



Workshop Report

Looking to the Future: After the 9th BTWC Review Conference

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Particular thanks were given to the Joseph Rowntree Charitable Trust Foundation (JRCT) that funded this workshop titled: *Learning from the Past and Looking to the Future after Review Conference: Integrating NGO work on Codes of Conduct and an International Biological Security Education Network into the next BTWC Intersessional Process*, which was held at London Metropolitan University on 28 April 2023.

The small sized half day hybrid workshop organised by Professor Lijun Shang and Professor Malcolm Dando with the help from Miss Olivia Ibbotson brought together 25 invited experts in their personal capacities from civil society and international organisations. The meeting was for an informal brainstorm after the Biological and Toxin Weapons Convention (BTWC) 9th Review Conference of December 2022 and the start of new venture for the BTWC at its first meeting under the radical new Intersessional Process (ISP) held in March 2023 which outlined how to organise the meetings that will take place later in this year and the following years through to the 10th Review Conference in 2028. The meeting was held under Chatham House Rules, and this report was compiled from a recording of the workshop and written notes taken by Mr Lincoln Sheff. The Workshop Report is the sole responsibility of the three authors and does not necessarily reflect a consensus of the workshop as a whole.

Context to the event

The main focus of the workshop was to study the implications for the Biological and Toxin Weapons Convention (BTWC) after its 9th Review Conference which concluded in December 2022. It is worth mentioning that this review closely coincided with the Chemical weapons Convention (CWC) five-year review in May 2023. The combination of the two events represents a pivotal moment in considering how to manage the CBW non-proliferation regime in coming years. As a result, the focus was to discuss actions that might be taken after the review conference with the primary focus on non-governmental organisations (NGO) activities and how they might help actors within the BTWC institutional framework.

Reflection on Review Conference and its recent work and plans: Brief review of what we did during the last ISP and what we have planned for the next ISP.

Professor Lijun Shang opened the workshop by explaining that London Metropolitan University (LMU) has within it a Biological Security Research Centre (BSRC), which was conducting a review into various responses to the 9th BTWC review. The main goal of the BSRC is to improve biological security training for life scientists and it has written numerous reports and run workshops, sometimes internationally, on this subject.

However, it was the BSRC belief that we still have a long way to go in order to address the concerns highlighted at the BTWC review. One of the main areas in which BSRC wished to explore was thinking about what lessons could be learned from other organisations. These organisations include the Organization for the Prohibition of Chemical Weapons (OCPW), the World Health Organisation (WHO) and the International Atomic Energy Agency (IAEA). It was the centre's belief that the BTWC could emulate certain successful functional aspects from these international institutions. To be more specific the centre argues that these organisations' emphasis on security education could be applied to the problem of dual use and biological security more generally. In the next few years, the Centre hopes to provide a more formal contribution to that objective.

The organisation of the new ISP and how Non-Governmental Organizations will be involved? What the next ISP might look like?

The speaker began by outlining the results of the 9th BTWC review and provided background, context and facts around the successes and challenges of the review. It was argued that it's worth stepping back and realising that the fact that there even was an agreement and conclusion was surprising. This was because of the hostility within the current international system. As a result of the review conference, a working group was established with this being recognised as the centre piece of the review. It was acknowledged that the agreement came after a large deal of compromise and flexibility from the various State Parties. The role of the working group will be to develop and recommend actions to the State Parties of the BTWC. Indeed, once this

working group has fully concluded, a conference will be established to study the findings of the group.

A primary focus of the working group is to produce mechanisms that will allow for compliance and verification. The target of the working group is to come to a conclusion on this issue and put forward a recommendation by 2025-2026. The working group had already successfully concluded talks in March 2023 and will continue meeting throughout the year in August and December. From the first meeting, positions were established such as the chair, who will remain as chair for a period of 2 years subject to renewal. Another point worth mentioning is that a schedule was agreed upon. Therefore, it appears that the working group has been successful in this regard. In August, the meetings will be broken down into several working days in Geneva. The main focus is on verification processes; however, a number of other days will be devoted to other topics such as various Science and Technology developments and reviews. This pattern will continue throughout 2024.

It is worth pointing out a number of key facts about the working group. First, negotiation of the working group on its format and topics of working days took a considerable amount of time and effort. Observer States, Intergovernmental Organisations (IGOs) and NGOs can also attend public sessions of the working group. Moreover, all sessions will try to be open to the public and broadcast live. Various NGO's will have access to present and provide expert advice. It's worth considering therefore, that NGO's will have a unique chance to influence this process and will also be given opportunities to provide unique perspectives, with special emphasis placed on diversity and under-represented international communities. This process is vital if we are to bridge the gap between the scientific community, private sector, and diplomats. Whilst on the subject of diplomats, it's also worth mentioning that the NGOs have unique opportunities to provide expert scientific advice and, particularly, on the historical challenges that non-proliferation regimes and arms control institutions have faced in the past. One key role that the NGOs could play therefore is in informing the diplomatic community on this history, so they are better equipped and brought up to speed with the challenges they may face within the BTWC working group.

