

Strengthening the Biological Weapons Convention

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Reviving The Intersessional Process: Achieving Effective Action

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REVIVING THE INTERSESSIONAL PROCESS: ACHIEVING EFFECTIVE ACTION

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Introduction

1. It has become increasingly apparent that the current Intersessional Process is no longer being used effectively by the States Parties *to discuss and promote common understandings and effective action* as set out in the mandate agreed by States Parties at the Seventh Review Conference¹. The Chairman of the Meeting of Experts and of the Meeting of States Parties in 2014, Ambassador Urs Schmid of Switzerland, in his concluding remarks said²: *As stressed by many delegations during our work, the Convention is faced with many challenges. To meet them, a robust intersessional process is more than ever required.* In our report³ on the commemorative meeting to mark the 40th anniversary of the entry into force of the Biological and Toxin Weapons Convention held on 30 March 2015, we noted that:

... it has become evident that the intersessional process has lost impetus and needs to be significantly improved in order to perform a useful function for the Convention. It has provided limited opportunities for sharing information, but despite being allowed to record conclusions or results it has been prevented from realising its potential in that regard. In recent years it has notably failed to generate common understanding or effective action, and its meetings have become unproductive. If it is to be made robust and effective, it must be given a new and stronger mandate by the Eighth Review Conference.

2. In this Briefing Paper we examine the recent Intersessional Process and consider what steps need to be taken by the States Parties at the Eighth Review Conference to create a robust and effective Intersessional Process that will improve implementation of the Convention and strengthen reassurance amongst States Parties that activities are fully consistent with the obligations of the Convention.

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¹ United Nations, The Seventh 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, Geneva, 5 - 22 December 2011, *Final Document*, BWC/CONF.VII/7, 13 January 2012. Available at <http://unog.ch/bwc> and at <http://www.opbw.org>

² United Nations, Meeting of States Parties to the Biological Weapons Convention concludes after reaching Common Understandings, Press release, 8 December 2014, DC14/036E. Available at <http://unog.ch/bwc>

³ Graham S. Pearson in conjunction with Nicholas A. Sims, *Report from Geneva: The Biological Weapons Convention: Fortieth Anniversary of the Entry into Force*, Review No. 42, May 2015. Available at <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva/HSP%20Reports%20from%20Geneva%20No.%2042.pdf>

The Intersessional Process up to 2014

3. In our report⁴ on the Meeting of States Parties in December 2014, we noted in our reflections on **the substance of the Meeting** that:

*The encouragement by the Chair in his letters to States Parties to focus on effective action is greatly welcomed as it is important to maximise the benefits to the BWC regime from the activities carried out in the intersessional process. Likewise, the initiative shown by the Chair in providing draft elements for the substantive section of the report of MSP/2014 in his letter to States Parties of 19 November was a welcome step forward. **It was disappointing that some States Parties did not accept this and sought to negate this forward step.** [Emphasis added]*

*Although it is clear that most if not all States Parties are looking forward to and preparing for the Eighth Review Conference, **it is unfortunate that some States Parties were reluctant to adopt language looking ahead and initiating early preparations for the Review Conference in 2016.** [Emphasis added] Some States Parties have clearly failed to recognise that the three weeks of the Review Conference is a very short time and there is much to be said for exploring and developing consensus ideas in advance for decision at the Review Conference in order to strengthen the effectiveness of the Convention. **References in the draft substantive paragraphs for the report of the Meeting of States Parties to further discussions in preparation for the Eighth Review Conference in 2016 are deleted, in favour of an insistence on the Intersessional Process with its limited agenda being the only framework permitted.** [Emphasis added] These difficulties with **Part V: Further Steps** were indicative of a reluctance even to mention possible developments for the Convention outside the restrictive framework of the Intersessional Process. [Emphasis added]*

...

*In regard to the substantive paragraphs in the report of MSP/2014, the overall outcome was disappointing on a number of counts. **There was a notable tendency to replace “agreed on” by “noted” in the later iterations. This reflects a pervasive reluctance, seen in earlier Meetings of States Parties, to allow any “agreements” to be reached during the intersessional process.** [Emphasis added]*

4. It is evident that the Intersessional Process as it has developed over the past decade has failed to take advantage of the potential opportunities that the Process made available. It is now timely as the Eighth Review Conference approaches to examine the shortcomings of the Process as it is currently being implemented and how this could be developed into a robust and effective Intersessional Process. In this analysis we examine:

⁴ Graham S. Pearson in conjunction with Nicholas A. Sims, *Report from Geneva: The Biological Weapons Convention Meeting of States Parties December 2014*, Review No. 41, March 2015. Available at <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva/HSP%20Reports%20from%20Geneva%20No.%2041.pdf>

- a. The structure of the Intersessional Process and its excessive rigidity in practice.
- b. The use of the resources and time available to the Intersessional Process, and
- c. The tendency to prefer reaching consensus by deletion when agreeing substantive paragraphs in the Report of the Meeting of States Parties.

