

Strengthening the Biological Weapons Convention

Review Conference Paper No 25

Achieving Consensus at the BTWC Seventh Review Conference

November 2010

Series Editors

Graham S Pearson and Malcolm R Dando

Department of Peace Studies, University of Bradford

Strengthening the Biological Weapons Convention

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2. The Functions of the BTWC Review Conferences: Maximizing the Benefits from the Fifth Review Conference April 2001
3. New Scientific and Technological Developments of Relevance to the Fifth Review Conference July 2001
4. The US Statement at the Fifth Review Conference:
Compounding the Error in Rejecting the Composite Protocol January 2002
5. Return to Geneva: The Next Stage of the BTWC Fifth Review Conference April 2002
6. Return to Geneva: The United Kingdom Green Paper June 2002
7. Return to Geneva: A Comprehensive List of Measures August 2002
8. Return to Geneva: Uncertainties and Options October 2002
9. The Resumed Fifth BTWC Review Conference: Maximizing the Benefits from the Final Declaration October 2002
10. Preparing for the BTWC Sixth Review Conference in 2006 February 2005
11. What Would Be a Successful Outcome for the BTWC Sixth Review Conference in 2006? March 2005
12. Remedies for the Institutional Deficit of the BTWC: Proposals for the Sixth Review Conference March 2005
13. Achieving Effective Action on Universality and National Implementation: The CWC Experience April 2005
14. The UN Secretary-General's High Level Panel: Biological Weapons Issues May 2005
15. The BTWC Sixth Review Conference in 2006 November 2005
16. Successful Outcomes for the BTWC Sixth Review Conference March 2006
17. The Blix Weapons of Mass Destruction Commission Report: Biological Weapons Related Issues June 2006
18. In-Depth Implementation of the BTWC: Education and Outreach November 2006
19. The Successful Outcome of the BTWC Sixth Review Conference January 2007
20. Towards a New Implementation Mechanism for the BTWC November 2007
21. Preparing for the BTWC Seventh Review Conference in 2011 May 2010
22. An Annual Meeting for the BTWC June 2010
23. An Accountability Framework for the BTWC June 2010
24. Improving the BTWC Confidence-Building Measures Regime October 2010
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This **Review Conference Paper** is a further one in a series that is being prepared to aid the delegations of the States Parties to the Biological and Toxin Weapons Convention (BTWC) in their preparation for the Seventh Review Conference to be held in 2011. A Briefing Book "*Key Points for the Seventh Review Conference*" will be produced and distributed in 2011. These Review Conference Papers and the Briefing Book will continue the series which commenced with the Briefing Book "*Key Points for the Fourth Review Conference*" prepared and distributed to the States Parties to the Biological and Toxin Weapons Convention in 1996 prior to that Review Conference. The Bradford Review Conference Papers are listed on the **inside front cover**.

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|---|---------------|
| 21. Preparing for the BTWC Seventh Review Conference in 2011 | May 2010 |
| 22. An Annual Meeting for the BTWC | June 2010 |
| 23. An Accountability Framework for the BTWC | June 2010 |
| 24. Improving the BTWC Confidence-Building Measures Regime | October 2010 |
| 25. Achieving Consensus at the BTWC Seventh Review Conference | November 2010 |

The Review Conference Papers and the Briefing Books are available at the BTWC Website at <http://www.brad.ac.uk/acad/sbtwc>

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This website forms part of the Department of Peace Studies project on **Strengthening the Biological and Toxin Weapons Convention and Preventing Biological Warfare** and has these Review Conference Papers together with documentation relating to the BTWC and its Review Conferences as well as the Bradford Briefing Papers (First & Second Series) and Evaluation Papers. Additional BTWC documentation will be added to the website.

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ACHIEVING CONSENSUS AT THE BTWC SEVENTH REVIEW CONFERENCE

by Graham S. Pearson* & Nicholas A. Sims†

Introduction

1. Review Conference Paper No. 21¹ on *Preparing for the BTWC Seventh Review Conference in 2011* provided an overview of the likely structure of the Review Conference and of its Preparatory Committee with the aim of showing how the Review Conference functions. It then indicated some of the topics that States Parties have mentioned in regard to the forthcoming Review Conference in 2011 during the current intersessional programme of meetings and emphasised the importance of preparing the ground as it is too late to present novel ideas at the Review Conference itself.