Finally, it's important to take a step back and look at the bigger picture. Despite the turbulent international system as a result of the invasion of Ukraine, conflict within the United Nations Security Council and growing tensions between China and the USA (United States of America), it is remarkable that something was effectively agreed upon at the 9th review of the BTWC. Perhaps this is a glimmer of hope for other disarmament efforts. Of course, one caveat here is that all political issues will be dealt outside the working group, and thus it remains to be seen how successful the working group will be in the future.

What happened in the March Meeting on the ISP and how can our concerns about moving forward with the Tianjin Guidelines and supporting Biological Security Education best be input into the new Intersessional Process?

The third speaker moved the discussion in a different direction and began to critically analyse the establishment of the new working group. When looking at any international institutional agreement, it is often the case that you never know the full picture. This is because as

previously, so much is removed via compromise that we can never know fully what the intended outcome could have been. A further complication to the problem is the diplomatic community involved with in the negotiation of the review and the working group. An interesting aspect often overlooked about arms control diplomats is their diversity. Whilst many diplomatic missions to the BTWC are primarily concerned with the BTWC, many diplomats attending the BTWC are not so focused. Instead, many have a whole range of other tasks and responsibilities attached to their roles. Indeed, these are often diplomatic missions from smaller, or poorer states. As a result, this runs into a series of problems primarily from a lack of knowledge and lack of time to devote to the BTWC. NGO's experts and civil society are therefore in a unique position to inform, support and potentially influence these diplomats.

There is a further point to consider when comparing the CWC and the BTWC. In the CWC, if no consensus at a review conference is reached the OCPW doesn't cease functioning and still operates regardless of the outcome. In other words, the inspectors will still carry out their duties, and as a result this disarmament institution functions regardless of political disagreement and changes. The BTWC is quite different to this as the review conference is key and the final outcome and document is also of utmost value. This creates huge pressure on the various powers at play, that is absent in the CWC. Thus, one of the defining features is a huge amount of compromise in the final agreement negotiated. Therefore, it should not come as any surprise that the new working group is somewhat of a compromise. Although the working group's primary intended purpose for some was to explore verification and compliance mechanisms for the BTWC, it could be argued that due to the inclusion of various other topics this has resulted in this intended purpose being piled under a number of other issues. This, it can be argued, has increased the complexity and difficulty of coming to a consensus. Therefore, it's difficult to see progress easily being made.

Adding to this level of difficulty is the topic of verification itself. The topic of verification is a hotly contested in the context of the BTWC. There is a great deal of divergence in the views of what constitutes effective compliance and verification. Furthermore, the BTWC isn't necessarily a treaty that only regulates government bioweapons, but a treaty between States that ensures State security and the non-proliferation and use of bioweapons. Consequently, these affect all aspects of society. It's important to emphasise that the role civil society and NGOs could play here in informing diplomats about these issues. If this problem is not addressed quickly, then we could likely see the BTWC also inadvertently falling into institutional competition with the WHO. This is because the WHO proposed 'pandemic treaty' also mention of biosecurity and inspections. This could be confusing and result in a number of States choosing between agreements, despite the two being substantially different. Thus, this could create somewhat of a false dichotomy. Overall, the role of NGOs from the 9th review should be to put forward the case for the BTWC to diplomats and do their absolute best to inform diplomats and the rest of civil society.

The Review Conference and upcoming ISP.

Preceding this talk the discussion shifted to a perspective that was less specific to the BTWC and instead looked at the international context of the BTWC. An argument was presented in

the form of a paper soon to be published. The argument of the paper was that the BTWC had become another outlet for political tension as a result of the invasion of Ukraine. Specifically, the BTWC became a diplomatic battleground between Washington and Moscow, with the topic of verification being used to score political points. To begin with it goes without saying that during the Ukraine war Russia has made a series of accusations that Ukraine possessed bioweapons, even bringing the topic to the attention of the United Nations. The paper suggested that it could be argued that the West did well at rejecting these accusations of bioweapons within Ukraine during the review conference. Regardless, Russia remains a key player within the BTWC. Indeed, Russia and China since 2022 have increasingly been cooperating a more unified effort within the context of the BTWC. Despite this, Russia did not get a successful outcome, other than essentially achieving a slight propaganda win by officially laying out its claims to the BTWC and UN Security Council. It can be argued that Moscow was effectively using the mechanisms as a key member of this institution to disrupt American and Ukrainian credibility. Although Russia failed in its ambitions, they pushed forward a position of verification which, took many off guards. Again, this resolution was unsuccessful but resulted in a lot of abstaining. It was suggested that there was a lot of different ways of interpreting this vote, but the bottom line was that Moscow is actively driving the agenda and focus of what discussions should be had.