Each of these is considered in turn.

The structure of the Intersessional Process

5. The structure was effectively established by the language agreed by the Seventh Review Conference as follows:

B. Intersessional programme 2012–2015

5. Reaffirming the utility of the previous intersessional programmes from 2003–2010, the Conference decides to retain previous structures: annual Meetings of States Parties preceded by annual Meetings of Experts.

6. The purpose of the intersessional programme is to discuss, and promote common understanding and effective action on those issues identified for inclusion in the intersessional programme by this Seventh Review Conference.

7. Recognizing the need to balance an ambition to improve the intersessional programme within the constraints — both financial and human resources — facing States Parties, the Conference decides to continue to allocate ten days each year to the intersessional programme.

8. The Conference decides that the following topics shall be Standing Agenda Items which will be addressed at meetings of both the Meeting of Experts and Meeting of States Parties in every year from 2012–2015:

(a) Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X;

(b) Review of developments in the field of science and technology related to the Convention;

(c) Strengthening national implementation.

9. The Conference decides that the following other items will be discussed during the intersessional programme in the years indicated:

(a) How to enable fuller participation in the CBMs (2012 and 2013);

(b) How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties (2014 and 2015).

10. The restructured Meetings of Experts will last five days, and Meetings of States Parties five days.

6. The structure of the Intersessional Process has proved excessively rigid in practice. The attention given to the three Standing Agenda Items and each of the Biennial Items has been unnecessarily constricted. Thus, in regard to the item on *Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X*; there has been a failure to recognize that consideration of a single Article of the Convention in isolation is ineffective – all States Parties are committed to implementation of **all** Articles of the Convention and hence consideration of Article X should take place in close conjunction with Article III. The item on *Review of developments in the field of science and technology related to the Convention*; has also been ineffective as the range of topics to be considered each year as well as the topic to be considered in specific years has been so wide that the limited time available has been inadequate – and this particular deficiency will be considered further later in the Briefing Paper. The third item on *Strengthening national implementation* has also been unnecessarily limited in its consideration of how national implementation can benefit from the pooling of national experiences in shared practices: there is much to be gained from international standards and from the adoption of comparable procedures to strengthen national implementation.

7. In our reports we have frequently recognized that there are common understandings and effective action that are broader than those constrained by the specific Standing Agenda items and have encouraged the introduction of substantive language in the Reports of the Meetings of States Parties to address these broader issues that extend beyond a single item. One example is the topic of biological risk management which comes within the science and technology item but is equally relevant to national implementation which specifically refers to biosafety and biosecurity – and the same is equally true of education and awareness raising which comes within the science and technology item but is an essential element of national implementation.

8. Another example of a failure to benefit from the inherent flexibility also become apparent in regard to the biennial item for 2012 and 2013 – *How to enable fuller participation in the CBMs*. In our report on MSP/2013 we said:

One area in which we had argued for effective action in our report on the Meeting of Experts in August 2013 related to the biennial topic on CBMs. In our report we said that:

As the Meeting of Experts considered three Standing Agenda items and also a biennial topic (on CBMs) which will not be considered further in the formal Intersessional Process, attention needs to be given at the Meeting of States Parties as to what common understandings and effective action should be agreed in regard to the biennial topic on how to enable fuller participation in the Confidence-Building Measures so that an up-to-date well considered situation can be presented prior to the Eighth Review Conference in 2016. One possible approach that has been suggested already is that the Chair could ask one of the Vice Chairs to maintain a watching brief on the topic of Confidence-Building Measures and to provide an annual report on developments to the successive annual Meetings of States Parties. Such an

approach would help to ensure that Confidence-Building Measures are not overlooked in the coming two years.

