

BTWC MEETING OF STATES PARTIES 14 – 18 DECEMBER 2015

EXECUTIVE SUMMARY

1. The report dated February 2016 on the Meeting of States Parties held on 14 – 18 December 2015 – which is available at the <http://www.unog.ch/bwc> website and on the Harvard Sussex Program website *Reports from Geneva* at <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva/HSP%20Reports%20from%20Geneva%20No.%2044.pdf> – was prepared by Graham S. Pearson of the Division of Peace Studies of the University of Bradford in conjunction with Nicholas A. Sims of the London School of Economics. The report provides summaries of the opening statements and outlines the sessions of the Meeting of States Parties and its side events. An analysis is then given of the outcome of MSP/2015 that shows how the substantive paragraphs of the Report, BWC/MSP/2015/6, evolved through various drafts.
2. In the reflections on page 124, the **contrast** is noted between the **unanimous** adoption by the General Assembly of Resolution 70/74 on 7 December 2015 with its clear agreement on the importance of addressing both substantial and procedural issues in preparing for the Eighth Review Conference and the evident difficulty at the MSP/2015 of reaching agreement on the dates and durations for the PrepCom and the Eighth Review Conference.
3. This difficulty was also evident in the consideration of the substantive paragraphs of the Report of the Meeting of States Parties when it became evident that despite the Chair proposing language for **Further Steps** that clearly looked ahead to the Review Conference in 2016 in his non-paper distributed with his letter to States Parties of 8 December 2015 and the clear indication from the Chair and in many of the statements made by States Parties in the General Debate that they were looking forward to the Eighth Review Conference and making decisions at that Review Conference to strengthen the Convention, the substantive language in the Report of MSP/2015 fails to look ahead to the Review Conference. None of the Chair's proposed language for Further Steps was adopted.
4. It is equally evident from examining the successive versions of the substantive language that whenever language was included indicating that something might be considered further at the Review Conference, this was then deleted in the next iteration.
5. In addition, in the reflections on page 128 we look ahead to the **Eighth Review Conference** later this year and consider how the effectiveness of the **intersessional periods** might be enhanced. It needs to be recalled that the present Intersessional Process was agreed in 2002 at the continuation of the Fifth Review Conference. Three intersessional periods have now been successfully completed – from 2003 to 2005, then 2007 to 2010 and most recently 2012 to 2015 – and States Parties have demonstrated that *they can do things together*. However, they have been less successful in producing *concrete actions with results* and it is timely – and appropriate – that as States Parties prepare for the Eighth Review Conference consideration is given to how States Parties can work together effectively and actually strengthen the Convention and its implementation.
6. Looking back on the intersessional period that is nearing completion, makes it evident that consideration should be given to whether a more effective arrangement could well be to have an **Annual Meeting of States Parties** with a clear mandate to agree actions as appropriate supported by **Open-Ended Working Groups** (OEWG). One such OEWG should address the topic of relevant advances in science and technology whilst another OEWG should address providing reassurance that States Parties are implementing all Articles of the Convention. This

OEWG would address the implementation of Articles III, IV, V and X and would provide a forum within which consideration could be given to the annual submission of CBMs as well as to the biannual reports by States Parties on the implementation of Article X. Reassurance concerning implementation needs to be addressed across the Convention as a whole.

7. A further point that needs to be addressed in making future intersessional periods more effective is to address the need for continuity and leadership during the period such as by establishing a **steering committee** that would be made up of the Chair and Vice-Chairs of the Annual Meeting of States Parties together with the Chairs of the Open-Ended Working Groups.

8. In addition to consideration of how best to improve the effectiveness of the intersessional periods, attention needs to be given to the provision of Confidence Building Measures and to the resources for the Implementation Support Unit. The Eighth Review Conference needs to make further improvements in the content of the **Confidence Building Measures** – after all, the Seventh Review Conference only adopted 11 out of the 25 proposed improvements – so that the CBMs really build confidence, and it also needs to make provision for the CBM returns to be discussed collectively each year in the intersessional period from 2017 onwards. Moreover, the Annual Meeting of States Parties should be authorised to decide, within the broad framework set by the Eighth Review Conference, on the adoption of minor refinements to the CBMs during the intersessional period in the light of these collective discussions.

9. In regard to the **Implementation Support Unit**, it needs to be recalled that at the Seventh Review Conference there was considerable support for a modest increase in the strength of the ISU from 3 to 5 positions. However, it became evident late in the Seventh Review Conference that this could not be agreed. Consequently, States Parties in their preparations for the Eighth Review Conference need to give early consideration to the resources for the Implementation Support Unit. There would be considerable merit in requesting the Implementation Support Unit to prepare a note on the *Estimated costs for the intersessional period of the Convention during 2017-2020* for consideration during the PrepCom and at the Review Conference itself.