

**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

Original: English

Geneva, 28 November–16 December 2022

Summary record of the 8th meeting

Held at the Palais des Nations, Geneva, on Tuesday, 13 December 2022, at 10 a.m.

President: Mr. Bencini(Italy)

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

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The meeting was called to order at 10 a.m.

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

Chapter II. Final declaration

1. **The President** invited the delegations to consider a joint non-paper, circulated informally in English only, containing the proposed draft text of chapter II of the draft final document of the Conference.
2. **Mr. Vorontsov** (Russian Federation), noting that the text under discussion was only part of the draft final document, proposed that the title of the document should be deleted, as it was misleading, in that it might be taken to mean that the text had been transmitted by the Committee of the Whole, which was not the case. Officially, the text was being proposed by the President himself.
3. **The President** said that the title had been included simply as a way of acknowledging the work that the Committee of the Whole had carried out on the document over the previous 10 days. However, it could be deleted.
4. **Mr. Robatjazi** (Islamic Republic of Iran) said that, as no consensus had been achieved on the draft text during the previous day's meeting of the Committee of the Whole, the Conference should now consider the document section by section to ensure that all delegates had the opportunity to consider the problems and propose solutions.
5. **Mr. Vorontsov** (Russian Federation) said that several delegations had expressed reservations about certain aspects of the draft text during the previous day's discussions. It should therefore be considered article by article to ensure that all States parties had the opportunity to make specific proposals for amendments.
6. **The President** said that there would not be enough time to discuss the text article by article. The Conference might consider examining the preamble separately and then the different clusters of articles.

Preamble

7. **Mr. Omarov** (Kazakhstan) said that the various parts of the draft text, including paragraph (ii bis) of the preamble, should be amended to incorporate a cross-cutting theme relating to the establishment of a permanent body responsible for promoting the peaceful use of biotechnologies and preventing the conduct of non-peaceful activities.
8. **The President** said that, while he understood the desire to establish a cross-cutting theme, it was preferable to avoid repeating the same point in different parts of the final document.
9. **Mr. Benítez Verson** (Cuba) said that, in paragraph (ii bis), the words "and decisions" should be included after the word "discussions" and the words "international cooperation" after the word "response". The words "as appropriate" should be added at the end of paragraph (xi bis).
10. **Mr. Vorontsov** (Russian Federation) said that, as the position of certain States parties prevented a decision on the matter being adopted, the preamble, which formed the declaratory part of the document, should be amended to include a statement to the effect that a legally binding protocol on the establishment of an effective verification mechanism should be developed. The relevant wording, proposed by the delegation of Cuba and supported by the overwhelming majority of States parties, had been included in a previous version of the text.
11. The reference to the "threat of use" of biological agents or toxins in paragraph (v) proposed by the Irish delegation should be deleted. States parties should be expected to condemn only the actual use of biological agents or toxins. The reference to "methods and practices of terrorism", proposed by the Cuban delegation for inclusion in paragraph (ix), should also be deleted. Paragraph (vii bis) should include a reference to the lessons learned from the coronavirus disease (COVID-19) pandemic, in line with a proposal by the delegation of the Islamic Republic of Iran. Paragraph (xi bis), which addressed gender issues, should be deleted, as such issues were not a priority for the Conference. Other United Nations

instruments addressed gender issues in the context of arms control. It would also be possible to reinstate in paragraph (xii) the wording proposed by the United States regarding scientific and technological developments.

12. **Mr. Park** (United States of America) said that, in the light of the limited remaining time available, his delegation opposed proposals to reintroduce language from earlier drafts on which consensus had not been achieved. The proposed amendments to paragraphs (ii) and (iii) of the preamble should not be incorporated; the formulations used in previous final documents should be reintroduced. The text following the word “assistance” in the last sentence of paragraph (ii bis) should be deleted, as the reference to “new biological incidents” was potentially confusing and the phrase “regardless of whether the origins are natural, accidental or intentional” ran the risk of blurring the line between the Conference’s mandate and that of other agencies.

13. **Mr. Robatjazi** (Islamic Republic of Iran) said that the phrase “as well as for the economic and technological development of States parties” should be added at the end of paragraph (i). In paragraph (xi bis), either a full stop should be placed after the first instance of the word “Convention”, or the entire paragraph should be replaced with language from the relevant draft resolution of the First Committee of the General Assembly (A/C.1/74/L.44), which encouraged the equitable participation of women and men within the framework of the Convention. His delegation supported the proposal by the delegation of Cuba to include the words “as appropriate” at the end of paragraph (xi bis).

