

# Ninth Review Conference 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

21 December 2021

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Preparatory Committee

Geneva, 20 December 2021 and 4-11 April 2022

Item 10 of the agenda

Report of the Preparatory Committee to the Review Conference

## Interim report of the Preparatory Committee (20 December 2021)\*

### I. Terms of reference and organization

#### A. Introduction

1. The Final Report of the Eighth Review Conference 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 ([BWC/CONF.VIII/4](#)), in paragraph 77 of Part II of the Final Declaration, contained the following decision:

“The Conference decides that the Ninth Review Conference shall be held in Geneva not later than 2021 and should review the operation of the Convention, taking into account, inter alia:

(a) new scientific and technological developments relevant to the Convention;

(b) the progress made by States Parties on the implementation of the Convention;

(c) progress of the implementation of decisions and recommendations agreed upon at the Eighth Review Conference, taking into account, as appropriate, decisions and recommendations reached at previous review conferences.”

2. By resolution [76/67](#), adopted without a vote on 6 December 2021, the General Assembly, inter alia, requested the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to continue to provide such services as may be required for the conduct and the implementation of the decisions and recommendations of the review conferences.

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\* Any entry listed in this document does not imply the expression of any opinion regarding, and is without prejudice to, the legal status of any country or territory or of its authorities.



3. The final report of the 2020 Meeting of States Parties ([BWC/MSP/2020/7](#)) contained the following decisions:

“29. The Meeting of States Parties considered the arrangements for the Ninth Review Conference and its Preparatory Committee. As reflected in the reports of the 2020 Meetings of Experts and this report, the 2020 meetings were postponed several times due to the COVID-19 pandemic. The 2018-2020 intersessional programme could therefore not be concluded as originally planned in 2020.

30. In May 2021, States Parties therefore agreed by written silence procedure that several technical recommendations would be submitted for formal consideration and approval by the appropriate upcoming BWC meetings. In this regard, the Meeting of States Parties decided that the Preparatory Committee would be held in Geneva in in-person format in accordance with the regular practice under the BWC on 20 December 2021. It was agreed that this meeting would consider the agenda items on the organizational aspects of the Review Conference.<sup>1</sup>

31. While acknowledging that the Eighth Review Conference in 2016 decided that “the Ninth Review Conference shall be held in Geneva not later than 2021”, the Meeting of States Parties, taking into account the extraordinary circumstances imposed by the COVID-19 pandemic, exceptionally and without setting a precedent, agreed the following technical adjustments:

(a) the Ninth Review Conference would be held in Geneva in in-person format in accordance with the regular practice under the BWC from 8 to 26 August 2022;

(b) the Preparatory Committee would resume its work in Geneva in in-person format in accordance with the regular practice under the BWC from 4 to 11 April 2022, subject to the availability of funds. It was agreed that the meeting in April 2022 would consider the agenda items on general exchange of views and provide an opportunity for States Parties to consider comprehensively all provisions of the Convention. At the conclusion of the meeting in April 2022, the Chairperson would present under their own responsibility, for consideration of delegations ahead of the Ninth Review Conference, a summary report without prejudice to perspectives, recommendations, conclusions and proposals presented by delegations or that prejudices the final outcome of the Review Conference;

(c) funds for the abovementioned meetings postponed from 2021 shall be carried over to 2022 to cover the costs of the Ninth Review Conference and the meeting of its Preparatory Committee in April 2022; and

(d) the mandate of the Implementation Support Unit shall be extended until the Ninth Review Conference, when its mandate will be reviewed.

[...]

34. The Meeting agreed that the abovementioned technical adjustments were temporary measures caused by the COVID-19 pandemic, do not set a precedent and should not be considered as a review of the decision of the Eighth Review Conference in 2016 that “the Ninth Review Conference shall be held in Geneva not later than 2021 and should review the operation of the Convention, taking into account, inter alia: (a) new scientific and technological developments relevant to the Convention; (b) the progress made by States Parties on the implementation of the Convention; and (c)

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<sup>1</sup> See the letter from the Chairperson of the Meeting of States Parties dated 21 May 2021.

progress of the implementation of decisions and recommendations agreed upon at the Eighth Review Conference, taking into account, as appropriate, decisions and recommendations reached at previous review conferences”.”

## **B. Organization of the Preparatory Committee**

4. In accordance with these decisions, the Preparatory Committee convened and held two meetings in Geneva on 20 December 2021. On behalf of the Secretary-General of the United Nations, Mr. Peter Kolarov, Political Affairs Officer, Geneva Branch, Office for Disarmament Affairs, opened the Preparatory Committee.

5. At the 2020 Meeting of States Parties, the Group of the Non-Aligned Movement and Other States Parties to the BWC was invited, in accordance with established practice, to nominate the President of the Ninth Review Conference and Chairperson of the Preparatory Committee. Azerbaijan, as Coordinator of the Group, presented the nomination of Mr. Khalil Hashmi, Ambassador and Permanent Representative of Pakistan. The Meeting of States Parties considered the nomination presented. Two objections were raised to the nomination. States Parties expressed their views on the matter. The States Parties passed on the matter to the Preparatory Committee for consideration.

