

**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**

8 December 2023

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Geneva, 28 November–16 December 2022

Summary record (partial)* of the 15th meeting

Held at the Palais des Nations, Geneva, on Friday, 16 December 2022, at 3 p.m.

President: Mr. Bencini(Italy)

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3.40 p.m.

Preparation and adoption of the final document(s) (continued)

Draft final document of the Ninth Review Conference (BWC/CONF.IX/CRP.2/Rev.1)

1. **The President**, expressing regret that the consultations he had organized earlier in the day in an attempt to achieve general agreement on chapter II of the Conference's draft final document, the final declaration, had not had the desired outcome, said that a new draft final document (BWC/CONF.IX/CRP.2/Rev.2) would be made available in the course of the afternoon. It would contain only two of the previous draft's three chapters – namely, the chapter on the organization and work of the Conference and the chapter containing its decisions and recommendations.

2. **Mr. Robotjazi** (Islamic Republic of Iran) said that he wished to know what would happen to the Conference's article-by-article review of the Convention, which had appeared in the deleted chapter.

3. **The President** said that he did not intend to release the review as a presidential statement. The mandated review had taken place. Despite considerable work, however, no agreement had been reached on the part of the document containing the conclusions the Conference had drawn from that review.

The meeting was suspended at 3.45 p.m. and resumed at 5.10 p.m.

Draft final document of the Ninth Review Conference (BWC/CONF.IX/CRP.2/Rev.2)

4. **Mr. Feakes** (Secretary-General of the Conference), explaining the cost implications of the decisions contained in the latest version of the draft final document (BWC/CONF.IX/CRP.2/Rev.2), which was being circulated in the meeting room, said that the budget for the Convention in 2022 had been around \$1.8 million. The budget for the coming year, which would include funds for the recruitment by the Implementation Support Unit of an additional member of staff, would increase to around \$2.1 million.

5. Of the total budget for 2023, around \$1.5 million would be set aside for the Implementation Support Unit, \$47,000 for a one-time organizational meeting of the working group on the strengthening of the Convention, around \$430,000 for the working group's 15 days of meetings and around \$140,000 for the three-day Meeting of States Parties. A more detailed breakdown of the estimated costs of the meetings to be held from 2023 to 2026 would appear in document BWC/CONF.IX/8, which would be issued in the coming weeks.

6. As he had noted at a previous meeting, he would be glad to provide interested delegations with information on the financial implications of the proposed intersessional programme specific to the States they represented. In any event, a State that was, for example, paying around \$7,000 a year under the current budget would pay around \$8,000 a year under the next budget. A State currently paying around \$14,000 a year would have its assessed contributions increased to around \$15,500 a year.

7. **The President**, noting that the draft final document currently before the Conference was the result of collective work, said that the loss of much of the document's initial heft was a reflection of diverging views on a number of key issues. The adoption of the document could nonetheless be considered a significant achievement, not least as it set the stage for a robust intersessional programme. He invited the delegations to consider it section by section.

Chapter I. Organization and work of the Conference

Section A (paras. 1–18)

8. **Mr. Robotjazi** (Islamic Republic of Iran) said that paragraph 9, which stated that the ability of the Western Group to put forward a candidate for the office of President of the Review Conference depended on the dates of the Conference, was irrelevant and should be deleted.

9. **The President** said that he took it that the Conference wished to delete paragraph 9.

10. *It was so decided.*

11. *Section A, as amended, was adopted.*

Sections B to E (paras. 19–42)

12. *Sections B to E were adopted.*

Section F (para. 43)

13. **The President** said that section F, on the conclusion of the Conference and the Conference's adoption of its final document, could not be considered until after the adoption of chapter II of the draft final document.

Chapter II. Decisions and recommendations

Sections A to F (paras. 1–23)

14. *Sections A to F were adopted.*

Section G (paras. 24–27)

15. **Mr. Vorontsov** (Russian Federation) proposed that the last sentence of paragraph 25 should be amended to state that, in efforts to fill the additional position created in the Implementation Support Unit, due regard should be given to ensuring not – as the sentence was currently worded – the full and equal presence of men and women, but the balanced involvement of men and women.