14. **Ms. Rodríguez** (Panama) said that her delegation fully supported the wording of the preamble as it stood but was open to considering the proposals made by other delegations, notably the proposal by the delegation of Cuba to include a reference to international cooperation in paragraph (ii bis). The proposal by the delegation of Kazakhstan to include, in paragraph (ii bis), a reference to the establishment of a permanent body responsible for promoting the peaceful use of biotechnologies was also acceptable.

15. **Mr. Jain** (India) said that the reference to the “natural” and “accidental” origins of biological incidents should be removed from paragraph (ii bis), as incidents of that nature were not covered by the Convention. Given that the Convention enjoyed near universal adherence, the reference to “regional” peace and security should be removed from paragraph (x bis).

16. **Ms. Stromšíková** (Czechia) said that paragraph (ii bis) should not be amended to imply that a direct link existed between the COVID-19 pandemic and the need to institutionally strengthen the implementation of article X. There were other reasons for strengthening the implementation of article X and, if another pandemic broke out, the mechanisms established under the Convention would not be expected to deal with it.

17. **Mr. Benítez Verson** (Cuba) said that the delegate of the United States had called for the delegates to show flexibility and then, in the next breath, had stated that he could not accept several proposed amendments to the text, including the proposal to include the word “verified” in paragraph (ii). If that proposal, which was intended to be a compromise, was not acceptable, the Cuban delegation would propose the inclusion of a paragraph (ii ter), to read: “Their recognition of the need to strengthen the Convention by adopting, as soon as possible, a legally binding protocol with appropriate measures, including verification measures, dealing with all the articles of the Convention.”

18. **Ms. Wörgötter** (Austria) said that her delegation was open to including a reference to international cooperation in paragraph (ii bis) and to removing the references to “natural” and “accidental” biological incidents. The amendment to paragraph (v) proposed by the delegation of Ireland and paragraph (xi bis), which addressed gender issues, should be retained. The proposed amendment to paragraph (iii) should not be adopted.

19. **Mr. Fetz** (Canada) said that his delegation supported the general approach of not reintroducing language that had previously failed to enjoy consensus. The word “verified” should not be included in paragraph (ii) as its inclusion would suggest that the elimination of weapons of mass destruction should occur only if such elimination could be verified. He was opposed to the proposed amendments to paragraph (iii) and supported the inclusion of the reference to the “threat of use” of biological agents or toxins, other than for peaceful

purposes, in paragraph (v). If those words were not included, it might appear that the Conference condoned threats to use biological agents or toxins for non-peaceful purposes. Paragraph (xi bis), on gender issues, should be retained. The fact that such issues were not a priority for a small number of delegations did not mean that they were not a priority for others.

20. **Mr. Espinosa Olivera** (Mexico) said that he supported the Cuban delegation's proposal to include the words "and decisions" and the words "international cooperation and assistance" in paragraph (ii bis). In order to avoid giving the impression that the Convention applied to biological incidents of natural origin, the final part of paragraph (ii bis) should be amended to read "as the effects and response will be similar, regardless of whether the origins of biological incidents are natural, accidental or intentional".

21. The words "such use", in paragraph (v), should be replaced with the words "any such activities, in particular such use". The second part of paragraph (xi bis) might be amended to include a reference to the States parties' commitment to understanding the differentiated impact on men and women of all aspects of the implementation of the Convention.

22. **Mr. Walsh** (Ireland) said that his delegation was very encouraged to hear the enormous amount of cross-regional support for the inclusion of a reference to the threat of use of biological weapons in paragraph (v). It was very troubling that one delegation appeared to consider that threatening to use such weapons might be acceptable. Paragraph (xi bis), which addressed gender issues, should be retained. The fact that such issues were not a priority for one delegation did not mean that they were not a priority for others.

23. **Mr. Berkat** (Algeria) said that his delegation supported the proposal to include a reference to international cooperation in paragraph (ii bis). With regard to the proposal to include the words "threat of use" in paragraph (v), he was of the view that the prohibition of the threat of use of biological agents or toxins was covered by the general prohibition established in article I of the Convention. The inclusion of a reference to the "threat of use" of biological agents or toxins, other than for peaceful purposes, might suggest that, in certain situations, it might be permissible for a State to threaten to use such agents or toxins.

24. He proposed that the text in paragraph (x) should be divided into two sentences, with the first sentence ending after the word "enhanced" and the second beginning with the words "their commitment to promoting universal adherence to the Convention, and the universal observance of the Convention's norms and objectives". He supported the inclusion of paragraph (xi bis) on gender issues.

25. **Mr. Vorontsov** (Russian Federation) said that he agreed with the delegation of the United States of America on the need to show flexibility, but wished to stress that flexibility should not be one-sided or unilateral. His delegation expected to see flexibility being exercised by the United States, particularly with regard to the proposal to develop a legally binding instrument with effective verification measures, which had been blocked by the United States since 2001. He was surprised to have heard the delegation of Canada, among others, dismissing the importance of verification when it was a key aspect of arms control. In his delegation's view, it would be premature to refer to the "threat of use of biological agents or toxins" in the final document as that threat had not been defined in international law.