6. During the period following the Meeting of States Parties, a number of consultations were held in order to address this matter. In particular, the Group of the Non-Aligned Movement and Other States Parties to the BWC advised that the Group would like to retain its right to preside over the Ninth Review Conference. The group emphasized that it would need more time for consultations on the matter.

7. The Preparatory Committee therefore encouraged the States Parties to intensify their efforts with a view to resolving the matter related to the election of the President of the Ninth Review Conference and the Chairperson of the Preparatory Committee by 31 January 2022. Without setting a precedent, the Preparatory Committee agreed to apply a written silence procedure, initiated by the Vice-Chairpersons, to complete this election.

8. The Preparatory Committee unanimously elected Mr. Florian Antohi of Romania and Mr. Tancredi Francese of Italy as Vice-Chairs of the Preparatory Committee. The Preparatory Committee authorized the Bureau to handle technical and other matters in the period before the Review Conference was convened.

9. At its first meeting, the Preparatory Committee adopted its agenda ([BWC/CONF.IX/PC/1](#)), as contained in Annex I to this interim report.

10. The Preparatory Committee decided to take its decisions by consensus.

11. The Preparatory Committee decided to use Arabic, Chinese, English, French, Russian and Spanish as official languages.

12. Mr. Daniel Feakes, Chief of the Implementation Support Unit, served as Secretary of the Preparatory Committee. Mr. Hermann Lampalzer, Political Affairs Officer, Implementation Support Unit, served as Deputy Secretary. Ms. Ngoc Phuong van der Blij served in the Secretariat.

## **C. Participation in the Preparatory Committee**

13. Seventy-two delegations participated in the Preparatory Committee as follows: Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bhutan, Brazil, Brunei Darussalam, Bulgaria, Canada, Chile, China, Colombia, Cuba, Ecuador, Finland, France, Georgia, Germany, Guatemala, Holy See, India, Indonesia, Iran (Islamic

Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Lebanon, Lithuania, Luxembourg, Malawi, Malaysia, Malta, Mauritius, Mexico, Nepal, Netherlands, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Republic of Korea, Romania, Russian Federation, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Switzerland, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Zambia.

14. The Preparatory Committee, taking note of a written notification and in accordance with draft rule 44, paragraph 1, noted the participation of representatives of one State that had signed the Convention but had not yet ratified it, the Syrian Arab Republic, without the right to take part in the adoption of decisions.

15. The Preparatory Committee, taking note of a written request and in accordance with the draft rule 44, paragraph 2, decided to invite the representatives of one State neither party nor signatory to the Convention, Israel, to participate as an observer.

16. The United Nations, including the United Nations Institute for Disarmament Research and the United Nations Office for Disarmament Affairs, attended the Preparatory Committee in accordance with the draft rule 44, paragraph 3.

17. The Preparatory Committee, taking note of a written request and in accordance with the draft rule 44, paragraph 4, decided to invite the European Union to participate as an observer agency and to submit its views in writing.

18. A list of all participants in the Preparatory Committee is contained in document [BWC/CONF.IX/PC/INF.1](#).

## II. Organization of the Review Conference

19. The Preparatory Committee reached understanding on a recommendation for final adoption in April 2022 with regard to the following distribution of posts of Vice-presidents of the Conference, and Chairpersons and Vice-Chairpersons of the subsidiary bodies, among the various regional groups:

### **Vice-presidents:**

Ten from the Group of the Non-Aligned Movement and Other States

Six from the Western Group

Four from the Group of Eastern European States

### **Committee of the Whole:**

Chairperson: Group of Eastern European States

Vice-Chairperson: Western Group

Vice-Chairperson: Group of the Non-Aligned Movement and Other States

### **Drafting Committee:**

Chairperson: Western Group

Vice-Chairperson: Group of the Non-Aligned Movement and Other States

Vice-Chairperson: Group of Eastern European States

**Credentials Committee:**

Chairperson: Group of the Non-Aligned Movement and Other States

Vice-Chairperson: Western Group

20. The Preparatory Committee considered the following questions relating to the organization of the Review Conference:

**Date and duration**

21. The Preparatory Committee endorsed the decision of the 2020 Meeting of States Parties that the Ninth Review Conference should take place in Geneva from 8 to 26 August 2022.

**Provisional agenda**

22. The Preparatory Committee reached understanding on a recommendation for final adoption in April 2022 to recommend to the Ninth Review Conference the draft provisional agenda as contained in document [BWC/CONF.IX/PC/L.1](#).

**Draft Rules of Procedure**

23. The Preparatory Committee reached understanding on a recommendation for final adoption in April 2022 to recommend as the Draft Rules of Procedure of the Ninth Review Conference the Rules of Procedure of the Eighth Review Conference, as contained in document [BWC/CONF.IX/PC/L.2](#).

24. The Preparatory Committee reached understanding on a recommendation for final adoption in April 2022 to recommend that, with respect to Rule 5, the Review Conference should elect a Chairperson and two Vice-Chairpersons of the Drafting Committee.