16. *Section G, as orally amended, was adopted.*

Sections H and I (paras. 28–35)

17. *Sections H and I were adopted.*

Annexes I and II

18. *Annexes I and II were adopted.*

Chapter I. Organization and work of the Conference

Section F (para. 43)

19. **Mr. Robatjazi** (Islamic Republic of Iran), underscoring the need for the final document to reflect the work of the Conference factually, said that paragraph 43 should be expanded to state that the Conference had considered the draft final declaration contained in document [BWC/CONF.IX/CRP.2/Rev.1](#) but had been unable to reach consensus on it.

20. **Mr. Vorontsov** (Russian Federation) said that he welcomed the proposal of the representative of the Islamic Republic of Iran. However, rather than referring to the consideration of the final draft of the final declaration, the paragraph should refer to the compilation of proposals made by States parties and considered by the Committee of the Whole in respect of the first draft. That compilation would serve as a better historical record of the Conference, in that it reflected, in a non-discriminatory manner, all proposals and amendments put forward by all States parties, rather than only those that had found expression in the final draft.

21. **The President** said that paragraph 43 referred specifically to the actions of the Conference at the current plenary meeting.

22. **Mr. Vorontsov** (Russian Federation) said that he therefore proposed that a separate sentence based on the wording offered by the representative of the Islamic Republic of Iran, stating that States parties had reviewed the draft final declaration as contained in document [BWC/CONF.IX/COW/INF.2](#) but had been unable to reach consensus, should be inserted at the start of the paragraph, before the sentence that related to the Conference's actions at the current plenary meeting.

The meeting was suspended at 5.50 p.m. and resumed at 6.10 p.m.

23. **The President** suggested that a new second sentence should be inserted in paragraph 38 of the draft final document, which referred to the meetings of the Committee of the Whole. The new sentence would read: “At its eleventh and final meeting, on 12 December 2022, a compilation of all proposals ([BWC/CONF.IX/COW/INF.2](#) and [Add.1](#)) was presented, but the Committee was not able to reach consensus.” He took it that the Conference wished to adopt paragraph 38 as amended.

24. *It was so decided.*

25. **The President** proposed that new wording should be inserted in the first sentence of paragraph 43, the final paragraph of chapter I, which addressed the adoption of the Final document. It would read: “a Draft Final Declaration, as contained in [BWC/CONF.IX/CRP.2/Rev.1](#), was presented, but the Conference was not able to reach consensus”. He took it that the Conference wished to adopt paragraph 43 as amended.

26. *It was so decided.*

27. *Section F, as amended, was adopted.*

28. *The draft final document of the Ninth Review Conference, as amended, was adopted.*

Closing statements

29. **Mr. Benítez Verson** (Cuba) said that his delegation welcomed the decision of the Ninth Conference to establish a working group with a clear mandate to take legally binding measures to strengthen the Convention. That decision represented a modest but concrete step in the right direction. The identification of verification measures should be a priority for the working group. It was regrettable, however, that it had not been possible to agree on the establishment of a cooperation committee under article X. His Government would continue to work with other States parties during the intersessional period to ensure that a cooperation committee was established. The Cuban delegation also regretted that it had not been possible to adopt the final declaration of the Conference or the review of the articles of the Convention. That failure must not set a precedent for future review conferences, nor be interpreted as altering in any way the responsibilities placed on the Review Conference under the Convention.

30. **Mr. Li Song** (China) said that the final document represented a major breakthrough for the Convention, ending two decades of stagnation, which had endured because of obstruction by certain countries. However, while the final document was a testament to the power of multilateralism and a victory for all States parties, his delegation regretted that, in the final stages of the negotiations, some countries had insisted on confounding the Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists with unrelated issues. As a result of their efforts, reference to the Tianjin Guidelines, an important initiative for preventing the misuse and abuse of biotechnology that enjoyed broad support among States parties, had not been included in the final document. Nonetheless, China would participate in the intersessional process in an active and constructive manner, together with developing and like-minded countries, to strengthen the Convention and support global biosecurity initiatives.

31. **Mr. Espinosa Olivera** (Mexico) said that the coronavirus disease (COVID-19) pandemic had highlighted the pressing need to promote international cooperation and assistance to ensure that all States were adequately prepared to deal with health emergencies in an efficient and timely manner. The omission of any reference to the pandemic in the final document, except as it related to procedural difficulties, was therefore regrettable. It was also unfortunate that the Conference had been unable to reach consensus on a number of substantive proposals that, in his country’s estimation, were indispensable to ensuring preparedness for future biological or toxin threats and strengthening national implementation of the Convention, including proposals submitted with regard to the Tianjin Guidelines, a database to facilitate assistance within the framework of article VII and voluntary international exercises. His delegation also regretted that the Conference’s final declaration and review of the articles of the Convention had been omitted from the final document and agreed that such an omission should not set a precedent for future review conferences. His

Government remained committed to engaging constructively with the intersessional process in order to strengthen the Convention, including through the establishment of a legally binding instrument.