26. **Mr. Kordasch** (Germany) said that it would be wrong to make too many amendments to the preamble, as doing so would undermine its strength and detract from its key message, which was that the Conference remained fully committed to the ban on biological weapons. That said, his delegation supported the proposals to include references to the COVID-19 pandemic, the gender perspective and the threat of use of biological agents or toxins. He found it hard to believe that any State party would condone the making of such a threat and he did not agree with the argument that the term could not be included because it had not been defined in law.

Articles I–IV

27. **Mr. Park** (United States of America) said that the reference in paragraph 1 bis to the implementation of all the provisions of the Convention did not belong under the section

related to article I. The same sentiment was clearly expressed in the preamble. The statement in the second sentence of that paragraph, that “States parties shall refrain from activities which are in breach of obligations”, was rather weakly worded and should be strengthened. The reference to “humans, animals or plants”, in paragraph 1 should be aligned with the reference to “humans, animals, plants or other living beings” in paragraph 4. His delegation was unsure why amendments had been made to paragraph 17, which cited Security Council resolution 1540, as the language originally used in that paragraph had been based on the wording of the resolution.

28. **Mr. Vorontsov** (Russian Federation) said that paragraph 1 ter should be deleted in its entirety and, in paragraph 3, the words “strongly” and “or threat of use” should also be deleted. Paragraph 1 should be amended to include the following text: “The Conference emphasizes the vital importance of the full implementation by all States parties of all the provisions of the Convention and expresses concern at statements by some States parties that compliance with articles I and IV has, in their view, been subject to grave doubt in certain cases and that efforts since the Eighth Review Conference to resolve these problems have not been successful. The Conference agrees that the application by States parties of a positive approach in questions of compliance, in accordance with the provisions of the Convention, is in the interest of all States parties and that continued non-compliance with its provisions could undermine confidence in the Convention.” The wording was taken from a text agreed by consensus by all States parties during the Third Review Conference.

29. The proposal made by the representative of Cuba concerning a legally binding protocol should be added as a new paragraph 4 bis. The wording proposed previously by the representative of the Islamic Republic of Iran, “Note the urgent need for negotiation and establishment of an effective and non-discriminatory mechanism under the Convention to verify and ensure full compliance with the obligations under article I”, should also be incorporated.

30. Paragraphs 9 bis, 10 bis and 10 ter should be deleted in their entirety and the words proposed by the delegation of Cuba in relation to paragraph 9 bis should be added. Further additions under article III should include the wording proposed by the Group of the Non-Aligned Movement and Other States: “The Conference recognizes that the Convention has established a system with equal rights and obligations based on the principle of equal treatment of all States parties. Therefore national implementation measures should not create undue restrictions among States parties which would hinder the full, effective and non-discriminatory implementation of article X”; and “The Conference reiterates that States parties should not use the provisions of this article to impose restrictions and/or limitations on transfers, for purposes consistent with the objectives and provisions of the Convention, of scientific knowledge, technology, equipment and materials under article X”. A further proposal made by the delegation of the Islamic Republic of Iran should also be included: “The Conference emphasizes that the provisions of article III shall be implemented in a manner to avoid hampering the economic or technological development of States parties to the Convention or international cooperation in the field of peaceful biological activities.”

31. In paragraph 11, the words “and contribute to detecting, preventing and combating the acquisition, transfer and use of biological and toxin weapons” should be deleted. The final part of paragraph 12 bis should also be deleted, ending the sentence after the words “article X”. Paragraphs 13 (a) and 13 (f) bis should be deleted in their entirety. The wording in paragraphs 14, 15 and 17 taken from the Final Document of the Eighth Review Conference should be retained. Paragraphs 17 bis and 17 ter should be deleted, for reasons explained earlier, and the Conference might also consider deleting paragraphs 14 ter and 14 quater.

32. The paragraphs related to article IV should be amended to include several proposals made by a number of delegations, with the wording proposed by the Group of the Non-Aligned Movement and Other States: “The Conference recognizes that the growing trend of various national implementation practices, in the absence of a mechanism for verifying the implementation of the Biological Weapons Convention, have created different national levels of restrictions, barriers and/or limitations for legitimate trade and transfer of biological agents and toxins, equipment, materials and related technologies for peaceful purposes. Inequitable national implementation models intrinsically create obstacles for developing countries to manage their public health needs. Consequently, the Conference

reaffirms that any national implementation measure should be in proportion to public health issues to facilitate, but not hinder, the fullest possible exchange for peaceful purposes in implementing article X.”