The outcome recorded in MSP/2013/5 is disappointing in that no *effective action* is agreed to follow up the 2012-13 biennial item on CBMs through the next two years (such as putting it under the continuing care of one of the Vice-Chairs). This makes it all the more necessary to have some work on CBMs done in the margins of the intersessional process, to compensate for CBMs no longer being on the official agenda. The initiative being shown by the Chair for 2014 in his letter of 14 February 2014 in which he specifically focuses on the need to address effective action is greatly welcomed, where he says that ... *as we move closer to the Eighth Review Conference in 2016, this may be a suitable point to turn more of our attention towards options for promoting effective action.* It is very much to be hoped that this consideration of effective action could include consideration of how best to ensure that the biennial topic on CBMs does **not** come to the Eighth Review Conference insufficiently prepared – which is the likely outcome if no action is taken to change the current situation.

Nothing was done in regard to CBMs at MX or MSP/2014.

The use of the resources and time available to the Intersessional Process

9. The language agreed by the Seventh Review Conference for the Intersessional Process appears to be attractive as it recognized three Standing Agenda Items together with a single biennial item – one to be considered in 2012 and 2013 and the other in 2014 and 2015. It is also to be noted that the decision of the Seventh Review Conference in regard to the Intersessional Process says **nothing about the allocation of time to the various items to be discussed.**

10. However, there was no way of knowing in advance which topics would attract the most statements by States Parties, and it has become increasingly evident throughout the Intersessional Process between the Seventh and Eighth Review Conferences that particular groups of States Parties have argued that **equal** time should be given to each of the Standing Agenda Items with the result being a needlessly inflexible allocation of time within the week allowed for the whole agenda rather than building upon the inherent flexibility expressed in the language agreed by the Seventh Review Conferences.

The substantive paragraphs in the Reports of the Meetings of States Parties

11. One factor that militates against productive outcomes in the Intersessional Process is a reluctance to move beyond the precise language agreed by the Review Conference years before, when progress could have been made by developing common understandings and effective action within the framework provided by its Final Document. Another factor is an unconstructive attitude that inclines States Parties to put their efforts into opposing other States Parties' draft language rather than searching for more widely acceptable language. A third negative factor which has been noted in the Intersessional Process is an unnecessarily protective stance on the part of some States Parties which blocks new proposals and initiatives of an international character from even receiving mention in the Report of the Meeting of States Parties, when it is far from clear what aspect of state sovereignty or which national prerogative is thought to be in need of protection. It ought to be possible to make the

substantive paragraphs of the Report more inclusive without necessarily conferring collective approval on every proposal or initiative mentioned. The basic change of mind-set required is from seeking consensus by deletion to seeking the harder but far more rewarding outcome of a consensus by inclusion. This is something that all States Parties should be seeking in their efforts to enhance the implementation of the Convention.

12. There seems to be growing dissatisfaction in a wider range of States Parties over the process. This may well lead to an increased momentum to do something more comprehensive and innovative at the Eighth Review Conference. It is becoming evident that simply re-doing the current form of intersessional programme would be considered by many States Parties to be a failure. However, careful consideration and preparation will be needed for the Eighth Review Conference.

Looking ahead to the Eighth Review Conference

13. In our report⁵ on the BTWC 40th anniversary commemorative event held in March 2015, we looked forward towards the Eighth Review Conference and noted:

- a. the developments internationally in regard to biosafety and biosecurity and how these are being brought into an international biorisk standard.
- b. the rapid advances in science and technology and the need to find an effective way in which to address these in regard to the Convention.
- c. the need for a consolidated and comprehensive international response to outbreaks of disease, whether natural, accidental or deliberate.
- d. the vital necessity, in regard to all activities in the life sciences, for building confidence and providing reassurance to States Parties that these activities are all in full accordance with the obligations of the Convention.

14. We also recognized that in looking ahead to the Review Conference, it is particularly valuable for States Parties to work together to put forward their ideas in Working Papers and other initiatives that are widely sponsored and go beyond the existing Group boundaries. Several Working Papers in the last few years have shown – as might be expected – that many States Parties share common views on how best to move forward and effectively strengthen the implementation of the Convention.