32. **Ms. Andarcia** (Bolivarian Republic of Venezuela) said that her delegation regretted that it had not been possible to restart negotiations on a legally binding multilateral protocol to the Convention. Nonetheless, the intersessional work programme set out in the final document represented an opportunity for States parties to renew their commitment to upholding the Convention in practice. In that regard, the mandate given to the working group on the strengthening of the Convention was of the utmost importance. For her country, it was clear that the legally binding measures referred to in that mandate should take the form of a protocol that provided for verification measures. Her delegation also welcomed the fact that the working group had been tasked with formulating recommendations on the development of a mechanism to facilitate and support international cooperation and assistance under article X. Such a mechanism should be given a mandate to: monitor the implementation of article X; settle disputes concerning the denial of transfers in the context of article X; promote international cooperation for the benefit of the economic and technological development of States parties, without discriminatory restrictions or limitations in the form of unilateral coercive measures; and promote the free exchange of equipment, scientific and technological information and materials for the peaceful use of biological agents and toxins.

33. **Mr. Horna** (Peru) said that, after the health crisis caused by the COVID-19 pandemic, the current Conference had been a propitious moment for taking stock of efforts to implement and strengthen the Convention, with a view to finalizing negotiations on a verification protocol. His delegation was pleased that it had been possible to agree on an important cross-cutting agenda for the intersessional period, including a process that would lead towards the establishment of mechanisms to promote international cooperation and assistance and to review scientific and technological developments relevant to the Convention. It was, however, regrettable that no consensus had been reached on either the final declaration and review of the articles of the Convention or on various initiatives that sought to incorporate a gender perspective into efforts to implement the Convention.

34. **Mr. Damico** (Brazil) said that the adoption of the final document had broken the deadlock by bringing to the table a number of issues that were previously an anathema, for example, the establishment of a cooperation mechanism under article X. His delegation welcomed the steps taken towards the establishment of a mechanism for the review of scientific and technological developments relevant to the Convention, which would benefit developing countries the most, and the creation of an additional post in the overworked Implementation Support Unit. It was, however, regrettable that the article X mechanism had not been established immediately. Moreover, while developments in the life sciences were occurring at a rapid pace, the Conference was slow to adopt new ideas, as a result of which it had failed to adopt a number of innovative proposals, in particular with regard to biosafety and biosecurity. In that context, his delegation's proposal on the "One Health" Surveillance Network would become increasingly important in future, in view of the need to address the threat of the hostile use of biological agents and toxins in the agricultural and livestock sectors.

35. **Mr. Kordasch** (Germany), speaking in his capacity as president of the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, said that the Conference had taken place at a crucial moment. The COVID-19 pandemic had demonstrated the potentially devastating effects of newly emerging pathogens and the need to step up efforts to enhance global preparedness for biological threats. Rapid developments in the life sciences and biotechnology had given rise to new opportunities but also new challenges for the Convention, and the worrisome rise of disinformation had undermined the efficacy of threat reduction activities. In that context, the final document could not be called a breakthrough. The Conference had, however, achieved the minimum necessary to allow for a focused continuation of its efforts over the intersessional period. Many challenges remained to be overcome in order to break the long-standing stalemate in which the Convention was mired and to make it fit for current and future challenges. The Global Partnership would not tire in its efforts to revitalize and strengthen the Convention and would work with all willing States parties to achieve that goal.

36. **Mr. in den Bosch** (Kingdom of the Netherlands) said that the delegations of Canada and the Kingdom of the Netherlands had worked closely with numerous other delegations to establish a focused and effective intersessional programme for the years 2023–2026. The working group on strengthening the Convention was a broadly inclusive vehicle for formulating concrete measures to achieve its goal. Urgent action should be taken to establish a scientific advisory board and a body responsible for implementing article X. The working group would make it possible to hold much needed discussions on compliance, verification and other areas.