33. Furthermore, the wording proposed by the Iranian delegation, “The Conference emphasizes that the provisions of article IV shall be implemented in a manner to avoid hampering the economic or technological development of States parties to the Convention, or international cooperation in the field of peaceful biological activities” and “the Conference reiterates that national implementation measures should not create undue restrictions for legitimate trade and transfer of biological agents and toxins, equipment, materials and related technologies for peaceful purposes among States parties”, should also be included.

34. **Mr. Kordasch** (Germany), underlining that delegations should avoid making many additional amendments to the text as that would prevent it from moving forward, said that paragraph 1 bis should be deleted as it weakened the Conference’s message rather than strengthening it. Paragraph 14 bis might also be deleted, as the information contained in it overlapped with information normally included in chapter III of the final document. The reference in paragraph 14 ter to the importance of raising awareness among the scientific community should be retained, although references to action that should be taken to promote such awareness-raising should be placed in chapter III of the final document, which would address decisions and recommendations.

35. **Ms. Stromšíková** (Czechia) said that her delegation supported the proposal to delete paragraph 14 bis, with the information included only in chapter III of the final document. Any new language relating to undue restrictions on the trade and exchange of goods and technologies should include the caveat that such trade and exchange must be conducted in accordance with national and international export control regimes aimed at preventing proliferation.

36. **Mr. Benítez Verson** (Cuba) said that the last sentence of paragraph 1 bis might be taken to mean that only non-compliance with the provisions of article I would undermine confidence in the Convention. He proposed that the sentence should read: “Any non-compliance with provisions of article I, or with any other article, could undermine confidence in the Convention.”

37. In paragraph 10 ter, the reference to cooperation under article X being taken forward “in mutual confidence” should be modified by the insertion of the phrase “and without undue restrictions or limitations to the economic and technological development of States parties”. In paragraph 13 (b bis), rather than encouraging States parties “to develop and implement pathogen repository and inventory systems”, the Conference should encourage them to “to consider” doing so. The last sentence of paragraph 14 should be worded more neutrally: the Conference should “note”, rather than “welcome” efforts to develop model legislation and guidance on national implementation. The same sentence should also refer to “rights and obligations” under the Convention, and not only obligations. The first sentence of paragraph 14 quater should read: “The Conference recalls relevant resolutions of the United Nations, relevant final documents of intergovernmental conferences and other instruments which reaffirm the importance of the equal participation and full involvement of women in all efforts for the maintenance and promotion of peace, security, international cooperation and sustainable development.” The amended language would take into account other relevant instruments such as the Beijing Declaration and Platform for Action.

38. The proposed new language in paragraph 17 created an imbalance; the original wording, which had been the subject of intense negotiation during the Eighth Review Conference, should therefore remain unchanged. Lastly, paragraph 17 ter should be replaced by the sentence: “The Conference recognizes that biorisk management standards could play a complementary and supportive role in the implementation of the obligations of the Convention, taking into account the relevant national circumstances.”

39. **Mr. Park** (United States of America) said that some delegations had put forward language that appeared to be entirely new and which had not been considered previously by the Committee of the Whole. Given the importance of the Conference’s procedures and the key role of the Committee of the Whole, he wondered whether it was appropriate to consider completely new proposals for inclusion in the text.

40. **The President** said that he did not oppose the submission of new language for the consideration of the plenary meeting, provided that the proposals were short and clear. Extensive proposals containing controversial elements would cause problems in terms of time management.

41. **Mr. Vorontsov** (Russian Federation) said that it was standard practice in plenary meetings of the Conference to discuss the inclusion of new language in a text that it was considering for the first time. That was particularly necessary now, as the participants were seeing the text proposed by the President for the first time. It did not reflect the discussions that had taken place in the Committee of the Whole or certain specific language that his delegation would have liked to see included and had considered likely to gather consensus. The delegation of the Russian Federation had therefore submitted proposals designed to ensure that the text was balanced, took into account positions of principle that it had expressed and was representative of the discussions in the Committee of the Whole. Neither the rules of procedure nor any other understandings reached in the Review Conference could limit the right of States parties to introduce language with a view to achieving consensus. It appeared that certain delegations were seeking to prevent others from having their views and positions reflected in the text.

42. **The President** said that he wished to stress the need for concision and for delegations to focus on the text rather than on non-substantive issues.

43. **Mr. Ji Zhaoyu** (China), recalling that article III of the Convention established negative obligations whereby States parties undertook not to carry out certain activities, said that paragraph 9 bis could be perceived as narrowing the scope of the article and weakening States parties' obligations. He therefore proposed to delete or amend paragraph 9 bis.