2. This Review Conference Paper considers what might be done to facilitate the achievement of consensus at the Seventh Review Conference as it is already evident that there are several topics that have been identified by the States Parties as requiring action at the Review Conference. As was noted in Review Conference Paper No. 21, the time available at the Review Conference **itself** to discuss, consider and agree language is limited to the three week period in which the Conference is held. At the Sixth Review Conference the three weeks – or 15 working days – were taken up as follows:

- a. The general debate in plenary session was largely confined to the first two days.
- b. The Committee of the Whole then met for the next eight days.
- c. Informal consultations then took place for the next five days leading to agreement on the text of the Final Document on the final day.

The difficulty of achieving consensus during the three weeks of the Review Conference was recognized by Switzerland in a Working Paper² submitted in 2008 which noted that *Discussions at the 2006 Review Conference showed how difficult it was to agree on solutions during an already packed agenda.*

3. It is thus evident that not only do States Parties need to put forward their ideas as to what should be achieved at the Review Conference in advance of the Conference – as Review Conference Paper No. 21 noted in its final paragraph *The importance of preparing the ground in advance of the Review Conference is emphasised as it is too late to present novel ideas for*

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¹ Graham S. Pearson & Nicholas A. Sims, *Preparing for the BTWC Seventh Review Conference in 2011*, University of Bradford, Department of Peace Studies, Review Conference Paper No. 21, May 2010. Available at <http://www.brad.ac.uk/acad/sbtwc>

² Switzerland, 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, *Preparing the Ground for the CBM Content Debate: What Information Builds Confidence?*, BWC/MSP/2008/WP.6, 9 December 2008. Available at <http://www.unog.ch/bwc> and at <http://www.opbw.org>

the first time at the Review Conference itself. – but consideration needs to be given to how best to achieve consensus. This Review Conference Paper explores the potential for Friends of the Chair to contribute to reaching consensus.

Friends of the Chair at the BTWC Review Conferences

4. Friends of the Chair have been used only infrequently at previous Review Conferences of the BTWC. The first occasion was at the Third Review Conference in 1991 when the Chairman of the Committee of the Whole, Ambassador Hendrik Wagenmakers (Netherlands), invited Mr. Félix Calderón of Peru as a Friend of the Chair to hold informal consultations on the subject of confidence-building measures. In addition, at the same Review Conference, the Chairman of the Committee of the Whole invited Mr. Sylwin Gizowski of Poland, acting as the Focal Point for verification issues, to coordinate consultations on this topic.

5. The outcome of the first set of consultations was reported in the Report³ of the Committee of the Whole in the section on Article V as follows:

16. While welcoming the participation of States parties in the exchange of information to promote confidence in the implementation of the Convention, it was recognised that participation in that exchange had not met the expectation of most States parties. In the view of delegations, there was a need to broaden the existing process. Due to the technical nature of these measures, Mr. Félix Calderón of Peru was requested as a Friend of the Chair to coordinate a group of technical experts to discuss the different proposals put forward. The Coordinator presented to the Committee a set of proposals considered by the technical group (see Annex II). The Committee welcomed the work accomplished by the technical group. Many delegations stressed the need for finalizing the improved and new confidence-building measures during the Conference. However, some delegates felt that there could be a task for a possible follow-up mechanism in this respect. Many delegations pointed to the need for Secretariat support in the exchange of information among States parties.

The proposals themselves appeared in Annex II under the heading:

FRIEND OF THE CHAIR ON CONFIDENCE-BUILDING MEASURES

ARTICLE V

(Mr. F. Calderón)

*Proposals agreed by the Technical Expert Group for
consideration by the Committee of the Whole*

6. The second set of consultations was reported in the Report of the Committee of the Whole in the section on Article V as follows:

³ United Nations, Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, Geneva, *Report of the Committee of the Whole*, BWC/CONF. III/17, 24 September 1991. Available at <http://www.opbw.org>