37. His delegation had mixed feelings about the progress achieved during the Review Conference. At the meeting held the previous evening, there had been an ambitious and carefully balanced package of measures on the table that would have ensured progress on every aspect of the Convention. That package had reflected the ideas and proposals of the vast majority of the delegations participating in the Conference and would have sent the unmistakable message that efforts to implement the Convention would not remain gridlocked. Unfortunately, not everybody in the room had been willing to join the majority in endorsing that well-balanced document. However, although the document adopted at the present meeting was much more modest, the Conference could take satisfaction from the fact that the intersessional programme had been established and the Implementation Support Unit would be strengthened.

38. **Mr. Domingo** (Philippines) said that, at the start of the Conference, his delegation had expressed the view that, with collective political will, States parties could take decisive steps to uphold the Convention and affirm its place in the twenty-first century, despite difficult political circumstances. That political will had been apparent at the Conference. While remaining faithful to their positions of principle, the vast majority of delegations had transcended regional and ideological lines to work together, listen to one another and defend the true spirit of multilateralism.

39. The fruit of their efforts had been a reasonably ambitious and balanced proposal that would have decisively strengthened the implementation of the Convention; it was therefore regrettable that the Conference had failed to agree on that proposal. Although the more modest outcome – the establishment of a working group – achieved at the present meeting fell significantly short of the States parties' collective aspirations, it would provide sufficient basis for the Conference to continue its work.

40. The working group would constitute a pathway for concrete measures to strengthen the Convention, including the possible issuance of a recommendation to initiate negotiations on a comprehensive legally binding protocol that included verification and compliance mechanisms. He urged all delegations to continue working towards that vision in time for the fiftieth anniversary of the adoption of the Convention. It was unfortunate that it had not been possible to immediately establish the mechanisms to facilitate international cooperation and assistance and to review scientific and technological developments of relevance to the Convention.

41. Most of the developing countries belonging to the Group of the Non-Aligned Movement and Other States wished to see the Conference take a constructive and programmatic approach to facilitate international cooperation under the Convention. The substantive proposals put forward by States parties to enhance the implementation of the Convention had addressed a wide range of measures and issues, including preparedness, simulation and table-top exercises, regional cooperation, biorisk management standards, surveillance networks to protect agriculture and biodiversity, and voluntary guidelines and codes of conduct. Although it had not been possible to formally adopt all those measures, States parties would continue to pursue them in good faith, with or without the imprimatur of an official document.

42. **Mr. Gjorgjinski** (North Macedonia) said that his delegation had recently submitted a working paper that captured the essence of the review that he had facilitated during the Conference of developments in the field of science and technology, including very detailed draft terms of reference and rules of procedure for a scientific advisory body. Many delegations had contributed to that work, and a cross-regional group of countries had expressed interest in co-sponsoring the document, which would be issued under the symbol

[BWC/CONF.IX/WP.65](#). The final document of the Conference referred to the decision “to develop, with a view to establishing, a mechanism to review and assess scientific and technological developments relevant to the Convention and to provide States parties with relevant advice” and provided that the working group on strengthening the Convention would make appropriate recommendations. It was his delegation’s hope that the working paper would facilitate the process of establishing the mechanism.

43. **Mr. Aslanargun** (Türkiye) said that the final document of the Conference, while not ideal, still constituted a step forward in the implementation of the Convention. It was gratifying to note that the Conference had succeeded in adopting an intersessional programme, with a comprehensive agenda, and that it had made plans to establish mechanisms to promote international cooperation and assistance and to review scientific and technological developments relevant to the Convention. His delegation would continue to engage constructively in the activities of the working group on the strengthening and implementation of the Convention in the forthcoming period.

44. **Mr. Khalid** (Pakistan) said that his delegation welcomed the fact that the Review Conference had established the intersessional programme and made plans to strengthen the Implementation Support Unit and establish mechanisms for ensuring international cooperation and assistance under article X and to review scientific and technological developments relevant to the Convention. It was unfortunate that certain measures that had enjoyed broad consensus, such as the endorsement of the Tianjin Guidelines, could not be salvaged. However, his delegation strongly believed that a collective and constructive approach would help the Conference to move forward.

45. **Mr. Vorontsov** (Russian Federation) said that, while the adoption of the final document had been a good result for the Conference, his delegation was very disappointed that the destructive and politicized position of one State party had prevented a consensus being reached on chapter II. The State party concerned had rejected the inclusion of any language addressing the implementation of articles 5 and 6 of the Convention in relation to military and biological activities in Ukraine. The failure to adopt chapter II of the final document did not set any precedent for the future. All the decisions taken during the previous Review Conference were still in force and were still relevant to the implementation of the Convention.