The Intersessional Process

Advances in Science and Technology

⁵ Graham S. Pearson in conjunction with Nicholas A. Sims, *Report from Geneva: The Biological Weapons Convention: Fortieth Anniversary of the Entry into Force*, Review No. 42, May 2015. Available at <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva/HSP%20Reports%20from%20Geneva%20No.%2042.pdf>

15. Looking back over the past few years, as we noted in our report⁶ on the commemorative meeting to mark the 40th anniversary of the entry into force of the Biological and Toxin Weapons Convention held on 30 March 2015, it is evident that the Standing Agenda Item mechanism has been ineffective for addressing the advances of science and technology and that consideration should be given to establishing an **Open-Ended Working Group on Science and Technology** that is to consider the implications of the advances in science and technology for the Convention and to agree appropriate steps to enhance the effective implementation of the Convention.

16. It is useful to look back at the outcome of the Standing Agenda Item on advances in science and technology in 2013 and 2014 to examine what was agreed. At MSP/2013, the language agreed was as follows:

E. Other science and technology developments of relevance to the Convention

14. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, and of keeping pace with rapid changes in a wide range of fields, States Parties **should consider ways of establishing a more systematic and comprehensive means of review**. Possibilities could include:

- (a) A board to provide science advice, similar to the Scientific Advisory Board of the CWC, or based on a different model;
- (b) An open-ended working group to consider the implications of advances in science and technology, including the convergence of chemistry and biology;**
- (c) A requirement that whenever there are national or international meetings addressing science and technology developments, a summary should be prepared on the implications for the BWC, and submitted by the hosting State Party. [Emphasis added]

17. At MSP/2014 the agreed language was:

G. Any other science and technology developments of relevance to the Convention

21. States Parties noted the potential relevance of techniques in the life sciences to explore the function of specific genes, by adding a new feature to an existing organism. Such gain-of-function work has direct implications on recent advances in the generation of potential pandemic pathogens which could have both potential benefits and uses contrary to the Convention. States Parties agreed on the value of continuing to consider such developments in future meetings.

22. Recognizing the importance of thoroughly and effectively reviewing science and technology developments relevant to the Convention, of keeping pace with rapid changes in a wide range of fields, and in exploring opportunities for enhanced cooperation and sharing of technology identified by such reviews, **States Parties**

⁶ Graham S. Pearson in conjunction with Nicholas A. Sims, *Report from Geneva: The Biological Weapons Convention: Fortieth Anniversary of the Entry into Force*, Review No. 42, May 2015. Available at <http://www.sussex.ac.uk/Units/spru/hsp/Reports%20from%20Geneva/HSP%20Reports%20from%20Geneva%20No.%2042.pdf>

reiterated the value of continuing to consider, in future meetings, possible ways of establishing a more systematic and comprehensive means of review. [Emphasis added]

23. States Parties noted the value of reviewing when developments trigger Article I or Article XII of the Convention, for example, seeking greater clarity on aspects of range of types and quantities of such agents and toxins, whether naturally occurring or altered, which potentially could pose a risk to the Convention.

18. It is also worth noting that prior to MSP/2013, Switzerland submitted a working paper [BWC/MSP/2013/WP. 5 Establishing a dedicated structure for the review of developments in biological science and technology] in which they addressed the establishment of a dedicated structure in the framework of the BWC by saying:

III. Establishing a dedicated structure in the framework of the BWC

6. States Parties to the BWC should seize the opportunity of the current intersessional process and the forthcoming Eighth Review Conference to discuss, develop and establish a dedicated structure that provides for a more systematic and comprehensive examination of scientific and technological developments. Such a structure could take on different forms. One example could be an open-ended working group composed of experts. [Emphasis added]

...

8. While we do not simply want to suggest duplicating the CWC approach, which may or may not serve the specific needs of the BWC, we believe that it is both important and timely to start a discussion leading up to the Eighth Review Conference on how we could achieve a more effective review of scientific and technological developments, as well as on the potential value such a dedicated process may add to the BWC and its community.

...

10. Switzerland would be prepared to convene a cross-regional group of interested States Parties to exchange views and, if feasible and appropriate, to elaborate a joint concept paper to be submitted to the Eighth Review Conference in 2016, with the aim of having a stronger BWC capable of adequately addressing relevant developments in science and technology. To this end, we recommend that interested States Parties make their views known and invite them to get in touch with us.

19. Our view is that States Parties do indeed need to start considering **now** how best at the Eighth Review Conference to achieve an effective arrangement to adequately address relevant developments in science and technology. We consider that key elements are the following:

- An open-ended working group to consider the implications of advances in science and technology, including the convergence of chemistry and biology; [An open-ended working group is recommended as such a group is then open to all States Parties.]
- The open-ended working group should meet for one week each year.

