

S&T Review for the BWC: Features of an Effective Process

Submitted by the United States of America to the April 2016 BWC Preparatory Committee Meeting

1. Article XII directs States Parties to “review the operation of the Convention” in a way that “shall take into account any new scientific and technological developments relevant to the Convention.” At the Seventh Review Conference, several different proposals were advanced to strengthen S&T review under the Convention. Ultimately, States Parties settled on a very modest approach: the establishment of a standing agenda item on this topic. It is not clear this has been an effective approach, however, and through working papers and plenary statements, several States Parties have expressed support for a routine mechanism that goes beyond the current intersessional program’s standing agenda item on S&T. Useful Swiss papers on S&T review (BWC/MSP/2015/MX/WP.11 and BWC/MSP/2015/WP.10) prompted us to consider some possible basic features for an S&T review mechanism. Below are four features we consider to be essential for effective S&T review. These features do not dictate any specific structure for S&T review, but an effective structure or approach should take them into account. We are interested to learn what features other States Parties find essential and how to structure a review body for success.

2. **Be responsive to needs of States Parties:** First, an S&T review body should *produce useful products* written in plain language that directly support the review of the operation of the Convention, per Article XII. Second, it could *provide increased capacity* for States Parties by offering broader technical expertise than individual delegations have at their disposal and by answering specific technical questions posed to it. Third, because States Parties’ needs to effectively review the operation of the Convention may change from year to year, an S&T review body should *be nimble* and able to address a wide range of issues. It could, for example, produce work products decided annually by States Parties.

4. **Have necessary technical expertise:** To provide work products responsive to States Parties’ needs, a S&T review body should comprise relevant technical expertise. States Parties could nominate technical experts to a S&T review body each year to provide specific expertise for the upcoming year’s work plan, so that the body is equipped to specifically address questions posed by States Parties. It could also be possible to invite cutting-edge specialists from academia or industry when necessary, e.g., when late-breaking advances are to be analyzed. The capacity to invite a diverse range of specialists, serving in their personal capacities, is also important when interdisciplinary perspectives are required. The interdisciplinary nature of science is well acknowledged in the BWC forum, and too narrow a focus could limit the capacity of an S&T body.

5. **Be representative of the diversity of all States Parties:** While the work of an S&T review body should be technical, not political, its composition should be geographically diverse and representative of all States Parties. This is critical for the political credibility of the work products. Special arrangements – such as a voluntary fund or a line item in the ISU budget – could be made to ensure broad cross-regional representation and avoid an unbalanced makeup of the body.

6. **Be structured for success:** In addition to technical expertise, an S&T review body requires guidance and staff support to ensure that its products are responsive to the needs of States Parties. An

S&T review body could be placed under the responsibility of the annual BWC Chairman. All States Parties could nominate technical experts to the body, although the experts should serve in their personal capacities, not as State Party representatives. For practical reasons, appointees should probably be limited to one or two per State Party so the body is not unwieldy. The Chair, with the assistance of the ISU, could ensure that those appointed have relevant technical credentials and that the group overall is broadly representative geographically. To ensure appropriate expertise, the Chair could also include observers or invited specialists. The body's technical discussions would need to be carefully planned and prepared; this could be achieved with the help of a technical specialist in the ISU under the supervision of the Chairman. Based upon the experiences of other technical bodies, such as the OPCW's Scientific Advisory Board, the role of the chair and a capable secretariat is critical to a technical body's success. While additional costs will be incurred, they should be kept as low as possible by using, for example, free meeting space for one annual in-person meeting and email listservs and teleconferences for the body's communications throughout the year.