularly for civil society.

If the 2017 MSP fails to agree a more effective intersessional process, this may create further space and freedom for activities (broadly conceived as ‘outside’ the Convention’s formal processes) over the next few years.

While there is a lot that can be done outside of formal processes to further the object and purpose of the Convention – as indicated in the actions outlined above – funding is an embedded problem in sustainability of many processes and activities, and this affects all actors involved. In any scenario, achievement of sustainable resourcing is essential to ensuring real progress on effective action.

# Centre for the Study of Existential Risk

## Workshop Report Series

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