15. *With respect to verification questions, the Committee entrusted to Mr. Gizowski of Poland the task of coordinating the consideration of a possible mandate for an ad hoc group of governmental experts. The Coordinator presented a report contained in the Chairman's informal paper (see Annex II). While all delegations again noted the lack of a verification mechanism of the Convention, some delegates stressed that such a mechanism should have a non-discriminatory and transparent character, taking into consideration economic and social development concerns. Many underlined the need for further study by experts on the scientific and technical feasibility as well as the modalities of a possible verification and compliance regime. Some States parties pointed to the complex nature of the issue, feeling that it would require careful study.*

The proposed language appeared in Annex II as a paragraph entitled:

E. Verification

(Proposed mandate for an ad hoc group of governmental experts on verification issues, submitted by the Focal Point)

7. There is no record of a Friend of the Chair or Focal Point being appointed at any stage during the First, Second or Fourth Review Conferences. However, informal consultations on particular topics were sometimes entrusted by the President of a Review Conference, or the Chairman of its Committee of the Whole or its Drafting Committee, to unofficial groups of delegations or individuals who chaired informal meetings to find acceptable language for sections of the Final Declaration, without this being recorded in the conference proceedings. It is probable that the appointment of named Facilitators to coordinate informal consultations during BTWC Review Conferences developed out of such practices before 2001. Facilitators, like Coordinators or Focal Points, perform functions similar to those of Friends of the Chair although under a different title. It is suggested that Friends of the Chair should be the standard term for the future.

8. In 2001 Facilitators within BTWC Review Conferences were named for the first time, in the Interim Report of the Fifth Review Conference⁴ ⁵. This Interim Report recorded the organisational history of the inconclusive 2001 session of the Conference. In paragraph 31 it noted that ten Facilitators were appointed to assist the Chairman of the Drafting Committee which held thirteen meetings between 30 November and 7 December 2001. These facilitators were as follows:

- Solemn Declaration: Ambassador David Broucher (United Kingdom of Great Britain and Northern Ireland);
- Use: Minister Counsellor Alfredo Labbé (Chile);
- Legislation/Criminalization: Ambassador Gustavo Albin (Mexico);
- Safety: Ambassador Volker Heinsberg (Germany);
- Investigations: Ambassador Rakesh Sood (India);

⁴ United Nations, Fifth Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, Geneva, *Interim Report*, BWC/CONF.V/12, 14 December 2001. Available at <http://www.opbw.org>

⁵ United Nations, Fifth Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, Geneva, Annex I to *Final Document*, BWC/CONF.V/17, 2002. Available at <http://www.opbw.org>

- Assistance: Ambassador Christopher Westdal (Canada);
- Disease Surveillance: Ambassador Ali-Asghar Soltanieh (Iran);
- Confidence-Building Measures: Ambassador Hubert de La Fortelle (France);
- Cooperation (other than on disease and assistance): Minister F. S. Duque Estrada Meyer (Brazil);
- Follow-up/Ad Hoc Group: President of the Conference.

9. The Summary Record⁶ states that *The PRESIDENT said that, on the basis of consultations with the Chair of the Drafting Committee and other colleagues, a number of representatives had been identified as facilitators for discussions on various issues, with a view to preparing readily useable formulations to be integrated in the draft text of the final declaration.* Although progress was made in 2001 towards a Final Declaration, the adjournment of the Fifth Review Conference took place before it had been completed, and the 2002 session concluded the Conference with a Decision, without attempting to resume work on a Final Declaration. Accordingly the question of reviving the use of Facilitators did not arise in 2002. However, the precedent of appointing Facilitators was followed in 2006 and slightly extended, from ten Facilitators to twelve, when the Sixth Review Conference was able to agree a set of outcome documents including a Final Declaration.

10. At the Sixth Review Conference⁷ in 2006, following the adoption of the Report of the Committee of the Whole, the President, Ambassador Khan of Pakistan, was assisted by Facilitators who engaged in informal consultations in a number of areas:

- Solemn Declaration: Ambassador Paul Meyer (Canada)
- Articles I-IV and XII: Ambassador Doru Costea (Romania)
- Articles V-VII and XI: Mr. Knut Langeland (Norway)
- Articles VIII-IX: Mr. Muhammad Shahrul Ikram Yaakob (Malaysia)
- Article X: Mr. Ben Steyn (South Africa)
- Implementation Support Unit (ISU): Mr. Marcelo Valle Fonrouge (Argentina)
- Work of the 2003-2005 Meetings: Mr. Knut Langeland (Norway)
- Universalization: Mr. Enrique Ochoa (Mexico)
- National Implementation: Mr. Craig Maclachlan (Australia)
- 2007-2010 Intersessional Topics: Ambassador Jayant Prasad (India)
- Confidence-building Measures (CBMs): Ambassador Jean-François Dobelle (France)
- Cross-cutting Issues: Ambassador John Duncan (United Kingdom)