44. As paragraphs 10 and 10 ter both related to cooperation under article X of the Convention, he proposed that they should be combined. In paragraph 10 bis, all examples of specific activities, such as "drafting legislation" and "establishing administrative authorities or regulations", should be deleted, lest the Conference be perceived as encouraging interference in the domestic affairs of States parties.

45. As paragraphs 13 (b) and 13 (b) ter touched upon a similar topic, he proposed that they should be combined. The description in paragraph 13 (b) of engagement with the public and private sectors as "an indispensable complement to formal laws and regulations" might be modified using an adjective such "useful" or "valuable" instead of "indispensable". The endorsement of the Tianjin Biosecurity Guidelines for Codes of Conduct for Scientists in paragraph 14 bis should be retained, although it might be preferable to move it to another part of the final document.

46. **Mr. Ogasawara** (Japan) said that his delegation was willing to accept paragraph 4 as it stood, but would be grateful for clarification of the phrase "other living beings". Some of the new language that had been proposed in relation to article III was perplexing and required careful study. In particular, the delegation of Japan was not comfortable with language that seemed to describe the existing export control regime as a source of undue restrictions; it had submitted a proposal to insert the following sentence: "The Conference stresses that the existing export control regime plays a significant role in assisting States parties to implement their obligations under article III of the Convention and United Nations Security Council resolution 1540."

47. **Mr. Robatjazi** (Islamic Republic of Iran) said that paragraph 1 ter should be aligned with paragraph 26 of the report of the 2008 meeting of States parties (BWC/MSP/2008/5), by inserting the words "as weapons" after "potential misuse of biological agents and toxins". As paragraph 1 ter related to article IV rather than article I of the Convention, it could either be merged with paragraph 13 (c) or renumbered as paragraph 13 (c) bis. His delegation would not support the additions to paragraphs 3 and 4, preferring the previously agreed language.

48. Regarding the section on article III, his delegation supported the points made by the delegation of China. It could not accept the proposed paragraphs 9 bis and 10 bis, which should be deleted.

49. The proposed addition in paragraph 11 of the phrase "and stresses the vital importance of doing so" could be accepted, provided that the same phrase was repeated in the section on

article X. However, his delegation could not accept any changes to the wording of the chapeau of paragraph 13 or to paragraphs 13 (a) and 13 (b), considering that the language from the final document of the Eighth Review Conference should be retained. The adjective “national” should be added in the first line of paragraph 13 (b) bis, so that the text would read “encourage States parties to develop and implement national pathogen repository and inventory systems”. Neither the proposed paragraphs 13 (b) quater and 13 (f) bis nor the proposed additions to paragraph 14 were acceptable, as the agreed language should remain unchanged. In paragraph 14 bis (a), the verb “endorses” should be replaced with “notes”, in line with the stated position of the Islamic Republic of Iran on the subject. Paragraph 14 quater should be replaced with the language that had been agreed in the past by consensus. In paragraph 15, it would again be preferable to retain the agreed language without any changes. Paragraph 17 bis and 17 ter should be deleted altogether.

50. **Mr. Khalid** (Pakistan) said that the delegation of Pakistan supported the proposals of Cuba in respect of paragraph 1 bis, paragraph 13 (b) bis and paragraph 17 ter. In respect of the latter, more work was needed on the question of biorisk management standards. In general, and in paragraph 17 in particular, the Conference should retain language that it had agreed in the past. His delegation joined the expressions of support that had been made for the language concerning the Tianjin Guidelines, which should be included in both parts II and III of the final document.

51. **Ms. Wörgötter** (Austria) said that the language that had been added to the section on article III reflected a delicate balance. Proposals during the current meeting to further amend the text might take the Conference further away from consensus. In respect of article IV, her delegation strongly supported the proposed additions to paragraphs 13 (a) and (b), and the addition of paragraph 17 ter.

52. **Ms. Boels** (Belgium) said that cross-regional support had been expressed for many parts of the text, which formed a good basis for progress. Her delegation continued to support paragraph 17 ter, which built upon language contained in paragraph 13 (a) of chapter II of the final document of the Eighth Review Conference ([BWC/CONF.VIII/4](#)): “the Conference notes the value of national implementation measures, as appropriate, in accordance with the constitutional process of each State Party, to: (a) implement voluntary management standards on biosafety and biosecurity”. In recent years, it had become clear that biosecurity and biorisk management were the first lines of defence of the Convention, and that voluntary standards helped Governments to implement their obligations. The additional language was based on the working paper on biorisk management standards that had been discussed during the intersessional programme and which had been supported by a large number of States parties during the current Review Conference.