- The chair and two vice-chairs of the open-ended working group should be appointed for four years to provide continuity.
- The open-ended working group should be mandated to take decisions to ensure that all States Parties address relevant developments in science and technology in their implementation of the Convention
- The open-ended working group should be mandated to submit a report each year to the Implementation Support Unit for circulation to all States Parties.

Structural Change for a Robust Intersessional Process

20. More generally, it has become evident that the intersessional process has lost impetus and needs to be significantly improved in order to perform a useful function for the Convention. It has provided limited opportunities for sharing information, but despite being allowed to record “*conclusions or results*” it has been prevented from realising its potential in that regard. In recent years it has notably failed to generate common understanding or effective action, and its meetings have become unproductive. If it is to be made robust and effective, it must be given a new and stronger mandate by the Eighth Review Conference. The historical origins of the intersessional process are increasingly distant and it ought no longer to be subject to constraints which were politically required in a very different context.

21. Any future work programme should allow greater flexibility in the handling of agenda items, with an emphasis on taking the Convention forward along lines foreshadowed by the Review Conference but not restricted to merely repeating the text of its final document, something which has hampered Meetings of Experts and of States Parties in recent years. To make this greater flexibility possible the Meeting of States Parties needs to be allowed to take decisions year by year, not least to adapt its work programme in the light of experience. The new mandate also needs to lift the outdated ban on negotiation and make it clear that the Meeting of States Parties has authority to agree substantive conclusions and recommendations year by year on the various agenda items, and not merely to report to the next Review Conference on its proceedings.

22. A robust and effective intersessional process will also require changes in timetabling and resource allocation, with terms of reference that ensure greater differentiation of function between the Meeting of Experts and the Meeting of States Parties and any other task-oriented bodies that may be created such as the proposed Open-Ended Working Group on advances in science and technology. Provision should be made for the Meeting of Experts, the Meeting of States Parties and for the Open-Ended Working Group on advances in science and technology to each meet for one week each year. They will also benefit from greater continuity in leadership. But none of these improvements is likely to happen without a new and stronger mandate from the Eighth Review Conference for the next intersessional process.

23. In looking towards the future, it is important to be aware that a fresh look needs to be taken at the central issue of how best to reassure States Parties that activities are fully consistent with the obligations of the Convention. And in making progress in this respect, States Parties need to be aware that certain words have over the years acquired connotations that make them likely to be misunderstood. A particular example of such a word is “verification” and care also needs to be taken with the word “compliance”. Yet another such word is “defence” as it is evident today that many if not all States Parties are engaged in activities to counter outbreaks of disease whether natural, accidental or deliberate and all such

activities could be considered as “defence” – it is far better to avoid the word “defence” and instead refer to “activities to counter outbreaks of disease whether natural, accidental or deliberate.” States Parties must find ways to reassure one another, and this reassurance must cover all activities in the life sciences.

24. The existing CBM process is a valuable step towards this goal. However, States Parties have not engaged in collective analysis of the resulting submissions and have consequently missed opportunities through collective analysis of gaining a better understanding of what the activities reported on encompass. A dedicated space in the timetable needs to be built into the structure of the Intersessional Process so that such collective analysis can take place. Up to two days might be allocated for this purpose within the Meeting of Experts week. This would enhance the value of the CBM process.

25. And, in addition, it is evident that an Implementation Support Unit consisting of three people is inadequate for an effective Convention in today’s and tomorrow’s world. It should be recalled that a modest enhancement of the Implementation Support Unit was all set to be agreed at the Seventh Review Conference when this failed because a very few States Parties had failed to consider in advance the modest implications that such an increase would have had for these States’ annual payments to the United Nations for the Implementation Support Unit. The Eighth Review Conference needs to approve an enhancement of the Implementation Support Unit at least to the strength proposed in 2011, and if possible beyond, to provide the necessary specialist support to the new Open-Ended Working Group on Science and Technology while also having the resources to fulfil all the other tasks entrusted to the Implementation Support Unit.