These informal consultations took place at the end of the second week and the start of the third week of the Review Conference with a view to finding consensus language for the various areas. They effectively took the place of the Drafting Committee which did not meet at the Sixth Review Conference.

11. The Facilitators having been appointed after the Committee of the Whole had reported

⁶ United Nations, Fifth Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, Geneva, *Summary Record (Partial) of the 5th Meeting*, BWC/CONF.V/SR.5, 6 December 2001. Available at <http://www.opbw.org>

⁷ United Nations, Sixth Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, Geneva, 20 November – 8 December 2006, *Final Document*, BWC/CONF. VI/6, Geneva 2006. Available at <http://www.opbw.org>

had only a limited time in which to carry out their consultations aimed at arriving at an agreed text. It is to be noted that the first five Facilitators were tasked with addressing the Article by Article elements of Section II: Final Declaration of the Final Document whilst the other seven Facilitators were tasked with considering those elements that became Section III: Decisions and Recommendations of the Final Document.

Friends of the Chair for other international treaties

12. Friends of the Chair are used in several other international treaties. For example, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) uses Friends of the Chair in its Working-Group B on verification uses. In another example, in this case for a treaty that has entered into force, the United Nations Framework Convention on Climate Change (UNFCCC) provides information on the role of Friends of the Chair. Material provided in 2002⁸ gives an appreciation of the process aimed at arriving at consensus:

*Working within this larger structure, the President and the Subsidiary Body Chairs may create additional, smaller groups for discussing specific issues. Sometimes these are **open-ended meetings** that are attended by all interested delegates and observers; other times they are closed **drafting groups** or **informal contact groups** involving a small but representative selection of delegates. The President or Chair may also appoint individuals as "**friends of the chair**" to assist in carrying out specific tasks. The aim of all these mechanisms is to create a process that helps to consolidate different views, reach a compromise, and produce an agreed proposal, often in the form of a written text.*

Text that is being discussed but has not yet been agreed is placed in [square brackets]. Once a text is agreed in a small group it may then be discussed and adopted by the Subsidiary Body. It is then forwarded for final adoption to the Plenary of the COP [Conference of Parties]. This multi-layered structure provides flexibility, offers protection against mistakes and misunderstanding, allows countries with very strong interests at stake to play a more prominent role, and – in general – it works.[Emphasis in original]

13. Rather more extensive information on Friends of the Chair is provided in the *Multilateral Environmental Agreement Negotiator's Handbook*⁹ that was issued in its second edition in 2007. This notes in its introduction that:

The number of multilateral environmental agreements (MEAs) and institutions has grown steadily over the last few decades. The work taking place under these agreements and within these institutions is increasing in volume and specificity, and it is having an increasingly substantive impact, particularly as there is an increasing focus on practical implementation. More and more, officials from governments all over the world participate in international negotiations, whether in a bilateral,

⁸ United Nations Framework Convention on Climate Change, *An informal press guide to COP 8*, 23 October 2002. Available at <http://unfccc.int/cop8/latest/infprguidec8.pdf>

⁹ United Nations Environment Programme, Environment Canada and the University of Joensuu, Finland, *Multilateral Environmental Agreement Negotiator's Handbook*, 2007. Available at http://unfccc.int/resource/docs/publications/negotiators_handbook.pdf

trilateral or multilateral context. We have, in partnership, developed the second edition of the Multilateral Environmental Agreement Negotiator's Handbook principally to respond to the need for a practical reference tool to assist in addressing the many complex challenges in such negotiations.