53. **Ms. Petit** (France) said that the draft could be streamlined in order to improve consistency between parts II and III, with a focus on removing redundant sections rather than adding new language. Her delegation supported all proposals to mainstream the gender perspective. It was also in favour of proposals concerning the monitoring of scientific and technological developments.

54. Her delegation welcomed the inclusion of paragraph 14 bis, but considered that it would sit more appropriately in chapter III of the final document, and that the Conference, instead of endorsing the Tianjin Guidelines, might note their value. The addition of paragraph 14 ter was welcome, although the idea it expressed ought to be addressed in greater detail in the section on article X. Paragraph 17 bis might be rephrased to the effect that the Conference noted the value of voluntary initiatives undertaken to enhance transparency and build confidence between States parties. France supported the current wording of paragraph 17 ter.

55. **Mr. Robotjazi** (Islamic Republic of Iran) said his delegation supported the additions proposed by the Russian delegation. Two proposals that had been submitted to the Committee of the Whole were not reflected in the text. The first concerned the inclusion of a sentence under paragraph 12 bis, which would read: “The Conference expresses serious concern regarding the harmful effects of unilateral coercive measures on the ability of affected States parties for national implementation of the Convention”. The second was the addition of a new paragraph under paragraph 9 bis, to read: “The Conference emphasizes that article III shall be implemented in a manner to avoid hampering the economic or technological

development of States parties to the Convention or international cooperation in the field of peaceful biological activities”.

56. One of the main problems of the text under consideration was that it incorporated many additions proposed by the United States, which had changed much of the agreed language from the final document of the Eighth Review Conference. Proposals by the Group of the Non-Aligned Movement and Other States, on the other hand, had been completely disregarded. He called upon the President to ensure the fair and balanced treatment of all delegations when considering their proposals.

57. **The President** said that he duly noted the call for a balanced text. He wished to reiterate, too, the need for concision.

58. **Mr. Walsh** (Ireland) said that the proposed language of paragraph 1 bis risked undermining the prohibitions established by the Convention. Its second sentence, which called on States parties to refrain from activities that were strictly prohibited by the Convention, seemed redundant, while the last sentence, which suggested that non-compliance “could undermine confidence in the Convention” was far too weak. The best approach would be to delete both of those sentences, if not the paragraph in its entirety. The introduction of new language in the section on article III – for example, the suggestion that existing export control regimes might impose undue restrictions – would move the Conference further away from consensus.

59. His delegation did not agree with the proposal to delete, from paragraph 13 (a), the reference to voluntary management standards, which had been agreed at previous Review Conferences. Instead, the paragraph should read: “Ensure effective implementation of voluntary management standards on biosafety and biosecurity to work cooperatively with other States parties, private-sector partners, international organizations and academia in this regard”.

60. The delegation of Ireland fully supported the language on gender that had been proposed in paragraph 14 quater. Paragraph 17 ter, which contained language that had been developed by a cross-regional group of partners and discussed extensively, should be retained, as the value of biorisk management standards was well established.

61. **Ms. Park Sujin** (Republic of Korea) said that her delegation also supported the inclusion of the language on biorisk management standards.

62. **The President** suggested that the Conference might postpone the consideration of articles V and VI until a subsequent meeting.

63. *It was so decided.*

Articles VII–IX

64. **Mr. Jain** (India) said that the first sentence of paragraph 47, in which the Conference “reaffirmed the importance of establishing” a database open to all States parties to facilitate assistance under the framework of article VII, did not reflect the consensus that had emerged within the Conference on the need for further action. He proposed replacing the words “reaffirms the importance of establishing a database” with “decides to operationalize the database”.

65. In paragraph 54, it was unnecessary to repeat the reference to the Secretary-General’s investigation mechanism, which was mentioned in paragraph 29. His delegation would appreciate clarification of the statement that “all reports” on the use of biological or toxin weapons must be investigated.

66. **Ms. Lohman** (United States of America) said that, while her delegation supported the principle behind paragraph 38 bis, its wording was too broad and it was somewhat redundant in the light of the language contained in the section on article X. The paragraph might therefore be deleted.

67. During the deliberations of the Committee of the Whole, the delegation of the United States had made clear that it could not accept paragraph 47 bis as it was currently worded.

However, it was willing to consider a reformulation of the paragraph to reflect the potential utility of “multi-purpose biomedical rapid reaction units” in national contexts.

68. Her delegation could not support the wording of paragraph 54 without the reinsertion of “credible” or a similar adjective in relation to reports of the use of biological or toxin weapons, as States parties should not be obliged to conduct investigations as a result of disinformation about biological weapons use.