46. The Russian Federation would not permit foreign military agencies to conduct activities involving pathogens or transmitters of highly dangerous infectious diseases in close proximity to its borders. Such activities were a threat to the national security of the Russian Federation, and the attempts of Western countries to cover up them up would not succeed. The Russian Federation would continue to seek answers to questions surrounding military and biological activities in Ukraine that violated the Convention. It would continue urging the United States and Ukraine to address such activities, which undermined the implementation of the Convention.

47. His delegation was also disappointed that a particular State party was continuing to block any possibility of resuming efforts to develop a legally binding protocol under the Convention, including an efficient verification mechanism. It was clearly doing so to give free rein to certain agencies that wished to carry out military and biological activities that violated the Convention.

48. His delegation was deeply disappointed that the initiatives that it had presented, especially those relating to compliance, had not been included in the final document as decisions of the Review Conference. The Russian Federation would continue to insist on the importance of developing a mechanism for investigating violations of article 6, updating forms relating to confidence-building measures and establishing mobile biomedical units, among other initiatives.

49. The decision to establish a working group on strengthening the Convention gave his delegation hope that the States parties would be able to reach a consensus on compliance and verification issues and resume the development of legally binding measures for strengthening the Convention. He also underlined that the Conference had noted the decision made by the Russian Federation to establish a new regional group, the Group of One, consisting of one State party, the Russian Federation, that would function in accordance with the Convention.

50. **Ms. Homolková** (Czechia), speaking on behalf of the European Union and its member States, the candidate countries North Macedonia, Montenegro, Ukraine and Republic of Moldova, the potential candidate countries Bosnia and Herzegovina and Georgia, the European Free Trade Association country Norway, and Canada, said that it was encouraging to note that a future-oriented, albeit somewhat unambitious, package of measures had been adopted. It was, however, regrettable that a few countries had decided to obstruct the much larger aspirations of the majority of States parties across all three regional groups. The majority of States parties wished not only to address current challenges and significantly strengthen the Convention but also to promote assistance, cooperation and response capacities and enhance the preparedness of States parties.

51. She welcomed the establishment of the working group on strengthening the implementation of the Convention and the decision to establish mechanisms to promote international cooperation and assistance and to review scientific and technological developments. Those initiatives were especially important in the current security climate, which was marked by mistrust, rising tensions and serious proliferation challenges. It was deeply regrettable that it had not been possible to achieve consensus on a progressive final declaration that would have strengthened States parties' commitment to the implementation of the Convention. It was also unfortunate that the lessons learned from the COVID-19 pandemic had not been addressed in the final document. The European Union and the States parties on behalf of which she was speaking remained firmly committed to a multilateral, treaty-based approach that maintained and reinforced international peace and security.

52. **Mr. Rosandry** (Indonesia) said that, at the start of the Conference, his delegation had observed that the Review Conference presented an opportunity to review the implementation of the Convention, identify areas for improvement and take decisions concerning the future work of the Conference. Although the Review Conference might not have met all the expectations of the delegations, it had been successful in reviewing the implementation of the Convention and defining the Conference's future work. His delegation was committed to upholding and preserving the multilateral spirit underpinning the Convention and would continue to advocate for its full and effective implementation.

53. **Ms. Petit** (France) said that her delegation found it regrettable that the final document of the Conference fell short of the ambitions that had been set. In particular, it was regrettable that the proposed chapter II, containing the final declaration of the Conference, had not been adopted. Since the previous Review Conference, there had been significant developments in the field of science and technology that had a strong impact on the implementation of the Convention but were not well reflected in the final document. However, it was commendable that the Conference had succeeded in strengthening the intersessional process, which would enable it to work on developments in science and technology, international cooperation, compliance, confidence-building, transparency, and national implementation and assistance, among other areas.

54. Her delegation would contribute to efforts to establish the mechanisms for international cooperation and the review of scientific and technological developments relevant to the Convention. She was pleased to note that the mandate of the Implementation Support Unit had been strengthened but found it regrettable that many solid transregional proposals were not reflected in the final document. She trusted that, during the intersessional period, it would be possible to implement proposals that had been put forward by the delegations of France and of other States parties, including those relating to biosafety and biosecurity and voluntary transparency exercises.

The discussion covered in the summary record ended at 7.15 p.m.