This contains a section on Friends of the Chair that reads:

3.2.1.6.4. Friends of the Chair

In the context of particularly sensitive or complex negotiations, the Chair may take the initiative of creating an informal group to carry out specific tasks. This group is variously called "Friends of the Chair," or the "Eminent Persons Group". The group is often comprised of a relatively small number of delegates selected to represent regional groupings, to explore strategies for achieving consensus. Those that are invited are often the Parties that have most actively intervened on relevant issues. Other actors with relevant interests may also be invited (e.g. at CBD COP4 [The Fourth Conference of Parties to the Convention on Biological Diversity] indigenous and community representatives joined Parties to draft a decision on traditional knowledge). Inclusion in such groups may be a sensitive issue with some Parties or groups, and it is often preferable to include any Party with strong views in order to avoid protracted discussion in the subsidiary body in question.

A later section regarding the role of the Chair includes the following:

More generally, a skilful Chair is often a key factor to a successful meeting. He or she can lead in plenary by encouraging representatives to focus on key issues, by asking representatives to clarify complex positions, probing positions for challenges and opportunities (in a balanced way), etc. A Chair is also frequently called upon to participate and intervene in working groups and contact groups. A Chair also has the discretion to form a group of Friends of the Chair to attempt to resolve particularly difficult issues (see section on smaller groupings). In addition, the Chair will often be invited to meetings held by regional groups in order to, among other things, discuss in advance upcoming agenda items.

The section on smaller groupings states:

3.6.3. In smaller groupings

As mentioned above, most negotiations take place in groups other than the plenary, whether in working groups, in contact groups, in informal groups in drafting groups, through Friends of the Chair, or otherwise. Many of the methods previously mentioned may be employed to make your point in these venues. You should continue to speak through the Chair unless the level of informality does not require it. It is acceptable to make more frequent interventions, and such meetings are often heavily influenced by personality and the synergy that arises when compromises are actively sought.

Finally, the Glossary includes:

Friends of the Chair (FoC)

An informal group of a few prominent negotiators invited to assist the Chair of a meeting, working group, or contact group to develop a consensus proposal on a specific issue.

14. It is thus evident that Friends of the Chair are used in international treaties to assist the Chair in finding consensus language on specific issues.

Friends of the Chair at the Seventh Review Conference

15. It is considered that Friends of the Chair could provide a valuable input towards achieving consensus at the Seventh Review Conference particularly if they are appointed **prior** to the Review Conference itself, and **ideally** at the Preparatory Committee meeting. It is already evident from the statements made by States Parties at the annual Meetings of Experts and Meetings of States Parties in 2007, 2008, 2009 and 2010 that there are topics that will be considered by the Seventh Review Conference that would benefit greatly from their being considered prior to the Review Conference itself by Friends of the Chair charged with conducting informal consultations aimed at developing agreed text for incorporation into the Final Document at the Review Conference.

16. From consideration of the statements made by the States Parties as noted in Review Conference Paper No. 21, the following issues are among those in particular need of consideration at the Seventh Review Conference:

- a. Recent advances in science and technology of relevance to the Convention.
- b. The Confidence-Building Measures mechanism and whether, for example, additional new CBMs should be adopted or existing ones discontinued or modified.
- c. The strengthening of the Implementation Support Unit.
- d. The holding of Annual Meetings of States Parties with authority to make decisions.
- e. The development of an accountability framework.
- f. An Action Plan for national implementation of Article IV.
- g. A specific mechanism or other approaches to the implementation of Article X.
- h. A mechanism to strengthen the effectiveness and improve the implementation of the Convention.

17. Some of these topics are relatively straightforward:

- i. Recent advances in science and technology.
- ii. The Confidence-Building Measures regime.
- iii. The strengthening of the Implementation Support Unit.

- iv. The holding of Annual Meetings of States Parties with authority to make decisions.

whilst others will require careful preparation prior to the Review Conference:

- v. The development of an accountability framework.
- vi. An Action Plan for national implementation of Article IV.
- vii. A specific mechanism or other approaches to the implementation of Article X.
- viii. A mechanism to strengthen the effectiveness and improve the implementation of the Convention.

However, even relatively straightforward topics will require consensus text. Other topics will require preparation and consultation.

18. Consideration of such issues leads to the identification of particular topics for which appointment of Friends of the Chair would be particularly valuable. These topics are the following:

- A. The Confidence-Building Measures regime.
- B. Annual Meetings of States Parties (including Accountability Framework).
- C. The strengthening of the Implementation Support Unit
- D. Action Plan for the Comprehensive Implementation of the Convention (primarily focussed on Article IV but also addressing Articles X and III and extending to include Outreach and Education).
- E. Strengthening the effectiveness and improving the implementation of the Convention.