69. **Mr. Ogasawara** (Japan) said that his delegation, too, was uncomfortable with the idea of the “establishment and employment of multi-purpose biomedical rapid reaction units under the Convention”. The Conference had not discussed the cost of such units, or the possibility that they would duplicate the activities of other international organizations, such as the World Health Organization. Therefore, the delegation of Japan was opposed to the inclusion of paragraph 47 bis.

70. **Mr. Ji Zhaoyu** (China) said that his delegation welcomed the mention in the first sentence of paragraph 54 of the need to investigate all reports of the use of biological or toxin weapons. However, it should be noted that the Convention prohibited not only the use, but also the development, production and stockpiling of such weapons. He was therefore concerned that the sentence risked weakening the obligation of States parties. He supported the call for clarification of the reference to “all reports”.

71. **Mr. Masson** (France) said that his delegation fully supported the proposed addition of paragraph 35 bis and the proposal of the delegation of India concerning paragraph 47. However, the language of paragraph 47 bis did not reflect the current state of the Conference’s discussions, which envisaged the deployment of national rapid reaction units in a framework of bilateral assistance, rather than under the Convention. The paragraph should be brought into line with the language on the same subject in chapter III of the final report.

72. **Mr. Poor Toulabi** (Kingdom of the Netherlands) said that his delegation supported the addition of paragraph 35 bis, as the establishment of voluntary guidelines for requesting assistance was an important step in the operationalization of article VII. Paragraph 47 bis should be reworded to reflect the potential utility of rapid reaction units, which should remain under the responsibility of States in their national capacity. The reference in paragraph 54 to “all reports” was too vague; it was important to either reinsert the word “credible” or replace it with a suitable alternative.

73. **Mr. Fetz** (Canada) said that his delegation agreed with the concerns expressed by the Japanese representative in relation to the cost implications of the rapid reaction units and the potential duplication of efforts; therefore, it did not support paragraph 47 bis as it stood. The units could be made available at the national level, but should not be put under the Convention.

74. Regarding paragraph 54, he agreed that a requirement to investigate “all reports” might stretch both resources and the credibility of the investigating authorities. The insertion of an adjective such as “credible” would ensure prudence when deciding whether to open investigations.

75. **Mr. Benítez Verson** (Cuba) said that the wording of paragraph 37 bis was excessively prescriptive. He proposed to insert, in the first sentence of the chapeau, after the words “should be”, the phrase “whenever possible”, and to delete the second sentence of the chapeau and paragraphs (a) and (b).

76. Paragraph 44 bis, in which States parties were encouraged “to conduct exercises at the national, regional and international level to test and refine plans for response to the alleged use of biological and toxin weapons”, might be amended so that they were instead encouraged to “consider the feasibility” of conducting such exercises. The second part of the sentence, in which the Conference noted that “simulation and table-top exercises to test the deployment of resources and extension of assistance and the formulation of a protocol on handling assistance are important in enhancing response capacities”, should be deleted.

77. Paragraph 44 ter required several amendments. The first sentence should read: “The Conference encourages States parties to consider the promotion of capacity-building through

cooperation, as appropriate, with relevant regional and subregional organizations that have mandates relevant to assistance and protection against biological and toxin weapons”. The second sentence should be deleted.

78. Furthermore, paragraph 47 ter should be reformulated to read: “The Conference recognizes that regional organizations and initiatives and regional best practices on international cooperation and coordination could enhance international response capacities”. Lastly, regarding the concerns that had been raised in respect of paragraph 54, the words “all reports” should be replaced by “all allegations by States parties”.

79. **Mr. Domingo** (Philippines) said that his delegation insisted on keeping paragraphs 44 bis, 44 ter and 47 ter unchanged, and would appreciate an explanation of why the Cuban representative had proposed to delete the reference in paragraph 44 bis to simulation and table-top exercises. Regional initiatives and mechanisms were an important component of States parties’ efforts to implement article VII.

80. His delegation fully supported the wording of the second part of paragraph 54, which referred to efforts by States parties to enhance the capacity of experts and to support the work of the Secretary-General’s investigative mechanism. While he supported the proposal by the Indian delegation to strengthen the wording of paragraph 47, it would be more appropriate to include the reference to the Conference’s decision to operationalize the database in chapter III of the final document.

81. **Ms. Park** Sujin (Republic of Korea) said that her delegation valued paragraph 44 bis, which highlighted the importance of exercises to improve preparedness under article VII.

82. **Mr. Ji** Zhaoyu (China) said that the Convention effectively prohibited the use of biological weapons, even if the word “use” did not appear in its official title. Considering that the text should be balanced in its treatment of different Convention obligations, he proposed to move the first sentence of paragraph 54 to another part of the document – for example, the section on article VI – and to reword it in a way that made clear that all reports of activities in breach of Convention obligations must be investigated. Alternatively, given the little time available, it might be expedient to delete the sentence altogether.