In providing more context, another participant confirmed much of what had just been stated and noted that most diplomats did not stay long working on the BTWC. It was argued that 2022 was a peculiar time, as the background events made negotiations extremely difficult, particularly the allegation of bioweapon laboratories within Ukraine. The participant argued that it took a lot of time and effort to find compromise and that these problems remain unresolved. The presenters also stated that almost every diplomat they spoke with wanted to strengthen the Convention. However unfortunately, they all had different perspectives on how to do it. Following this, it was pointed out that it would be a tremendous mistake if we began to work from scratch and instead, we had to build upon the work of the new working group.

After this, the previous speaker summarised the findings of their paper. They argued there are a number of key points to take away from the review. Firstly, they argued Russia will continue to use the BTWC to disrupt the United States and its allies. Secondly, the BTWC still matters to States. Thirdly, negotiations can still be reached despite such high levels of disruption. Finally, we need to work on these challenges and reclaim the narrative on compliance and verification.

How the discussions on the new Science and Technology Review System will be integrated into the meetings given the range of topics that are to be covered? How Science and Technology might be handled in the next ISP.

The speaker presented an update on scientific and technical (S&T) issues within the context of the BTWC. The speaker began by outlining various new risks associated with the BTWC. Technical developments in the field of biology, essentially create new challenges within the framework of the BTWC. It was noted that there have been many new DIY bio groups, however it was argued that this was generally a positive move, with the speaker noting that the challenge

from these groups is typical for all dual-use technology. On S&T issues, the speaker, highlighted the need for civil society to inform diplomats involved with the BTWC, arguing that often diplomats are unaware of major current technical developments in biology. Furthermore, it was mentioned that technology for detecting bioweapons is extremely old and needs updating. Indeed, there is a great deal of room for improvement in detecting bioweapons, and also understanding how bioweapons can be disguised. The speaker indicated that generally speaking, these are some of the steps needed to be taken and considered going forward with the BWC.

The Post Review Conference in the Cambridge and future networking

After this a talk was given by a researcher at a UK University. The talk outlined their research and explained how these approaches could be useful to the BTWC. This began by summarising a recent meeting which had brought a group of experts together in order to discuss biosecurity governance within the UK context. It then summarised a formal submission of recommendations to the cabinet office. This called for one unified national coordination body. The heavy emphasis being engagement with civil society. A lot of suggestions called for the UK government to introduce more regulation on biotechnology, particularly more consideration of dual use. Furthermore, consideration needs to be given to how we might govern biotechnology more generally. The speaker stressed that the UK had increasingly been engaging in the kind of action that the BTWC should be taking in the future. The speaker argued that in the following years the UK experience could offer a valuable case study.

Biological security education book with Wiley: Towards a bio-security education resource book.

The speaker began his presentation by reviewing Julian Perry Robison's 1998 paper on the *Pugwash Study Group on the Implementation of the Chemical and Biological Weapons Conventions*. This review found that there has been a long history of civil society and scientists interacting with arms control institutions. The Pugwash scientists had been highly important since the late 1960's and helped inform and put checks on States, in terms of biological and chemical weapons non-proliferation. Often diplomats turned to scientists and in turn scientists had a great deal of influence on the negotiation of these treaties. However, it could be argued that since the early 2000's scientists have been less successful in these endeavours. Nonetheless, a bigger problem is that scientists generally do not understand codes of conduct particularly associated with biological and chemical weapons. The presenter argued that although progress has been made, we are still way behind on what needs to be done in education on the codes of conduct within scientific research. From this it was argued that more general knowledge on the history of bioweapons is needed, and the speaker outlined a book which directly addresses the academic disinterest in this area. The goal of the book is to inform the next generation of biologists on the history and current state of biological warfare and its prevention. From this the book hopes to help people teach and educate young students who

don't know anything about this topic, thus being an introductory text. Each chapter would be 5,000 words long and should include a small number of graphs and tables in order to retain interest. The prediction for publication is early summer 2024. In addition, the scholar maintained the importance of translating the text into other languages.