19. It is recommended that the Friends of the Chair should be appointed at the Preparatory Committee meeting and requested to hold open-ended consultations in order to develop an agreed text that can be submitted by the Friend of the Chair at the Seventh Review Conference. Consideration needs to be given as to when this agreed text should best be introduced into the process of the Review Conference. As the topics that would be addressed by the Friends of the Chair are likely to lead to text that would appear in the Decisions and Recommendations section of the Final Document, there is much to be said for following the practice effectively adopted at the Sixth Review Conference and introducing the Friends of the Chair text at the Drafting Committee stage (which in the event did not meet at the Sixth Review Conference). This is preferable to introducing the agreed text into the deliberations of the Committee of the Whole as it would then be important to ensure that the consultations and preparation carried out by the Friends of the Chair are respected and the situation discouraged in which amendments to the carefully prepared language are too readily proposed by other members of the Committee of the Whole. Consequently, the preferred route would be to introduce the language prepared by the Friends of the Chair into the deliberations of the Drafting Committee. This input to the Drafting Committee would need

to be embodied in the language covering the appointment of the Friends of the Chair at the Preparatory Committee meeting and included in the report of the Preparatory Committee.

20. Some Bradford Review Conference papers have already set out the background to some of these topics. Thus, Review Conference Paper No. 24¹⁰ addresses topic A: the Confidence-Building Measures regime and how this might be enhanced. Review Conference Paper No. 22¹¹ addresses an Annual Meeting for the BTWC and Review Conference Paper No. 23¹² sets out the argument for an Accountability Framework. These together thus address topic B. The arguments for topic C – the mandating and strengthening of the Implementation Support Unit – are evident from the importance of the tasks that the Implementation Support Unit has carried out so effectively during the period from the Sixth Review Conference. It now needs to be given an ongoing mandate and the resources for it to support the States Parties in implementing the Convention effectively.

21. The arguments relating to topic D – an Action Plan for the Comprehensive Implementation of the Convention – largely arise from the Sixth Review Conference. Prior to the Sixth Review Conference, a Bradford Review Conference Paper No. 16¹³ set out our appraisal of the situation regarding national implementation and took note of the situation in regard to the Action Plan that had been carried out for the Chemical Weapons Convention¹⁴. At the Sixth Review Conference itself, draft action plans were proposed for universality, national implementation and Article X implementation. The first two appeared to have wide support and had been referred to in many of the statements made in the General Debate. Language was proposed in the Committee of the Whole for a universality Action Plan by the Latin American group, Australia and the EU, and for the national implementation Action Plan by the EU. The proposal for an Action Plan on Article X implementation was the subject of language proposed by the NAM to the Committee of the Whole. During the subsequent negotiations at the Sixth Review Conference, language was gradually developed which by the final Tuesday included text on the Work of the 2003-2005 Meetings of States Parties, the Implementation Support Unit, the Intersessional Programme 2007-2010, Confidence-Building Measures, Universalisation, and National Implementation. Much of this was agreed apart from the language on National Implementation. The following day, Wednesday, language was proposed for an Action Plan for Comprehensive Implementation of the Convention which replaced the previous text on National Implementation. Further negotiation ensued which eventually reached an agreed text by deleting what could not be agreed. Thus the language on an Action Plan for Comprehensive Implementation of the Convention was deleted, and what had been ‘Action Plan for Universality’ had become

¹⁰ Filippa Lentzos, *Improving the BTWC Confidence-Building Measures regime*, University of Bradford, Department of Peace Studies, Review Conference Paper No. 24, October 2010. Available at <http://www.brad.ac.uk/acad/sbtwc>

¹¹ Nicholas A. Sims, *An Annual Meeting for the BTWC*, University of Bradford, Department of Peace Studies, Review Conference Paper No. 22, June 2010. Available at <http://www.brad.ac.uk/acad/sbtwc>

¹² Nicholas A. Sims, *An Accountability Framework for the BTWC*, University of Bradford, Department of Peace Studies, Review Conference Paper No. 23, June 2010. Available at <http://www.brad.ac.uk/acad/sbtwc>