83. **Mr. Rosandry** (Indonesia) said that paragraphs 44 bis and 44 ter should be retained as they currently stood. However, his delegation would be willing to work with others to fine-tune the language of paragraph 44 ter.

84. **Ms. Hill** (Australia) said that her delegation recognized the value of exercises at the regional level and therefore supported the language of paragraphs 44 bis and 44 ter. Regarding paragraph 47 bis, her delegation did not support the concept of “multi-purpose biomedical rapid reaction units under the Convention” but was willing to consider possible amendments to that wording. It supported calls for a qualifier such as “credible” to precede the word “reports” in paragraph 54.

85. **Mr. Poor Toulabi** (Kingdom of the Netherlands) said that it would be practical to delete the reference to “all reports” in the first sentence of paragraph 54, as moving it to a different section might lead to unnecessary discussion. The Netherlands strongly supported the comments made by the representative of the Philippines on the retention of the language concerning regional exercises in paragraph 44 bis.

86. **Mr. Robatjazi** (Islamic Republic of Iran) said that the word “adopts”, in the last sentence of paragraph 35 bis, should be replaced with “endorses”. His delegation could not support the inclusion of paragraph 37 bis. As the draft should reflect the discussions held in the Committee of the Whole, a new paragraph 38 ter should be added, to read: “The Conference notes with concern that the application of unilateral coercive measures against some States parties to the Convention undermines States parties’ preparedness and capacities for response, investigation and mitigation of outbreaks of disease and for receiving prompt and effective assistance in addressing outbreaks of disease”.

87. The proposed new language at the beginning of paragraph 42 would weaken the paragraph and should be rejected, as should the proposed paragraphs 44 bis and 44 ter. Paragraph 47 ter contained language that was not relevant to article VII of the Convention and therefore should be removed.

88. His delegation did not agree with the deletion of paragraph 51, which contained agreed language from the previous Review Conference. Its retention would obviate the need to move the language to paragraph 52. Lastly, the proposed additions to paragraph 57 would alter the language that had been agreed at the previous Review Conference and should be rejected.

89. **Mr. Vorontsov** (Russian Federation) said that, in paragraph 34, a direct reference to the COVID-19 pandemic would suffice, with no need for further additions. Paragraph 35 bis, which alluded to the Conference's decision to adopt voluntary guidelines for requesting assistance under article VII, and their inclusion in an annex, should be deleted, as the appropriate place for such language was chapter III of the final document. Paragraph 37 bis should also be deleted, as should the words "and emphasizes the importance of building such capacities", which had been added at the end of paragraph 40.

90. In paragraph 42, it would be possible to include the proposal made by the Cuban delegation, which had been included in the previous version of the text, as it better reflected the views of the States parties and so merited inclusion. The new language in paragraph 43, calling upon States to assess their own national capacities and identify areas of need, and paragraphs 44 bis, 44 ter, 47 ter and 47 quater should be deleted.

91. The two new paragraphs proposed by the Group of the Non-Aligned Movement and Other States should be included in the section on article VII. The first would read: "The Conference recognizes that the lack of a comprehensive protocol to strengthen implementation of all aspects of the Convention has created a gap in the provision of prompt and effective assistance under article VII to States parties". The second would read: "The Conference strongly reaffirms that national preparedness of States parties and their prompt access to new methods and novel diagnostic technologies and equipment for detection and quick response to any possible biological attack or disease outbreaks play an important role in providing assistance to States parties. The rapid pace of novel biothreats against humans, animals and plants requires rapid responses and enhanced national capacity prior to any biological attacks against States parties." The delegation of the Russian Federation also supported the inclusion of the language proposed by the delegation of Iran concerning the effect of unilateral coercive measures on States parties' preparedness and capacity for response.

92. In the first sentence of paragraph 50, he proposed that the Conference should "recall" rather than "welcome" the actions that States parties had taken to withdraw their reservations to the 1925 Geneva Protocol, and that the word "however" should be deleted from the next sentence. His delegation opposed the deletion of paragraphs 51 and 53, which contained agreed language from the final document of the Eighth Review Conference, and the addition of text in paragraph 52. It likewise opposed all changes to paragraph 54, considering that only the language approved by the Eighth Review Conference should be retained.

93. Lastly, in the first sentence of paragraph 57, in which the Conference noted "the accelerating pace of convergence of biology with chemistry and other fields of research", he proposed to remove the phrase "such as material science and artificial intelligence". The second sentence, in which the Conference encouraged cooperation between the appropriate bodies under the Biological Weapons Convention and the Chemical Weapons Convention, should be deleted, as his delegation considered it inappropriate to combine practices under separate treaties.

The meeting rose at 1 p.m.