A Potential Mandate for the Intersessional Process after the Eighth Review Conference

26. In looking ahead to the Eighth Review Conference it is useful to review the mandate for the current intersessional process and consider how this should be modified:

B. Intersessional programme ~~2012–2015~~ 2017 – 2020

*5. Recognising the **limited** utility of the previous intersessional programmes from 2003–~~2010~~ **2015**, the Conference decides to **augment** ~~retain~~ previous structures: annual Meetings of States Parties preceded by annual Meetings of Experts **and by adding an Open-Ended Working Group on Science and Technology meeting in a separate week from the Meeting of Experts and the Meeting of States Parties. In addition, each Meeting of Experts shall occupy up to 2 days for the collective analysis of the CBMs submitted by States Parties.***

*6. The purpose of the intersessional programme is **not only** to discuss, and promote common understanding ~~and~~ **but also to take effective action on those issues identified for inclusion in the intersessional programme by this ~~Seventh~~ **Eighth** Review Conference.***

*7. Recognizing the need to balance an ambition to **actually** improve the intersessional programme within the constraints — both financial and human resources — facing States Parties, the Conference decides ~~to continue to allocate ten days~~ **to increase the allocation each year to the intersessional programme to 15 days.***

7A. The Conference decides to establish an Open-Ended Working Group on Science and Technology that shall meet each year for five days to consider and take appropriate action on relevant developments in the field of science and technology related to the Convention. Furthermore,

- **The chair and two vice-chairs of the open-ended working group shall be appointed for four years to provide continuity.**
- **The open-ended working group shall take decisions to ensure that all States Parties address relevant developments in science and technology in their implementation of the Convention**
- **The open-ended working group shall submit a report each year to the Implementation Support Unit for circulation to all States Parties.**

8. The Conference decides that the following topics shall be Standing Agenda Items which will be addressed at meetings of both the Meeting of Experts and Meeting of States Parties in every year from 2012–2015 2017 – 2020:

(a) Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X;

~~*(b) Review of developments in the field of science and technology related to the Convention;*~~

(b) Strengthening national implementation;

(c) Enhancing reassurance between States Parties that their activities are fully consistent with the obligations of the Convention

9. The Conference decides that the following other items will be discussed during the intersessional programme in the years indicated:

~~*(a) How to enable fuller participation in the CBMs (2012 and 2013);*~~ **[Topic for 2017 and 2018 to be inserted here]**

~~*(b) How to strengthen implementation of Article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States Parties (2014 and 2015).-*~~ **[Topic for 2019 and 2020 to be inserted here]**

In regard to the topic for (2017 and 2018), one of the Vice-Chairs will prepare, in conjunction with the Implementation Support Unit, an annual report for the Meeting of States Parties on further developments on this topic in 2019 and 2020.

10. The Open-Ended Working Group on science and technology will last five days, the restructured Meetings of Experts will last five days, and Meetings of States Parties five days.

11. The first year's Meeting of Experts and Meeting of States Parties will be chaired by a representative of the Eastern European Group, the second by a

representative of the Western Group, the third by a representative of the Group of the Non-Aligned Movement and Other States, and the fourth by a representative of the Eastern European Group. The annual Chair will be supported by two annual vice-chairs, one from each of the other two regional groups.

*12. Each Meeting of Experts will prepare for the consideration of the Meeting of States Parties a factual report reflecting its deliberations. This report will reflect work on the three Standing Agenda Items, as well as a report on the other item scheduled for discussion during that year. **The report shall also address the outcome of the 2 days for the collective analysis at each Meeting of Experts of the CBMs submitted by States Parties and include any recommendations for the improvement of the CBM mechanism.***

13. In addition to the report of the Meeting of Experts, the Meetings of States Parties will also consider — on an annual basis — progress with universalization of the Convention and the annual reports of the Implementation Support Unit.

14. All meetings, both of experts and of States Parties and the Open-Ended Working Group on Science and technology, will proceed by consensus. The Meeting of Experts each year will report its conclusions and results, and may make recommendations, to the Meeting of States Parties. The Meeting of States Parties each year may take decisions to adjust the remaining work programme and procedures of the Intersessional Process, and allocations of time and resources, always within the framework of this mandate from the Eighth Review Conference. It may also make recommendations to States Parties for effective action on substantive matters under consideration within the Intersessional Process. The Meeting of States Parties in 2020 shall in any case make a final report with recommendations to the Ninth Review Conference which will consider the work and outcome of these meetings and decide on any further effective action beyond that already recommended to States Parties within the Intersessional Process.

Conclusion

27. Looking back at the past forty years and towards the future as was done at the anniversary event in March 2015, it is evident that there is a full agenda ahead and that if the States Parties apply their energies to working through it constructively they can make real progress towards the effective implementation of a strengthened Convention, thereby better protecting all of us from the risks of outbreaks of disease however caused.