¹³ Graham S. Pearson and Nicholas A. Sims, *Successful Outcomes for the BTWC Sixth Review Conference*, University of Bradford, Department of Peace Studies, Review Conference Paper No. 16, March 2006. Available at <http://www.brad.ac.uk/acad/sbtwc>

¹⁴ Scott Spence, *Achieving Effective Action on Universality and National Implementation: The CWC Experience*, University of Bradford, Department of Peace Studies, Review Conference Paper No. 13, April 2005. Available at <http://www.brad.ac.uk/acad/sbtwc>

‘Promotion of Universality’.

22. It is evident from the experience of 2006 that for an Action Plan on Comprehensive Implementation, however well drafted, to be acceptable to a Review Conference it needs to be introduced early in the proceedings, so that delegations' consideration of it does not run out of time. This requires the detailed advance preparation of a balanced text with acceptable language to be ready at the opening of the Review Conference, which informal consultations, conducted by a Friend of the Chair in good time before the Review Conference begins, could provide.

23. In considering this topic at the Seventh Review Conference, States Parties need to recognize that an Action Plan on Comprehensive Implementation is in the interests of all States Parties as action is needed to ensure that each State Party has effectively implemented the Convention. The experience of the Chemical Weapons Convention has shown that such an Action Plan is an effective way of achieving this. States Parties also need to recognize that implementation applies to all the Articles of the Convention and is not limited to Article IV but applies equally to Article III and to Article X as well as the other Articles. In addition, it has become evident that awareness of the BTWC and its obligations is very limited in the life sciences community so that an integral part of any Action Plan must be action to raise awareness and educate all those engaged in the life sciences whether in academia, industry or government.

24. The final topic E – Strengthening the effectiveness and improving the implementation of the Convention – is one that has long been touched upon by the States Parties. It is also a topic that is referred to frequently by States Parties and groups of States Parties. For example, the EU is *committed towards identifying effective mechanisms to strengthen and verify compliance with the Convention* and the NAM seeks *negotiations on a legally binding Protocol to comprehensively strengthen the implementation of the Convention including in the area of international cooperation for peaceful purposes*. It needs to be recognised that at the Seventh Review Conference it will be 20 years since the process began to examine how best to strengthen the effectiveness and improve the implementation of the Convention and it will be 10 years since the cessation of the Ad Hoc Group deliberations. The world has changed considerably since then and it would be timely for the States Parties to reconsider, in the light of the Convention in today's world and without any preconditions or preconceived ideas, what steps should be taken now to strengthen the effectiveness and improve the implementation of the Convention¹⁵.

Conclusions

25. In preparing for the successful outcome of the Seventh Review Conference in 2011, it is already evident that there are a number of important topics that need to be considered at the Review Conference and that these are topics on which decisions are likely to be made. In order to achieve consensus, it is evident that preparation needs to commence **prior** to the Review Conference itself. It is evident from experience at previous Review Conferences that the three weeks of the Review Conference are already heavily committed and that there would be much benefit from the President of the Review Conference appointing Friends of

¹⁵ Graham S. Pearson, *Towards a New Implementation Mechanism for the BTWC*, University of Bradford, Department of Peace Studies, Review Conference Paper No. 20, November 2007. Available at <http://www.brad.ac.uk/acad/sbtwc>

the Chair at the Preparatory Committee with responsibility for holding open-ended consultations in order to prepare an agreed text on each of their respective topics for submission to the Drafting Committee for incorporation into the Decisions and Recommendations section of the Final Document. The normal work of the Committee of the Whole to develop text for the Article by Article consideration of the Convention in the Final Declaration section of the Final Document would be carried out in the same way as at previous Review Conferences. It is recommended that at the Seventh Review Conference such Friends of the Chair should be appointed to address at least the following five topics:

- A. The Confidence-Building Measures regime.
- B. Annual Meetings of States Parties (including Accountability Framework).
- C. The strengthening of the Implementation Support Unit
- D. Action Plan for the Comprehensive Implementation of the Convention (primarily focussed on Article IV but also addressing Articles X and III and extending to include Outreach and Education).
- E. Strengthening the effectiveness and improving the implementation of the Convention.

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