25. The Preparatory Committee further reached understanding on a recommendation for final adoption in April 2022 to recommend that the General Committee referred to in Rule 8 should be composed of the President of the Review Conference, the 20 Vice-Presidents, the Chairperson and the two Vice-Chairpersons of the Committee of the Whole, the Chairperson and the two Vice-Chairpersons of the Drafting Committee, the Chairperson and the Vice-Chairperson of the Credentials Committee, to be elected in accordance with Rule 5, the three Regional Group Coordinators, and the Depositaries.

26. The Preparatory Committee also reached understanding on a recommendation for final adoption in April 2022 to recommend that with respect to meetings referred to in Rule 43 (2), the Committees may decide to hold certain meetings in public.

**Background documentation**

27. The Preparatory Committee decided to request the Implementation Support Unit to prepare eight background information documents, as follows:

(a) A background information document on the history and operation of the confidence-building measures agreed at the Second Review Conference and revised at the Third and Seventh Review Conferences. The document should include data in summary tabular form on the participation of States Parties in the measures since the last Review Conference;

(b) A background information document on the overall financial status of the Convention and implications of proposals for follow-on action after the Ninth Review Conference;

- (c) A background information document showing the additional understandings and agreements reached by previous Review Conferences relating to each article of the Convention, extracted from the respective Final Declarations of these conferences;
- (d) A background information document showing the common understandings reached by the Meetings of States Parties during the intersessional programme held from 2017 to 2020;
- (e) A background information document on the status of universalization of the Convention;
- (f) A background information document on compliance by States Parties with all their obligations under the Convention, to be compiled from information submitted by States Parties;
- (g) A background information document on the implementation of Article VII, to be compiled from information submitted by States Parties; and
- (h) A background information document on the implementation of Article X, to be compiled from information submitted by States Parties, including information submitted pursuant to paragraph 61 of the Final Declaration of the Seventh Review Conference.

The Preparatory Committee reached an understanding that it would consider possible additional background information documents at its session in April 2022.

28. The Preparatory Committee decided that the background documentation listed in subparagraphs 27 (a) to (e) above should be circulated not later than four weeks before the opening of its resumed session in April 2022. The background documentation listed in subparagraphs 27 (f) to (h) above should be circulated not later than four weeks before the opening of the Ninth Review Conference.

#### **Publicity**

29. The Preparatory Committee decided to request the Secretariat to issue press releases for the meetings of the Review Conference.

#### **Final document(s)**

30. With respect to the question of final document(s) of the Review Conference, the Preparatory Committee decided to include an appropriate item in the provisional agenda of the Conference.

#### **Appointment of a provisional Secretary-General**

31. In accordance with draft Rule 10 providing for a Secretary-General of the Review Conference, the Preparatory Committee decided to invite the Secretary-General of the United Nations to nominate an official to act on behalf of the Preparatory Committee as provisional Secretary-General of the Review Conference, the nominee to be confirmed by the Review Conference in accordance with the rules of procedure.

#### **Financial arrangements for the Preparatory Committee and the Review Conference**

32. The Preparatory Committee noted that the estimated costs for the Preparatory Committee and the Ninth Review Conference, as contained in [BWC/MSP/2019/6](#), had been approved by the Meeting of States Parties on 11 December 2019 (see [BWC/MSP/2019/7](#), paragraph 32). In addition, the 2020 Meeting of States Parties agreed that funds for the meetings postponed from 2021 shall be carried over to 2022 to cover the costs of the Ninth Review Conference and the meeting of its Preparatory Committee in April 2022 (see

[BWC/MSP/2020/7](#), sub-paragraph 31(c)). The Preparatory Committee encouraged States Parties to pay their assessed contributions without delay.

### **III. Documentation**

33. All documents of the Preparatory Committee are available on the BWC website at <https://meetings.unoda.org/section/bwc-prepcom-2021-documents/> and through the United Nations Official Document System (ODS), at <http://documents.un.org>.

### **IV. Adoption of the Interim Report**

34. At its final meeting on 20 December 2021, the Preparatory Committee adopted its interim report by consensus, as contained in document BWC/CONF.IX/PC/CRP.1, as orally amended, to be issued as document [BWC/CONF.IX/PC/2](#).

35. In accordance with the decision of the 2020 Meeting of States Parties, the Preparatory Committee will resume its work from 4 to 11 April 2022.

## **Annex I**

### **Agenda of the Preparatory Committee**

1. Opening of the meeting
  2. Election of the Chairperson and other officers
  3. Adoption of the agenda of the Preparatory Committee
  4. Organization of work of the Preparatory Committee:
    - (a) Method of decision-making
    - (b) Languages
    - (c) Participation of non-States Parties
  5. General exchange of views
  6. Organization of the Review Conference:
    - (a) Date and duration
    - (b) Provisional agenda
    - (c) Draft rules of procedure
    - (d) Background documentation
    - (e) Publicity
    - (f) Final document(s)
  7. Comprehensive consideration of all provisions of the Convention
  8. Appointment of a provisional Secretary-General
  9. Financial arrangements for the Preparatory Committee and the Review Conference
  10. Report of the Preparatory Committee to the Review Conference
  11. Other business
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