Discussion: Various ideas about improving the integration of NGO work on Codes and Education into the ISP.

The following text is a summary of a question-and-answer session. The text does not include names or direct quotes being just a note of the main points as seen by the rapporteur.

The first main question was about How much cooperation has the BTWC at Geneva with the CWC at The Hague?

The background of this is that the Hague currently has had an interesting working group on biotoxins. From this, nine biotoxins have been identified as of particular importance. Additionally, more discussion needs to be had on bioregulators. The point being made here is that there is a great deal of overlap between chemical and biological weapons that should be considered.

One participant pointed out that in terms of formal cooperation between the two disarmaments institutions, this is limited. When it comes to diplomatic work there can be a lot of coordination, but this is highly dependent on the particular governments. Indeed, this can be because they are often the same people covering both Conventions. Within the current working group biotoxins are seen as different, and reporting varies between the different organisations.

Participants commented that 1) there is a lot to be learnt from the OCPW and in fact a great deal of support has already been given in this area. The OCPW has often been the organisation helping more, with the BTWC not going to the Hague to help there – it is rather than the other way round. The areas for development are more technical and include help with verification and so the working group can help with this. 2) There are many institutional barriers associated with cooperation. All international organisations have mandates money and financing. Such financing had to be spent on the specific mandate, therefore cooperation between other organisations might be fairly low down on their priorities.

The next question began by asking about optimism. Participants discussed how likely is it that the new working group will be like the BTWC in the recent past? How do we know if it will be the same or is there any reasons it might be better?

Main comments from the participants were that the primary danger is that we focus on the report rather than the substance. One of the key problems of this process is if and how we are able to produce a report from each meeting. Then there will be a big report from when the working group has concluded. The challenge with discussion of working group throughout was that the working group's main goal was verification and compliance. The way they would

complete this is somewhat straightforward. However, the part that complicates everything is the whole host of other topics that the working group will be discussing. This only adds to the level of difficulty, as reaching consensus on everything could slow down the entire process. There are meaningful packages, and S&T safety and security discussions can have some benefits. However, what's important is guiding and steering discussion.

This was further extended on how that chair works and the institutional memory matters. *In other words, if this chair keeps changing that could these complicate matters.* It was suggested that the quality of the chair will be vitally important and matters and the length of time for the mandate is 2 years. After this time, it is up to the delegates. Additionally, ISU is the institutional memory for the BWC.

The third key discussion was around can we bring CWC and BCW together especially under S&T within education. *Is there any indication into how likely this approach will be taken seriously?*

A participant advised that 1) the working group could use civil society perspectives. The BTWC needs to use NGOs within the working group. Using NGO expertise within the work, but importantly making sure NGO's come to meetings to get their perspective understood by State Parties on what works and doesn't work. For example, questions such as why CWC can do something while BTWC can't. 2) There are a lot of initiatives and discussions being made but in the background. There are several examples. It is a disservice to state that nothing has been done in the past. 3) A lot of efforts have been made to get young scientists involved with the BTWC. An example is a fellowship program which was financed by the EU (European Union). However, more funding is needed. For example, 800 applications were made for the program yet only 20 places were available for funding. As such, the BTWC needs considerably more funding from its signatories. OCPW has a lot bigger budget in comparison to BTWC. Generally speaking, the BTWC also needs to become a lot less arcane, and thus civil society can play a role in bridging the gap and improving the BTWC.

Another key question is about *ethic issues.*

One participant gave an example that a German university had bioethics as mandatory as part of its curriculum and thought that it is important to combine biosecurity and ethics, and it only works when they are made mandatory and to be taken more seriously. Another participant also thought that there is an inherent resistance from students on biology subjects and wondered that not focusing on a bottom-up, but a top-down approach would change this situation more easily. There were also suggestions that efforts should be made in adding in aspects of biological safety and merging aspects of international regulation, into teaching about responsible science and the research tools for the society.

Reporting workshop summary and conclusion

The meeting concluded with widespread agreement that the workshop was interesting and useful and that a record of the meeting should be made available. It was also agreed to organise a series of meetings in the future to further discuss the updated events from BTWC working group and NGOs. The future workshops would extend to more relevant experts around the world including academia, civil society, and government.

Alongside the production of this report, the LMU BSRC has initiated several projects with focus on international biological security education and its networks, the enhanced role of civil society to BWC, and better communication with policy makers. These efforts aim to enhance education and strengthen the role of civil society in the fields of biosecurity and non-proliferation for the coming years.

Please feel free to contact Professor Lijun Shang, l.shang@londonmet.ac.uk for further information and potential collaborations.